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The Contest of Exchange:

Space, Power, and Politics in Philadelphia's Public Markets, 1770-1859

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An Abstract of
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School of Emory University in partial fulfillment
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Abstract

This dissertation maps the varied terrain of Philadelphia's open-air public markets over the course of the Revolutionary era to the early-nineteenth century, revealing a complicated narrative of shifting experiences and fierce contests for market space. Philadelphia's multiple open-air markets were abundant and relatively ordered worlds of vibrant tactile experiences, where a variety of sights, sounds, smells, and individuals blended into one stunning whole. Yet they were also violently contested zones of commercial exchange, struggled over by black and white vendors, residents, city officials, and state legislators. In addition, markets also served as popular arenas of political and social unrest, at times appropriated by new Americans as prominent stages to advance their impassioned agendas, and at other times, turned into fortresses in the midst of racial, religious, and class-based riots. Thus these spaces operated equally as critical centers of commerce and as sites where politics were made, where the city's social fabric became visible, and where Philadelphia's culture was defined and re-defined.

The project spans the timeframe of 1770 to 1859, a period that encompasses the rise and fall of Philadelphia's open-air public market culture, as well as a host of volatile changes that shook the city as a whole. Exploring public market-places during this moment illuminates the critical linkages of political and economic democracy that rested at the very heart of these sites of exchange. It also offers a new lens with which to view the wide web of relationships that drew together the whole of one urban community and the shifting relations of power that threatened to divide it.

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Writing about the intricate web of human connections that structured the market-place has often led me to reflect on the many relationships that configure my own life. I am thrilled to be able to release a "product" after so many years of invisible work, but I am even more pleased to finally be able to articulate my gratitude for all those who helped bring this work (and me) to life.

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INTRODUCTION

"Indeed, the history of every community begins at the market place."
- Horace Mather Lippincott, 1917

While penning his meticulous magnum opus on the interplay between civilization and capitalism, Fernand Braudel observed that the "clamor of the market-place has no difficulty in reaching our ears."[1] As he noted, societies across space and time have left behind an elaborate collective record of market experiences that attests to the varied meanings and common significance of these local sites of domestic exchange. The sights, sounds, smells, squabbles, riots and laughter that grew out of the market-place and made them meaningful to the everyday lives of men and women across the world repeatedly emerge in manuscripts, print, art, legislation, church records and in the oral narratives that have survived the test of time. Indeed, the roar of the market is impossible to miss.

Within this vast historical narrative of market-places, Philadelphia's early sites of domestic exchange stand out. Like markets across the early modern Anglo-American world, they offered up portraits of mutton legs swinging from hooks, baskets of ripe summer berries, plump fish hucksters and rough-housing butchers. Also like other markets, they drew together a broad cross-section of their community, corralling drunkards and gentlemen, free and enslaved, prostitutes and housewives into one central public space. Yet Philadelphia's market-places attracted the attention of visitors around the world who crafted a collective image of the sites of exchange that bordered on the romantic. Travelers lavished praise on the spaces and especially on the High Street

[1] Fernand Braudel, *The Wheels of Commerce: Civilization & Capitalism 15th-18th Century*, Volume 2 (New York: Harper & Row, 1982), 25.

Market, which they saw as an unparalleled model of abundance and civic order. Such statements were particularly significant in the late-eighteenth century, for the city's markets began to serve as sites of spectacle for travelers who were hungry both to define and celebrate the shape of the new American nation. Philadelphia's market, they believed, was a microcosm not only of this city, but of the entire body politic. Positive descriptions of the markets of the then national capital thus affirmed the economic prosperity and socio-political order of the Republic itself.

Like the travel accounts of early Philadelphia that used the market as a unique lens to explore the workings of this nation, this dissertation also approaches the sites of exchange as historical texts in which can be read a narrative of economic, cultural and social changes that shaped the era.[2] Markets were "practiced places" in Michel de Certeau's terms, physical spaces that were stirred to life and made meaningful by the motion and intercourse of human beings.[3] Peeling back the layers of human activity within a market-place thus reveals a "compressed display of an area's economy, technology, and society—in brief, of the local way of life."[4]

This local way of life, as read through the scrutiny of the market-place, however, was never as romantic as contemporary chroniclers described. Certainly, Philadelphia's multiple open-air markets were abundant and relatively ordered worlds of vibrant tactile experiences, where a variety of sights, sounds, smells, and individuals blended into one stunning whole. Yet they were also violently contested zones of exchange, struggled

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[2] For a rich theoretical discussion of using markets as "texts," see Anand A. Yang, *Bazaar Indian: Markets, Society, and the Colonial State in Bihar* (Berkeley: University of California Press, 1998), 2-5.
[3] Michel de Certeau, *The Practice of Everyday Life,* trans. Steven Rendall, (Berkeley: University of California Press, 1984), 117.
[4] Herbert M. Eder, "Markets as Mirrors," in Scott Cook and Martin Diskin, eds., *Markets in Oaxaca* (Austin: University of Texas Press, 1976), 76.

over by vendors, residents, city officials, and state legislators. In addition, they served as popular arenas of political and social protest, at times appropriated by new Americans as prominent stages to advance their economic, political, and cultural agendas, and at other times, turned into fortresses to fend off political rivals. Accordingly, these markets operated equally as critical centers of commerce and as sites where politics were made, where the city's social fabric became visible, and where Philadelphia's culture was defined and re-defined.

Overall, this narrative of Philadelphia's market-places presents a complicated story of shifting experiences and fierce struggles for market space over the course of the Revolutionary era to the early-nineteenth century. This particular period encompasses the rise and fall of Philadelphia's open-air public market culture, as well as a host of volatile changes that shook the city as a whole. In addition to the extraordinary political and social transformations ushered in by the War of Independence, the tides of commercial and industrial capitalism began to wash over the city, spurring labor market growth and altering the relationships between the "haves" and the "have nots." Rising rates of immigration, shifting styles of leadership, new political alliances and an increasingly vocal abolitionist movement also worked to throw the city into flux, pitting rich and poor, white and black, slave and free, immigrant and native, and employer and worker against each other. By mid-century, the whole of Philadelphia was engulfed in persistent, threatening bouts of mob violence. [5]

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[5] A number of scholars have detailed the social and economic changes of antebellum Philadelphia. See for instance, Bruce Laurie, *Working People of Philadelphia, 1800-1850* (Philadelphia: Temple University Press, 1980) and Gary Nash, *Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution* (Cambridge, Mass.: Harvard University Press), 1979.

Philadelphia's market-places reflected each of these tensions and transformations, yet too often such sites of exchange have been treated as static zones in the historiography of the early Republic. Typically they surface in the literature as quaint remnants of the Old World: haphazard meeting spaces in which the folk gather to barter for foodstuffs, hosting the exact same rituals of exchange and interaction they did in the colonial era. The characters change somewhat as tides of Atlantic and rural immigration shape the demography of urban areas. The physical structures change also as new architectural innovations and ideals shape the built environment.[6] Still, overall, markets appear timeless and remarkably insulated from the dynamic economic shifts, wars, epidemics and riots that rock the social world in which they are rooted.

Market-places do display a remarkable degree of continuity over time, yet it is not their resistance to social and economic forces that creates that continuity, but their malleability. Like elastic bands, Philadelphia's markets expanded and contracted to adapt to the shifting shape of the world around them, stretching to meet progressive new political ideals and snapping back to conform to values of old. Depending on the desires of municipal authorities, state legislators, consumers, vendors, or casual loafers, the physical contours of markets changed, as did the bodies that inhabited them, the ordinances that governed them and their functional uses.

If markets are intellectually valuable as reflections of their surrounding communities, this work argues even more forcefully that they are significant and dynamic

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[6] On market structures and architectural changes, see Agnes Addison Gilchrist, "Market Houses in High Street," *Transactions of the American Philosophical Society*, 43 (1953), 304-312; Margaret B. Tinkcom, "The New Market in Second Street," *Pennsylvania Magazine of History and Biography* 82 (1955): 379-396; Bryan Clark Green, "The Structure of Civic Exchange: Market Houses in Early Virginia," *Perspectives in Vernacular Architecture* 6 (1997), 189-203; James M. Mayo, "The American Public Market," *Journal of Architectural Education*, 45 (Nov. 1991), 41-57; Jay R. Barshinger, "Provisions for Trade: The Market House in Southeastern Pennsylvania" PhD. Dissertation, 1994, The Pennsylvania State University.

spaces in and of themselves. Markets often functioned as miniature worlds, full of their own varied spatial boundaries and codes of conduct, and complete with their own rules and rule-breakers, gods and demigods.[7] They served as unique political and social arenas, in which the city's inhabitants forged, struggled over, and enacted a host of racial, ethnic, religious, class-based, and gendered dramas. Finally, markets also gave birth to sights, sounds, smells, events, ideas, policies and memories that were particular to their unique environments—environments that periodically shaped and altered the patterns of ideas, policies and relationships in the broader society.

The many fissures that broke open in Philadelphia's market-places stemmed largely from their designation as "public" places—a term that not only vexes historians of early America, but often riddled early Americans as well. By the eighteenth century, "public" had become a common legal qualifier that designated particular geographic places as the property of the state. In the case of market-places, the municipal or state government thus held legal ownership as well as the responsibilities of physical upkeep and the maintenance of the market peace or social order. Accordingly, the sites of exchange were structured by a shifting set of lengthy ordinances that regulated economic transactions, vendors, social behavior, and the physical boundaries and environment of the market-places.

Markets never existed as the polite bastions of order that municipal and state laws sought to create, however, precisely because they were "public" spaces. As was true of parks and streets in the early United States, the qualifier "public" also carried particular

[7] To explain Philadelphia's market-places as miniature worlds, however, is not to suggest that they were isolated zones of free human activity that operated beyond the purview of the state. The "carnivalesque" features that Mikhail Bakhtin and subsequent scholars have attached to medieval and early modern European market-places, for example, did not characterize those of early Philadelphia. For a longer discussion of this literature, see Chapter 1, p. 13.

spatial and cultural dimensions that conflicted with the legal definition of the market as municipal property.[8] Markets were literally open spaces, accessible to and used by all Philadelphians and an array of vendors and consumers from the surrounding countryside. The common use of these spaces, as well as their position in the midst of urban streets generated a continued popular debate about just who held legitimate authority over the market-place—the "state" or the "people." As Don Mitchell has suggested, it was precisely this debate that made the market-place an identifiable public place, for "[w]hatever the origins of any public space, its status as 'public' is created and maintained through the ongoing opposition of visions that have been held, on the one hand, by those seek order and control and, on the other, by those who seek places for oppositional political activity and unmediated interaction."[9]

Importantly, the contest for power within and over public markets did not exclusively or even primarily pit the state against the people. During the eighteenth and early-nineteenth centuries, a vast array of different constituent groups and individuals laid claim to market-places, either by attempting to enforce their own social and economic norms or by rebelling against the rules crafted by others. Such norms shifted over the course of this study, at times stemming from tenets of agrarian republicanism, or from Jacksonian democracy, or again from free market capitalism, for example. Likewise, the nature of opposition to these imposed schemes of order also shifted over time and ran the gamut of expression from the every day subversive acts that feminist theorists have

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[8] Roy Rosenzweig and Elizabeth Blackmar, *The Park and the People: A History of Central Park* (Ithaca: Cornell University Press, 1992), 5-7.
[9] Don Mitchell, "The End of Public Space? People's Park, Definitions of the Public, and Democracy," *Annals of the Association of American Geographers* 85, (March 1995), 115.

labeled “micropolitics” to public petitions and court cases, and finally, to bouts of violence that included riots, stabbings and murder.[10]

In part, the latter overt power struggles characterized the market-place during this period because the “public” as a body was itself being struggled over and defined. At the onset of the Revolution, when this project begins, the term “public” served as a popular rhetorical device linked to notions of the “commonweal” and was used to leverage power in debates over market prices and property. Yet the term became so popular and so convoluted in the aftermath of war, that its very traction weakened as more and more Philadelphians began to question just who constituted and who should speak for the “public.” As various political factions emerged, each espousing their own vision of the shape of the new nation and its citizenry, this question would become both more critical and contested. Simultaneously, however, the “public” as a term would also grow more meaningless in the particular context of the market-place as the “public” as a body witnessed an overall dwindling of power in the face of an increasingly strong municipal government in the nineteenth-century.

The market’s status as a space of ongoing contestation also stemmed from its critical and equally complicated role as a site of economic exchange. The primary and original function of a market was to simplify and purify economic transactions by bringing together producers and consumers in face-to-face exchanges in the open air. Yet even a cursory glance at the mode of eighteenth-century exchange reveals just how complicated those transactions could be. The exchanges that transpired in the market-

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[10] See in particular Patricia S. Mann, *Micro-Politics*: *Agency in a Postfeminist Era* (Minneapolis: University of Minnesota Press, 1994) and Mona Domosh, “Those "Gorgeous Incongruities": Polite Politics and Public Space on the Streets of Nineteenth-Century New York City,” *Annals of the Association of American Geographers* 88 (June 1998), 209-226.

place were only in small part affected by the fluctuation of prices based on supply and demand. They were also, and more significantly, affected by communal notions of "just prices," ordinances passed by municipal authorities, social relationships that structured the life of the city, and the network of farmers and vendors that stretched deep into the rural countryside.[11]

This dissertation explores the moment when those already complicated market transactions became all the more multifaceted. Bound up in this era lay a central defining moment in the city's history—when the regulated, face-to-face exchanges of the physical market-*place* gave way both literally and figuratively to a new market *process* defined by invisible, impersonal and largely unregulated market forces.[12] While an important and extensive literature centered on the growth of the invisible market economy in early America already exists, few scholars have paid attention to this transition from the market-place to a market process. Even fewer have considered early American markets as serious subjects of economic, cultural, and social analysis.[13] Rather, public markets generally appear in the historiography as peripheral bumps of tradition on the inevitable American road to the birth of modern capitalism.

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[11] In accordance with economic theory, I am arguing here that eighteenth century market-places had elements of self-regulation, but were not necessarily identifiable components of a self-regulating market *system*. For a precise discussion of the distinctions between "markets" as discussed by economists and historians, and distinctions between self-regulating markets and market-places, see Walter C. Neale, "The Market in Theory and History," in Karl Polanyi, Conrad M. Arensberg, and Harry W. Pearson, eds., *Trade and Market in the Early Empires, Economies in History and Theory* (Glencoe, 1957), 357-391. While not categorically confined to kinship groups or ethnic tribes, I would argue that similar social relations that Karl Polanyi and succeeding economic anthropologists have found "embedded" in the markets of traditional societies, also contributed to the nature of exchange in Philadelphia's public market-places. See Karl Polanyi, *The Great Transformation*, repr. (Boston: Beacon Press, 1985), Chs. 4, 5.

[12] This transition has been articulated most clearly by Jean-Christophe Agnew in *Worlds Apart: The Market and the Theater in Anglo-American Thought, 1550-1750* (New York: Cambridge University Press, 1986).

[13] A major exception here is Helen Tangire's recent work, *Public Markets and Civic Culture in Nineteenth-Century America* (Baltimore: John Hopkins University Press, 2003).

The pages that follow illustrate, however, that urban public markets were not bumps on an inevitable path, but broad mountainous ranges on a deeply contingent economic landscape. Contemporary Philadelphians struggled over the demolition of the city markets for over twenty years because they understood that to raze these ranges, to demolish these markets, was to sever the seams of tradition that had not only bound them to the Old World, but had bound the city itself together for over a century and a half. By freezing the frame of history on this moment, this project thus speaks to both the making and re-making of Philadelphia, to the deep rivers of continuity and economic tradition that survived the Revolution and the dramatic, contested breaks with that tradition in a fledgling city preoccupied with becoming a model of economic progress for the world.

Ultimately, by mapping the cultural and social terrain of public market-places during the rise of market capitalism, this project seeks to illuminate the critical linkages of political and economic democracy that rested at the very heart of these sites of exchange. A number of historians, inspired by the seminal work of E.P. Thompson, have explored similar themes through the lens of a moral economy and modes of market consumption. Yet they have often neglected market vendors and particularly market-place vendors. This study hopes to fill that gap by shedding more light on the diverse group of common men and women who sold foodstuffs and goods within and around the city's market-places. Like consumers, the butchers, farmers, hucksters and taffy sellers who made their daily living in the market-place used both market exchange and the market-place as means to stake particular claims to the body politic. They were in turn, joined by a host of others along the way who likewise laid claim to market space in order to express and craft their particular identities as political beings in the antebellum city. In

the end, it is precisely this meaning—of the market as a political space—that explains the constant theme of contestation that frames this narrative, just as it explains why Philadelphians struggled with such difficulty over the fate of the city's open-air market-places in the expanding face of market capitalism.

This study moves chronologically, interweaving both narrative and methodological approaches from the fields of economic, social, cultural, sensory, and architectural history. Chapter 1 begins in 1770 as the city entered a period of heightened market construction and Chapter 5 ends in 1859 when the largest market-place in High Street was demolished at the end of a lengthy and volatile debate among urban residents and regional vendors. Following such a trajectory allows one to see just how dynamic the sites of exchanges sincerely were, as well as the varied forms of meaning that different people attached to market-places at different historical moments. It also (hopefully) allows for a clear understanding of the qualitative and quantitative experience of exchange in an early economy rooted in the market-place.

CHAPTER 1:

From Market Peace to Market Order: The Public Market in Revolutionary Philadelphia

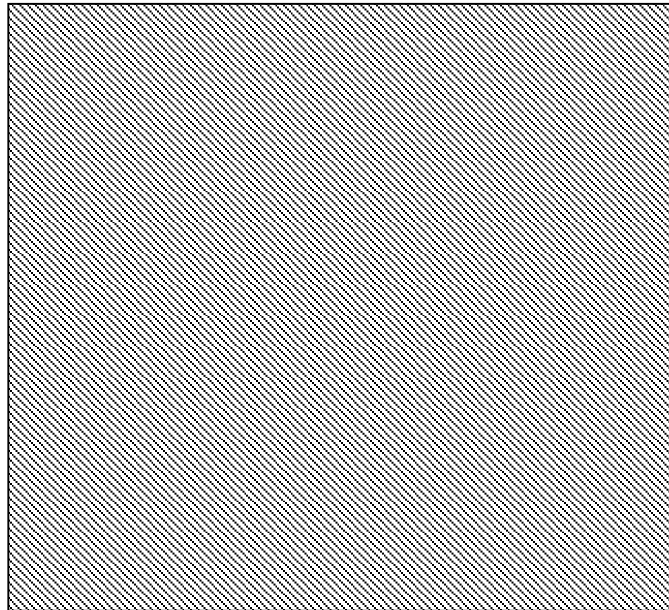

Figure 1.1: The Old Court House, Town Hall & Market in 1710, on High St. between 2nd & 3rd Sts. From an old drawing in Philadelphia Library. Location: Historical Society of Pennsylvania.

Saturday morning was a sensory wonderland in colonial Philadelphia, an amusement park for the eyes, nose, ears and taste buds. Long before the sun rose, hundreds of male and female consumers with baskets dangling on their arms and children or servants in tow, would step around the metal chains that boxed in a four block stretch of open-air market stalls in High Street. Over the course of the morning, thousands of others would join them to meet and haggle with hundreds of vendors in English or German over the price and weight of the thick rosy sides of beef, pork, and veal that swung from metal hooks over their heads. Others would sort through baskets of produce,

loaves of fresh bread, tubs of sheepshead and shad. If the season was right, children and grown men would strike up quick conversations around the sides of carts as they waited for men to dig their knives into the slits of oyster shells and pry open a handful of delicacies in exchange for a few pence. The extraordinary variety of fresh vegetables, meats, butter, poultry and fruits made Saturday the best market day in Philadelphia if you asked the traveler Daniel Fisher.[1]

But Saturday morning was also the most congested, noisy, offensive day of the week if you asked Susannah Trapes.[2] Although William Penn laid out Philadelphia as a two square mile plot bookmarked by the Delaware and Schuylkill Rivers, most of the city's over twenty thousand residents clustered into a condensed area on the eastern edge that amounted to only 0.6 square miles of land in the 1770s.[3] Mariners, merchants, gentlemen and women, shopkeepers and artisans alike crowded into a few urban blocks in an arc-like pattern stretching from Fourth Street to the seat of the city's commercial dreams—the Delaware River. At the center of this densely compact area sat the High Street Market and just a few blocks to the south, rested the smaller New Market {Fig. 1.2}.[4] Given the cramped quarters of the urban landscape, these two market-places, which collectively stretched for over one half mile, occupied a considerable portion of city space. When butchers, farmers, hucksters, wagons, horses, consumers and casual loafers descended on the markets however, they quickly lost their neat geographical

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[1] Mrs. Conway Robinson Howard, "Extracts from the Diary of Daniel Fisher, 1755," *Pennsylvania Magazine of History and Biography* 17 (1893), 266.

[2] *Pennsylvania Magazine*, November 1775, *Pennsylvania Packet*, January 5, 1782.

[3] Carole Shammas, "The Space Problem in Early United States Cities," *The William and Mary Quarterly* 57 (2000), 505-542; Mary Schweitzer, "The Spatial Organization of Federalist Philadelphia, 1790," *Journal of Interdisciplinary History* 24 (1993), 31–57; Sharon V. Salinger, "Spaces Inside and Outside, in Eighteenth-Century Philadelphia," *Journal of Interdisciplinary History* 26 (1995), 1-31.

[4] While Penn's original plan had reserved a market space in a central public square, the settlement patterns of the population precipitated a much different design. John Russell Young, ed., *Memorial History of the City of Philadelphia: From Its Settlement to 1895,* (New York: New York History Company, 1895), 1:22.

boundaries. Exchanges, economic and social, spilled out into the surrounding streets and alleyways, onto the doorsteps and through the windows of neighboring homes and businesses, creating a cacophony of sounds, smells, and sights that competed for each and every human sense. Wagons, carts and horses carried foodstuffs into the city, but they also carried dirt and dust and filth from miles of country roads. Strangers and enemies heckled each other, fist-fights broke out, knives used to filet meat became weapons to stab human bodies. Pools of rain water collected in the cavities of the street, pigs broke loose from their herds, and fish broiled under the sun creating a stench that hung over the market like a cumulous cloud.

Despite the offensive sounds, odors and occasional bouts of violence that characterized Philadelphia's market-places, they stood as model spaces of exchange in the eighteenth century imagination—particularly when juxtaposed against other colonial and European sites. Already in the eighteenth century, beggars, children, and street vendors saturated London's markets, while discordant sounds, languages, and variously colored bodies turned the market-places of New York, Charleston and New Orleans into disorganized sites that appeared more like makeshift meeting spaces than formal, municipal markets. Indeed, based on eighteenth-century experiences, disorder seemed ingrained in the very culture of the market-place—no matter its geographical location. Remarkably, however, Philadelphia escaped this negative branding. Both visitors and residents repeatedly boasted about the city's markets as abundant, clean, and well-ordered spaces of exchange. Take Scottish architect, William Mylne for example, who characterized Philadelphia in 1772 as "one of the greatest trading places in America." Rather than conjuring up images of the commercial activity clustered around the city

docks when he wrote, he was re-envisioning the High Street Market, whose brick arches, lengthy stalls and panoply of foodstuffs composed the "finest market in the world."[5] Josiah Quincy of Boston echoed his praise, declaring the city's markets as "undoubtedly the best regulated on the continent."[6]

Quincy and Mylne and the thousands of others who traveled through the five blocks of market stalls in Philadelphia might have even believed they were entering a fabled bastion of "market peace." More than a mere rhetorical flourish used by municipal authorities, the term "market peace" invoked a medieval concept of order that encompassed the entire collective of social, economic, and cultural exchanges that transpired within the market. Although the term was typically invoked by the proprietary government and used in legislative acts and ordinances, "market peace" was not a top-down state-driven method of controlling the space of the market. Rather, the "market peace" consisted of a fragile system of mutual obligations between the state and the broad community that was itself encompassed within a discourse of the "public good." Yet Philadelphians had no deep, abiding interest in the communal welfare. Already in the early eighteenth century, as Gary Nash has argued, the public good was understood as a rhetorical cloak to disguise the whims of self-interested parties.[7] So, how did the city earn its reputation for such orderly market-places? How did it manage to sustain a novel sense of market peace if there was no strong commitment to a public welfare of the public that depended on the markets for sustenance? Ironically, in Philadelphia, it was

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[5] Ted Ruddock, ed., *Travels in the Colonies in 1773-1775 Described in the Letters of William Mylne* (Athens: University of Georgia Press, 1993), 74; Patrick M'Robert, *A Tour Through Part of the North Provinces of America* (Edinburgh: Printed for the Author, 1776), 30-32.
[6] Josiah Quincy, *Memoir of the Life of Josiah Quincy, Junior of Massachusetts, 1774-1775, by his son Josiah Quincy*, 2nd. ed (Boston: J. Wilson and Son, 1874), 107.
[7] Gary Nash, *Urban Crucible: Social Change, Political Consciousness and the Origins of the American Revolution* (Cambridge, Mass.: Harvard University Press, 1979), 97.

self-interest, not communal interest, that guided the smooth functioning of the market-place in the eighteenth century. Motivated by their own individual investments, municipal leaders, nearby property owners, rural farmers, local vendors, consumers, casual loafers and others willingly participated in the system of obligations that sustained the market peace. If the broad community was not deeply invested in a sense of the public good, it was in fact, deeply invested in its public markets.

Even more ironic, it was the strength of these individual investments that began to splinter the market peace into nearly unrecognizable fragments by the early 1770s. Whether the seeds of tension grew from the defense of property rights or the material strains of war, the market-place became a political, economic and social battleground as new disputes within and about the public markets began to radiate throughout the streets and presses. As the system of mutual obligations that sustained the market peace broke down, Philadelphia could no longer be described as a haven of well-ordered municipal markets. Instead, the events of the era ushered in a new market experience in the city—one defined not by cooperation, but by conflict.

I. A Jack of All Spaces

From its architecture to its spatial location to its social uses, the market was a quintessential public space in eighteenth-century Philadelphia. It was the literal embodiment of the very definition of "public" according to an early dictionary: open, notorious, common, general.[8] Nestled into the midst of streets, the markets drew together the broadest segments of the city and the region. Here, town and country, wealthy and

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[8] Noah Webster, *A Compendious Dictionary of the English Language* (Hartford and New Haven: Sidney Press, 1806), 241.

poor, slave and free, male and female, and black, brown and white commingled daily. So too did conservatism and liberalism, punishment and reward, order and disorder. The market truly was a jack of all spaces, subject to a cross-section of political, economic and social forces, with cultural roots that stretched back across the Atlantic to England, Germany and Africa as well.

Architecturally, both the High Street and New Markets shared European models. The former combined a town hall with an open-air space of exchange layered just beneath, while the latter consisted of purely utilitarian sheds, also open to the elements under a gabled roof. Although they were constructed differently, at different periods and out of different motives, either might have easily been plucked from the streets of Whitby or Edinburgh.[9] {Fig. 1.1} Both were built on the same premises that had structured market spaces from antiquity—that exchange should be public, visible, face-to-face, or *Hand-in-Hand*, *Auge-in-Auge Handel*, as in the German expression.[10] Only through a highly visible mode of exchange could the frauds, deceit, and dangers inherent to economic exchange be discerned and checked, by the state as well as the public. These beliefs traveled across the Atlantic with William Penn, who understood their importance in a colony built into the wilderness and surrounded by an indigenous population. Cognizant of the pervasive distrust between the two groups and the likelihood that white settlers would take advantage of the natives, Penn ordered that all exchanges between the two take place exclusively within the public market, and "there suffer the test, whether

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[9] James Schmiechen and Kenneth Carls, *The British Market Hall: A Social and Architectural History* (New Haven: Yale University Press, 1999) 3-19; Jay R. Barshinger, "Provisions for Trade: The Market House in Southeastern Pennsylvania" PhD. Dissertation, 1994, The Pennsylvania State University, 20-21.

[10] Fernand Braudel, *Civilization and Capitalism*, *15th-18th Century, vol. 2, The Wheels of Commerce* (New York: Harper and Row, 1982), 29.

good or bad."[11] Eighty years later, the mayor of Philadelphia echoed similar sentiments when he issued a broadside that required butchers, fish vendors and any marketer that sold provisions by weight to purchase their own individual scales and weigh their goods before their customers.[12]

Markets were home to varied social functions as public spaces, but they were not free-wheeling zones in which the folk experienced life away from the purview of the state.[13] On the contrary, in the eighteenth-century, the term "public" signaled the presence of government in the form of management or ownership. Much like public docks, ferries, or highways, the state typically controlled the public markets, established rules, directed construction and provided maintenance. If one were to walk through the High Street market, these ties to the municipal government would be eminently visible.

Consider the walk Benjamin Franklin might have taken (if he decided to forego the carriage ride) on his way home upon arriving in Philadelphia from Europe in 1775. Even before disembarking on the public wharf at the end of High Street, the two story court house that towered over the market place, with its tall weather vane, immediately would have drawn his gaze. Simultaneously, the pungent odor of shad and herring would have bombarded his olfactory glands. Only a few feet from the docks as he began his westward walk, his eyes would trace the source of the smell to the tubs of fish resting at the feet of a small collective of female hucksters. A few paces later, he would have crossed Water Street and with just a few more, Front Street. There he would have passed

[11] *Minutes of the Provincial Council of Pennsylvania*: *Certain Conditions or Concessions*, Vol. 1 (1852), 28.
[12] *An Ordinance To Prevent Impositions in the Weighing of Provisions in the City of Philadelphia*, 1764.
[13] Following Bakhtin, cultural historians in particular have approached markets in this vein. See Mikhail Bakhtin, *Rabelais and His World*, trans. Helene Iswoldsky (Cambridge: Harvard University Press, 1968), 153-4; Jean-Christophe Agnew, *Worlds Apart: The Market and the Theater in Anglo-American Thought, 1550-1750* (New York: Cambridge University Press, 1986); Peter Stallybrass and Allon White, *The Politics and Poetics of Transgression* (Ithaca: Cornell University Press, 1986).

the London Coffee House on the right-hand corner where merchants and civic leaders were discussing the colonial crisis and its impact on the foreign markets. But his attention would have been captured by another, domestic trading zone—the Jersey Market which he just entered. And as he strolled through the center under the gabled roof, he might have even slowed his pace to appreciate the brick walkway beneath his feet that he was responsible for paving. On the right, he might have glanced over at the old post office and his printing office before exiting the market sheds and crossing Second Street. His eyes couldn't afford to linger long, however, because there, right before him, was the former center of all political life in Pennsylvania, now simply known as the "Old Court House." Upstairs, the mayor might have been sentencing a petty criminal, or a subcommittee of Councilmen might have been discussing war-time preparations in Commissioner's Hall. Walking under the courthouse, Franklin would have entered through the space officially known as the High Street Market, where he might have encountered the clerk poking legs of pork and beef that swung from butcher's hooks in order to test their freshness. After walking the full block to Third Street under the cover of the market sheds, he might have relished his entry into the free open air again, only to come face to face with a man or woman who knew little about freedom since being confined in the pillory that affronted the market. Finally, just a few more paces across Third Street, Franklin would have entered the walkway into his courtyard, leaving behind the sensations of the market-place and the material world of municipal authority that encapsulated them.

The blending of political life with economic and social exchange, manifest in the spatial layout of High Street, was based on European models that had been transplanted

to the colony. Early in its history, the Provincial Assembly set laws and established policies for the state directly above the battering and haggling of market men and women. With the erection of the State House in 1735, much of the elite political functions that took place within the market area had moved west. Yet on the eve of the Revolution, men still filed up the stairs of the courthouse to cast ballots for city elections. Provincial courts still met, and the mayor, aldermen and councilmen congregated to discuss management of the city. During designated market hours, oral proclamations still blended into the clatter of bartering vendors and printed broadsides announcing new Acts and ordinances were posted on market pillars. Because it was an open, public space, the market also hosted more informal political acts and discussions. While taverns catered to a narrow clientele and fostered political exchange predominantly among free white men, the markets fostered political discussions among all segments of the community. With the low circulation of print in the countryside, farmers, for example, relied upon periodic trips into the markets to learn details of the growing crisis with England.[14]

The tight clustering of the Court House, market, prison, stocks and pillories also turned the market sheds into a state-sanctioned outdoor theater where the public gathered to view and participate in rituals of punishment. {Fig. 1.3} Courts scheduled executions by hanging in the four public squares of the city, but used market space for punishments of small property crimes. Displays of criminal bodies coincided with morning market days, when slaves like Tony and Quashy who had been accused of stealing, were stripped to the waist, whipped and held in the pillories for all the public to view. The market provided an even more fitting space to punish transgressors for crimes committed within

[14] "An Evening's Discourse between Andrew and Benjamin Two Countrymen," *Pennsylvania Evening Post*, November 2, 1776; On tavern culture, see Peter Thompson, *Rum Punch & Revolution: Taverngoing & Public Life in Eighteenth Century Philadelphia* (Philadelphia: University of Pennsylvania Press, 1999).

the market itself, as it was for Frances Hamilton who was caught picking pockets in 1736. For her punishment, she was "exposed" at the top of the court house steps, with her hands tied to the rails and her face turned towards the pillory for two hours before being taken down and publicly whipped. Still others were ducked in the Delaware River on market mornings in full view of the audience gathered at the fish market. While the impetus behind such public humiliations was to deter subsequent criminal behavior, the use of the market space as a theater for these penal rituals at times created as much disorderly behavior as it thwarted. The sentences incorporated market-goers in more than the ideological sense of becoming part of a public authority; it also drew them into the physical experience of punishment, with the surrounding abundance of eggs, fruit and other foodstuffs providing ready ammunition for those eager to add to the physical torture and humiliation of displayed transgressors.[15]

In all these ways, the state acted as an omniscient presence in the market-place, but in the slippage between law and practice that so often occurred in the realm of the everyday, social life still flourished in the city markets. For the vast collective of people that assembled during proper market hours and lingered long after, the market provided daily opportunities for cross-class, gender, and racial interaction. In the mid-eighteenth century, before complaints regarding noise prompted a sunset curfew, "great numbers of Negroes and others" would gather under the shelter of the market to socialize and drum up music on milk pails. Despite the construction of a watch-box on the corner, the lower

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[15] Society Msc. Collection, Dec. 10, 1779, Folder 11, HSP; J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884*, vol. 1 (Philadelphia: L.H. Everts & Co., 1884), 186, 208; John Fanning Watson, *Annals of Philadelphia and Pennsylvania*, vol. 1 (Philadelphia: J.M. Stoddart & Co., 1881), 103, 309-311, 359, 361. For punishments in early Philadelphia, see Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835* (Chapel Hill: The University of North Carolina Press, 1996).

sorts still congregated in market space during the evenings. And because of the shelter that the market provided, it often served as a temporary home for intoxicated vagrants sleeping off nights of strong drink.[16]

As public spaces, the city markets thus reflected the kaleidoscope of activities and bodies that comprised not only Philadelphia, but the broader region as well. They were bridges that connected the rural and the urban, the old world and the new, the poor and the wealthy, and the black and the white. Yet all of these traditions and bodies converged on the public markets not merely for the sake of socialization. Rather, they met for the sake of economic exchange and it is to that critical aspect of the market-place that we now turn.

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The commercial wharves along the Delaware drew Philadelphia into the web of the Atlantic economy, but the market-places drew the surrounding region into Philadelphia's domestic economy. These two "markets"—one built on mobile ships, bodies, goods, and credit that disappeared and reappeared across the Atlantic, and the other grounded in a physical structure at the center of the community—were created in tandem at the point of colonial settlement. Almost a century later, they continued to grow together as two sides of the same economic coin that sustained and shaped the young Quaker city and then rippled out to support the livelihoods and luxuries of the countryside.[17] As the commercial networks of Philadelphia grew more potent and

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[16] Susan G. Davis, *Parades and Power: Street Theatre in Nineteenth-Century Philadelphia* (Temple University Press: 1986), 35; Scharf and Westcott, 206; Watson, *Annals*, vol. 1, 62.

[17] So inseparable were these two markets, that the local government proposed a combined building with a market for the sale of greens and roots and an exchange at the eastern end of the Jersey market in 1763.

powerful, the city's market-places increased in size and offerings. The first place of local exchange, designated by early residents in 1683, consisted of no more than a few moveable wooden shambles situated near the docks in Front and High Street. Over the next ninety years, the grounds designated as public market space more than quadrupled.[18]

The markets hosted four official days of the week when following the ring of the market bell at 6am in the summer and 7am in the winter, goods could be passed between vendors and consumers. Foodstuffs—vegetables, fruits, meat, fowl, nuts, cheese, milk, bread, fish—comprised the typical offerings of both the High Street and New markets and created such a "scene of plenty" that few visitors failed to document their meanderings through the market-places. The abundance of the High Street Market in particular, drew admiration from visitors as close as Boston and as far as Sweden.[19] To many who walked through it like Thomas Caspipina, a British agent writing back across the Atlantic, the abundance of provisions stood in stark contrast to any market they had previously experienced. Although Caspipina thought the placement of the market ill-conceived, he still believed it could scarcely "be equaled by any single market in Europe."[20] Even for long-time residents, the markets' abundance stood as a source of pride. At 84 years of age, Thomas Bradford could still recall the massive qualities of wild pigeons that were caught in nets, and brought by cartloads to the markets.[21]

In the mid-eighteenth-century, no official ordinance limited the scope of saleable items to fresh foodstuffs and a variety of other goods could regularly be found. In the

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The exchange, however, was never built. See *Minutes of Common Council of the City of Philadelphia, 1704-1776* (Philadelphia: 1847), 683-4.

[18] On the expansions of market space during this period, see *Minutes of Common Council* (1847) 69-70, 88, 647-8, 683-4, 690-1, 699.

[19] Peter Kalm, *Travels into North America*, vol. 1 (London: Printed for T. Lowndes, 1772), 42-43.

[20] "To the Right Honourable the Lord Viscount". *Pennsylvania Packet*, March 16, 1772.

[21] Watson, Ch. 23.

High Street Market, the stalls beneath the courthouse were designated spaces for domestic staples. This "meal market" as contemporaries referred to it, offered dry goods, corn meal, flour, and even garden seeds as David Reid advertised in the local newspaper.[22] Prepared foods, typically vended by African-American women, such as hoecakes and the Philadelphia "delicacy," pepper pot soup, could also be found during and after designated market hours. Seasonal fairs, which lasted three days and took place in the High Street Market, introduced an entirely different assortment of goods usually found in small stores and peddler's packs. Twice per year, in May and November, vendors from across the region flocked to the city, offering handiwork, imported goods, and domestic manufactures for sale that ranged from millinery to toy trumpets and whistles.[23]

Still other "goods" were sold. As in New Orleans and Charleston, the geography of market exchange in Philadelphia dissolved any meaningful boundaries between the sale of animal flesh and human flesh. Whether aboard ships docked at the Delaware River or outside the London Coffee House, slave auctions and sales took place in close proximity to the High Street Market. Printed advertisements announced the sale of black slaves at times that intentionally coincided with designated market hours at the coffee house. By exposing black bodies for sale on Wednesday and Saturday mornings, slave traders and merchants capitalized on market traffic and hoped to derive revenue that private home sales, printed advertisements, and sales aboard docked ships could not always promise. With the coffee house situated on the corner of Second at High Street, bondsmen and women were likely paraded through the market-place on the way to be

[22] Thomas Farrington Devoe, Philadelphia Market Box, *Clippings, 1791-1890*, NYHS.
[23] Kalm, 42; *Minutes of the Common Council* (1847), 569-70.

sold, and at times, might have been auctioned in the market itself. On one such occasion in 1774, a man capitalized on the spectacle of "a middle-aged African raised and *exposed* on one of the stalls in the shambles of Philadelphia Market for PUBLIC SALE" to advocate for the total abolition of slavery in the *Pennsylvania Gazette*. The legal perpetuation of slavery surely mocked Pennsylvania's values of "LIBERTY and CHRISTIANITY" as the "Friend to Liberty" articulated, but the sale of brown bodies in the market-place reinforced the potent messages that made chattel slavery possible—a point that the author failed to realize. The positioning of brown human flesh alongside animal flesh crystallized the equation between the two as inanimate commodities. How exactly black consumers and vendors internalized the sight of slave sales in the market can only be imagined, but it was no doubt as obvious to them as to white onlookers that these sales served to strip the humanity out of not only the black bodies on display, but out of their own as well.[24]

At night, the market became the site of another form of sale that involved human bodies—prostitution. In the eighteenth century city, prostitution had no spatial boundaries and enterprising women found a willing clientele in the bawdy houses scattered around the city as easily as around the docks of the Delaware. The markets' central locations in public streets, their open-air structures and permanent stalls made them equally attractive spaces for negotiations of illicit sex. When the bells of the nearby Christ Church pealed the evening before market days, they officially announced the arrival of incoming farmers and unofficially announced the sale of sexual acts. Teems of men docked their horses and wagons along the sides of the markets and set off to find

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[24] *Pennsylvania Gazette*, August 31, September 14, 1774; Watson, 394. On slave auctions see Walter Johnson, *Soul By Soul Life Inside The Antebellum Slave Market* (Cambridge: Harvard University Press, 1999).

entertainment and lodging in the near vicinity. They did not have to look far, however, for houses of entertainment dotted the streets near the markets, as did women eager to participate in the sex trade. Criminal and almshouse records provide occasional glimpses of these negotiations, but only when such cases involved more violent criminal acts or disturbances to the public peace. Andrew Henry's experience serves as one example. Upon walking to the High Street Market one September evening, Henry bought a bowl of pepper pot soup and was approached by Catharine Dwire. After asking to share his soup, Dwire suggested they leave to find "a nights lodgeing together." Henry agreed, but unfortunately for him, Dwire had ulterior motives. After walking west towards the outskirts of the city, they met Dwire's husband, and jointly, the couple proceeded to assault Henry and steal his pocketbook and comb. By relying on her knowledge of the market-place as a customary meeting place for the sex trade, Dwire had also profited from the market, albeit in an even more debauched manner than prostitution in the eyes of Andrew Henry and the broader public.[25]

The prostitutes and farmers who sold services and goods were only one fraction of a large and diverse body of vendors that crowded into Philadelphia's markets. Rather than being egalitarian spaces in which all sellers shared equal access to market exchange, however, they were physically and legally demarcated by the gendered, racial and economic lines that structured the society in which they were rooted. Spatially, markets can be imagined as divided into formal and informal spaces of exchange. The formal space consisted of permanent, rented market stalls that were protected from the elements under the roofed structures. An early colonial ordinance passed in 1711 restricted the use

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[25] Cited in Claire A. Lyons, *Sex among the Rabble: An Intimate History of Gender and Power in the Age of Revolution, Philadelphia, 1730-1830* (Chapel Hill: The University of North Carolina Press, 2006), 110.

and rental these stalls to "freemen" and thus created a formal market space dominated by white and male vendors.[26] All "others" were pushed into informal spaces that consisted of benches, moveable stalls, chairs and overturned buckets that vendors placed just outside the market sheds in the open air.

Despite time, population growth and demographic changes, such restrictions continued to structure the markets in the 1770s. Clad in stark white aprons and wielding long metal knives, local butchers, who either resided in the city proper or in the surrounding neighborhoods of Spring Garden or the Northern Liberties, dominated the formal space of the market.[27] In part because of the regularity of their trade, but also because there were no meat shops in colonial Philadelphia, these butchers made up the bulk of stall renters. In the High Street Market, the more than thirty shambles built to the west of the courthouse were reserved especially for meat sales.[28] While it's unclear whether the New Market also had designated spaces for meat trades in its early history, an account book left by Joseph Wharton suggests that butchers also rented the majority of stalls. Wharton, a prominent merchant and a financier of the market collected not only cash rental payments, but "from Time to time a Good Deal of meat… & that at very High Prices."[29]

The other men and women who formally rented stalls in the markets were likely either "country people" from the hinterland or local residents who sold herbs and seeds from their own gardens. The eastern stalls that stood in High Street were referred to as the Jersey Market precisely because they were reserved for the use of farmers and

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[26] *Minutes of the Common Council*, (1847), 74.
[27] On the occupational clustering of neighborhoods see Schweitzer, 31–57.
[28] *Minutes of the Common Council*, (1847), 75, 661.
[29] Joseph Wharton, Ledger Book B, 155, *Wharton Family Papers*, HSP.

country vendors traveling across the Delaware. Vendors crossed the river in small boats that ran the risk of drifting off if not secured properly or on public ferries, and were greeted by houses of entertainment situated by the wharves specifically for their reception.[30] Other rural marketers from surrounding counties in Pennsylvania and Delaware sent goods via creeks and rivers or loaded their wagons and traveled up to one hundred miles along the country roads into the city. Whether men or women made these trips to sell off surplus products depended upon the goods in question and reflected the division of labor that structured rural life. Men typically made infrequent journeys into the city during larger harvest times, while their wives and daughters made more frequent trips on horseback, laden with panniers of corn and butter. The long trips into the Philadelphia market were often dangerous and occasionally led to fatalities. According to one source, there were several instances of women freezing to death in the severe winters on the way to the city and occasionally the "horse carried the frozen woman into the Markets."[31]

The vendors that clustered on the outskirts of the markets and occupied the informal space of exchange were either "freemen" who could not afford stall rentals or African-Americans and independent women who were legally prohibited from renting stalls in the markets. Whether facing limited opportunities for regular employment in established trades or experiencing unreliable streams of income during economic downturns, the market provided either permanent or temporary opportunities for the

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[30] *Minutes of the Common Council* (1847), 658.
[31] "Sketches of the Settlement of the Township of Wrightstown," *Bucks County Historical Society Journal* 2 (Fall 1978), 141. For excellent detail on the practice of rural marketing, see John L. Ruth, "Memories of Mennonite Marketing in the Delaware Valley, Part 1, *Mennonite Historical Quarterly*, 6, no. 2 (Summer 2003) and Ruth, "Memories of Mennonite Marketing in the Delaware Valley, Part 2, *Mennonite Historical Quarterly* 6, no. 3 (Fall 2003); *Pennsylvania Gazette*, April 7, 1773.

lower sorts to eek out meager earnings. Informal female vendors were such a prominent feature of the market experience for example, that they became an iconographic staple of market-place images. By meeting up with farmers in the countryside, fishermen at the docks, or securing nuts, herbs or whatever provisions they had gathered from informal networks of exchange, such vendors carved out an entrenched niche in the city's public markets.[32]

The few regulations that restricted the activities of vendors stemmed from the traditional paternalist approach of a colonial government that sought to protect consumers from market abuses.[33] Hucksters, for example, were prohibited from selling goods until the clerk rang a second bell two hours after the market had opened. These small-scale retailers faced stronger restrictions in the market-place than other vendors not because of their socio-economic status or appearance, but because of their position on the economic chain as middle-women and men. Philadelphia was a welcome environment for other second-hand dealers such as merchants, grocers, and shopkeepers. But these retailers sold imported goods out of private, enclosed buildings. The public market, on the other hand, was an outdoor meeting space constructed out of a long tradition of drawing together producer and consumer into face-to-face exchanges. Intermediary brokers in the market drew distrust and protest from the public as well as punishments from the state. Penalties for forestalling, engrossing and regrating saturated colonial legislation in

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[32] For references to female hucksters in the early U.S., see Helen Tangires, *Public Markets and Civic Culture in Nineteenth-Century America* (Baltimore: John Hopkins University Press, 2003), 17-23; Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Urbana: University of Illinois Press, 1987), 13-14; Seth Rockman, "Women's Labor, Gender Ideology, and Working-Class Households in Early Republic Baltimore," Pennsylvania History 66 (Supplement, 1999), 174, 187-188; Gary Nash, *Forging Freedom: The Formation of Philadelphia's Black Community,1720-1840* (Cambridge, 1988), 150-152.
[33] Sam Bass Warner, *The Private City: Philadelphia in Three Periods of Its Growth*, (Philadelphia: University of Pennsylvania Press, 1968), 10-11. On regulations of bread, leather, etc., see *Pennsylvania Gazette*, October 28, 1772, March 10, 1773.

Pennsylvania, just as they did throughout the British colonies and in England. Theoretically, engrossing posed the greatest economic threat as offenders purposely meant to drive up market-prices for foodstuffs by hoarding supplies to create an artificial scarcity. Those found to be engrossing could expect swift punishment by being publicly humiliated in the nearby stocks and pillories, along with having their goods confiscated and turned over to the clerk of the market. The threats of forestalling and regrating (also known as "huckstering") appear in the colonial records far more frequently, as both involved buying provisions from farmers and merchants and reselling them at higher costs, either in the market-place or in the surrounding streets. Accordingly, an ordinance passed in 1693 dictated that "nothing could be sold on the way to the Market and no hucksters were allowed to buy or cheapen any article until it had been two hours in the market." Items sold anywhere other than the market-place were to be forfeited, with one-half of the proceeds forwarded to the poor of the City and the other half to the Clerk of the Market.[34]

Aspects of a "moral economy" of the folk, which depended upon the state as a paternalist force, stretched across the Atlantic and occasionally became manifest in written protests against forestallers and hucksters. In 1773, residents of nearby Germantown and other neighboring townships in Philadelphia County demanded that the colonial legislature take more direct action against individuals who were "unjustly" depriving them of the "Benefit of the Markets" by buying and contracting meal and butter along the rural backgrounds. In doing so, they literally chastised the colonial government

[34] On forestalling, regrating, and engrossing, see Tangires, 5-8., and Richard B. Morris, *Government and Labor in Early America*, (New York: Harper and Row, 1965), 20-21.

for the loopholes that existed in the regulations against forestallers and urged that English statutes serve as the legislative model for market regulations.[35]

In the market, these traditionalist approaches met with liberal attitudes that collectively shaped the relationships between vendors, consumers and the state. Most rural market vendors should not be characterized as "capitalists" or even as possessing a "vigorous spirit of enterprise" in this period as Thomas Doerflinger has attached to merchants, because they did not grow crops primarily for the sake of profit. Rather, they focused on family sustenance and sold or exchanged surplus goods.[36] Still, once in the market-place, their motives for sale were more akin to those of local butchers, and based on rational self-interest, as opposed to the moralistic impulses that underlay the "gift economies" of antiquity or the republican ethos of feeding the poor. In the words of one New Jersey "Aged Farmer," he "enjoyed good Living" from the sale of watermelons in Philadelphia that served "no Kind of Use as Food."[37] In addition, much of the bartering that had characterized early market exchange seems to have disappeared by the 1770s and had been replaced by a cash economy. Small-scale rural farmers and local butchers rarely documented their transactions in the market, but they more than likely still used foodstuffs as currency for dry goods and services in the city, as demonstrated by the earlier example of paying stall rental fees with meat. Yet, the preference for hard coin in

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[35] *Votes and proceedings of the House of Representatives of the province of Pennsylvania, met at Philadelphia, on the fourteenth of October, anno Domini 1772, and continued by adjournments*, (Philadelphia: Henry Miller, 1773), 426.

[36] Thomas Doerflinger, *A Vigorous Spirit of Enterprise: Merchants and Economic Development in Revolutionary Philadelphia* (Chapel Hill: The University of North Carolina Press, 1986), passim. The literature on rural economies is too vast to mention in detail. See for example Christopher Clark, "The Household Economy, Market Exchange, & the Rise of Capitalism in the Connecticut Valley, 1800-1860. *Journal of Social History* 13 (*1979*): 169–89; James Henretta, "Families and Farms: Mentalité in Pre-Industrial America," *William and Mary Quarterly*, 3rd. ser., 35 (1978), 3-32; Michael Merrill, "Cash is Good to Eat: Self-Sufficiency and Exchange in the Rural Economy of the United States," *Radical History Review* 3 (1977), 42–71; Jonathan Prude, *The Coming of the Industrial Order: Town and Factory Life in Rural Massachusetts, 1810-1860*. (New York: Cambridge University Press, 1983).

[37] *Pennsylvania Gazette*, January 27, 1770.

fact can be seen quite early in Pennsylvania's history through a legislative act passed in 1683 that mandated that foodstuffs be accepted in lieu of cash.[38] With the dramatic population growth of the city, more opportunities for cash sales resulted from a laboring urban population that had no private gardens or livestock and no tangible products to exchange for foodstuffs.[39]

Collectively, these traditional and liberal values blended together to produce an economy of reason that served as the ideological basis for market relations in eighteenth century Philadelphia. In this economy of reason, the diverse interests of all parties were conscientiously addressed, weighed and negotiated—in printed debates, municipal ordinances, and during face-to-face exchanges between vendors and buyers. It was an economy that protected the natural rights of both consumers and sellers, that was as deeply concerned with enhancing and increasing opportunities for trade as it was with protecting the public from market abuses. The discursive face of this ideology was easily recognizable to contemporaries, for it manifested itself in countless references to the common good, the public welfare, and most notably for this discussion, the "market peace."

II. Market Peace & Mutual Obligations

No single man bore more responsibility for maintaining the market peace than Samuel Garrigues in the years immediately preceding the Revolution. Garrigues was a Quaker grocer who sold coffee, rum, powder and shot amongst other goods out of his

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[38] *Laws of the Province of Province of Pennsylvania, 1682-1700* (Harrisburg, 1879), 162-163.
[39] Billy Smith, "The Material Lives of Laboring Philadelphians, 1750 to 1800," William and Mary Quarterly, 3rd Ser. 33 (1981), 163-202; Gary B. Nash and Billy G. Smith, "The Population of Eighteenth-Century Philadelphia," *Pennsylvania Magazine of History and Biography* 99 (1975): 366.

warehouse on High Street—a venture which no doubt occupied a considerable portion of his time. He devoted his remaining energy, however, to his appointed position as Clerk of the Market. For thirteen years, Garrigues strolled from stall to stall during market hours, weighed bread, checked scales, inspected fresh meat and examined other provisions. He questioned new faces about the sources of their goods and confiscated provisions if necessary, keeping half for himself and delivering the other half to the Almshouse according to municipal law. Garrigues also collected stall rents, settled disputes between vendors and customers, oversaw the maintenance of sheds and stalls, rang the market bell to announce the opening of public sales and swept and cleaned the market when the official hours ended. His responsibilities did not stop there. As Clerk of the Market, he also oversaw the corders of wood and maintained the public wharves and fire engines. And when the city took control of the New Market in Second Street in 1772, Garrigues also took on its oversight and maintenance as well—an added task that may have pushed him to retire from his position less than a year later.[40] Because market activities rarely ended at the proper hours, night watchmen responsible for patrolling the city streets picked up where Garrigues left off. Canvassing the markets between dusk and dawn, they broke up nighttime gatherings of slaves and servants, questioned vagabonds and herded drunken men and "dissolute" women into the city jail and workhouse. Yet for the most part, one lone man—Samuel Garrigues—publicly held the reigns of control over the city's market-places.

With such a "vast concourse of People, Buyers, as well as sellers" moving through the market, the task of preserving the market peace, however, must have been far

[40] For his seemingly endless stream of responsibilities, he received handsome commissions from stall rentals and a set allowance of twenty-five pounds per year for his work outside the markets. *Minutes of the Common Council* (1847), 664, 677.

too onerous for the one appointed clerk charged with supervision. The very nature of a market-place as the host to diverse people, interests, agendas and activities equated to a "market peace" ridden with instability.[41] On one hand, the association of so many individuals within such small spaces easily fostered violent, physical confrontations between old enemies. On the other hand, with over twenty thousand people living in the city and reliant on the markets for foodstuffs and hundreds irregularly traveling in from the countryside to vend goods, the market was still a space of relative anonymity, despite the small geographic parameters of Philadelphia and the presence of regular market vendors. As often as one might have encountered a familiar face, one would also encounter an absolute stranger, thus creating prime opportunities for fraud and theft and a subtle atmosphere of suspicion. Not only could foodstuffs be deficient in weight or quality, but currency could also be fraudulent or stolen as Valentine Reese, a local market butcher recognized when questioning a fifteen-year-old boy about a fifty shilling bill he turned over for change. After the "young lad" claimed that his sister gave him the bill, he exposed his guilt by promptly running off without returning.[42]

Despite the inherent instability of market relations, few disturbances ever emerged that seriously threatened to destroy the peace of the public market in the colonial city. Occasional forms of crowd behavior challenged the social ordering of the space, as when an anonymous group burned the stocks and pillories that affronted the Jersey Market in 1726 and another group burned Pennsylvania's appointed stamp distributor,

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[41] On the distrust and fear embedded in market exchanges, see Agnew, Ch. 2.
[42] *Minutes of the Common Council* (1847), 696; *Pennsylvania Packet*, September 26, 1774.

John Hughes, in effigy during the Stamp Act Crisis.[43] Disruptions to the economic order of the market were even rarer, suggesting that the colonial city never experienced the "succession of confrontations between an innovative market economy and the customary moral economy of the plebs" that shaped the market relations of eighteenth-century England according to E.P. Thompson.[44] In fact, Philadelphians were remarkably *non-*confrontational when it came to market prices. No food riots had been waged in its nearly century-long history. Written protests in the forms of petitions and printed editorials almost always targeted hucksters and forestallers who violated formal market laws, not farmers or butchers who may have informally increased market prices. On one rare occasion when rising meat costs prompted a citizen to raise the issue in the press, he simply offered a "suggestion" to the public by referencing steps that a London "association" had taken to boycott butcher sales when faced with similar circumstances.[45]

This rather unremarkable and non-confrontational history of the market stemmed in part from the material conditions of the city and the region. Although the poor were numerous and faced worse living conditions than the middling and better sort, Philadelphia did not have the dramatic gradations of wealth or stark dietary differences that characterized English urban cities. The colony overall was a prosperous one and the surrounding farm lands and waterways had created a steady stream of dietary staples into the city, such as flour, rye, butter and milk, in addition to a regular supply of fresh produce, fish and meat. These conditions kept prices low and stable, while also

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[43] *Minutes of the Provincial Council of Pennsylvania*, Vol. III, (Harrisburg, 1852), 259-60; From Galloway, Joseph. Philadelphia., to Gov. William Franklin, Burlington. November 14, 1765, Benjamin Franklin Papers, Hays Calendar, Part 12, Section I, APS.
[44] E.P. Thompson, *Customs in Common*.
[45] *Pennsylvania Gazette*, March 10, 1772; "To the Printer of the Pennsylvania Packet," *Pennsylvania Packet*, May 4, 1772.

expanding the traditional diet of the poor beyond the substantial portions of bread that comprised the typical diet of the European peasantry.[46]

The relative peace that characterized Philadelphia's markets also stemmed from the particular web of social relationships that met in the market-place and the culture that individual men and women forged there. Samuel Garrigues may have provided the public facing of market control, but behind him laid a much more completed schematic. Philadelphia and the surrounding mid-Atlantic colonies consisted of a heterogeneous grouping of individuals that were far more focused on self-interests than communal welfare. Yet these self-interested vendors, consumers, loafers and municipal authorities were connected by an elaborate system of customs and obligations that motivated them to participate in sustaining the market peace. Each had a significant role to play and each role had to be played in unison, all under the rubric of the "public good."[47]

Ironically, the entity legally charged with maintaining the market peace—the municipal corporation—was perhaps the weakest link in the chain. Rather than being a strong, cohesive force, the colonial administration that consisted of the mayor, aldermen and councilmen was notoriously weak, ineffectual and disinterested. Even more pointedly, one could easily argue that the municipal corporation on the verge of the Revolution neither shared the interest of the public nor had any serious interest in the public's welfare. The self-elected governing body of the city ranked amongst the most prosperous gentlemen in the city. Drawn principally from elite merchant families, sixty-five percent ranked within the top five percent of all Philadelphians in terms of wealth in

[46] On the lives of the poor in early Philadelphia, see Smith, "Material Lives," 163-202; Simon Newman, *Embodied History: The Lives of the Poor in Early National Philadelphia* (Philadelphia, 2003); John K. Alexander, *Render them Submissive: Responses to Poverty in Philadelphia, 1760-1800* (Amherst, 1980).
[47] On the fragile sense of the "common good" in Philadelphia, see Nash, *Urban Crucible,* 97.

the late colonial period. These "inbred oligarchs" as Jon Teaford has referred to them, typically only went "through the motions of governing, indifferent to the needs or interests of the people."[48] Market oversight and management, however, was perhaps the only role the municipal corporation took seriously, and accordingly, it regulated the assize of bread, maintained proper weights and measures, authorized market extensions and prosecuted individuals who violated market ordinances.

The motives of municipal leaders at times grew as much from their own private interests as from a paternalistic desire to nurture the economic growth and material welfare of the city and surrounding countryside. While private individuals connected to the municipal corporation financed the building of both the city's public markets, the construction of the New Market in particular was an obvious business venture for its financiers.[49] Although it was an open "public" market in the sense of access and rental, it had no formal ties to the local government for nearly the first thirty years of operation. In 1745, when discussion arose around the Council table of building a new market-place in the southern portion of the city, Edward Shippen and Joseph Wharton stepped forward and agreed to construct the sixteen new market stalls "at their Costs and Charge." In return, Shippen, the current mayor, and Wharton, a merchant and councilman, would collect stall rentals long enough to be repaid for their original expenses and accrued interest. By employing the labor of his three black slaves, Wharton was able to cut some costs in the construction of the market, yet it's unclear just how profitable the venture turned out to be for he "was not so Careful to set down or Keep" the records of his

[48] Jon C. Teaford, *The Municipal Revolution in America* (Chicago, 1975), 57, 59; Judith M. Diamondstone, "The Government of Eighteenth-Century Philadelphia," in Bruce C. Daniels, ed., *Town and County: Essays on the Structure of Local Government in the American Colonies* (Middletown: 1978), 259.
[49] The first permanent market in High Street (1710) was financed through subscriptions of aldermen, councilmen, and the mayor. See *Minutes of the Common Council* (1847), 69-71.

expenses in a formal account book. Perhaps the more profitable aspect, however, was the location of the New Market, which was placed directly in front of his own property in Second Street, thereby increasing traffic to his business in Society Hill. Rather than weakening the municipal government's obligatory role in maintaining the market peace, however, private financing worked to bind key political leaders to market operations. Whether or not such individuals sincerely cared about the general welfare of the community, they did have an important stake in the public markets and in turn, that led them to finance, protect, and regulate the local spaces of exchange that the community depended upon.[50]

Vendors naturally shared this investment in the public markets and were even more intimately bound up in the system of obligations that sustained the peace. Despite the frequency or quantity of sales, all vendors relied upon market profits as a source of income. Local butchers, of course, depended most heavily on market sales for their livelihood and thus played a considerable role in sustaining the successful operation of the market. They also made significant financial investments via the payment of yearly stall rentals to the municipal corporation, thus making them the fiduciary backbone of the market-place.[51] The informal vendors and hucksters who clustered on the outskirts of the markets made no financial contribution to the public markets, yet they may have been even more dependent on sales as a source of income. Regional farmers had the lowest stakes in the public markets, but they were equally tied to the web of relationships that structured market exchange. In exchange for their adherence to "just prices," rural

[50] *Wharton Papers*, Ledger Book B, HSP.
[51] Thomas M. Doerflinger, "Farmers and Dry Goods in the Philadelphia Market Area, 1750-1800," in R. Hoffman, J. McCusker, R. Menard, and P. Albert, eds. *The Economy of Early America: The Revolutionary Period, 1763-1790*, (Charlottesville, 1988), 166-195.

vendors received a consistent clientele and space to vend their goods within the market "without paying either Toll for having the Liberty of selling it, or contributing, in any Degree, to the Payment of their Taxes." In addition, they also took advantage of trips into the city to purchase provisions of their own from local stores and groceries.[52]

Of the tens of thousands of people who called Philadelphia home, most depended on the markets for some degree of sustenance and all seem to have fully supported the public market system. Wealthier residents who lived on the outskirts of town or who managed to carve out significant plots of land in the main quarters of the city had the luxury of private gardens and small pastures in which they grew vegetables, herbs and raised livestock. Yet as Benjamin Franklin noted, the effort at sustaining urban gardens in the late eighteenth century seemed pointless when the public markets offered such convenience and variety. Considering the lavish and frequent dinner parties thrown by prosperous men like the Wistars, wealthier residents may have in fact made up the bulk of public market consumers. Whether individuals depended upon the public markets for daily sustenance or not, all had a vested interested in their maintenance and continued prosperity. Unlike residents of Boston for example, Philadelphians continually petitioned the city and state for the construction of public market-places, such as the New Market in Second Street and a Callowhill street market in the Northern Liberties. Likewise, they also seem to have fully supported the extension of the High Street Market in 1759, as evidenced by the lack of protests and petitions. Overall, then, Philadelphia had a strong municipal market culture, one which was backed and encouraged by all segments of the community.

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[52] *Pennsylvania Gazette*, January 27, 1770. On the persistence of the "just price" in popular thought and law, see J. E. Crowley, *This Sheba, Self: The Conceptualization of Economic Life in Eighteenth-Century America* (Baltimore: Johns Hopkins University Press, 1974).

The market peace depended on more than smooth economic exchanges between vendors and consumers, however. It also depended upon the successful negotiation of shared physical space. With only two markets in operation and a serious dearth of open spaces for socialization due to the population density of the urban core, the value of the public markets was extremely high, in terms of both space and function. In order to protect and sustain the open, "public" markets, then, buyers, stall renters, informal sellers, loafers and nearby property owners ultimately had to surrender private claims to market space. Philadelphians were hardly the "surrendering" kind, however, and their deep investment and attachment to physical, social, and economic space of the city markets produced a fragile ordering in which the peace was constantly in jeopardy of breaking apart. As the events of the 1770s began to unfold, these investments would grow to an unprecedented degree, thereby turning the High Street Market into the city's most volatile and valuable urban space.

III. Challenging the Peace

Dressed in her neatest calico gown, silk bonnet, cotton stockings and new high-heeled shoes, Susannah Trapes stepped out of her door on Front Street just north of Spruce and opened her umbrella on a drizzly Wednesday morning in October, 1775. Gathering the back of her gown with one hand and balancing the umbrella with the other, Susannah set off for a four block walk to meet her cousin who had recently arrived in Philadelphia. Because Wednesday was an official market day in the city, however, what might have been a pleasant, short walk to the lodging house on Arch Street devolved into a traumatic episode that affronted every sensibility of the young Quaker woman. In order

to walk the straight path northward to her destination, Susannah had to cross High Street and cut through the throngs of wagons, horses and bodies that had crowded into the Jersey Market. Unable to find a clear point of crossing, she turned right and followed the downward slope towards the Delaware River. As the rain poured down around her, wetting the heels of her shoes, Susannah quickly lost her balance and found herself lying on the slippery paving stones beneath her, amidst a crowd of jeering porters and draymen assembled by the docks. Collecting her soiled gown and rising to her feet amidst the sexual innuendos of the male crowd that relished the sight of her exposed ankles, Susannah hobbled another block northward to her cousin's lodging house with one less heel and a new vendetta against "the rite-wurshipful mayor, or the rite-wurshipful the clark of the market, or there honors, whose ever bisiness it is to luk after such things..."[53]

Placed alongside the written descriptions left by visitors and a series of retrospective drawings that portray Philadelphia's two colonial market-places and their surrounding streets as structured, orderly and strikingly empty public spaces, Susannah Trapes' experience seems almost fantastical. The wagons, carts and bodies that littered the landscape around Trapes are conspicuously absent from the sketches printed by John Watson. Even the well-known series of plates engraved by William Birch at the turn of the nineteenth century depict the city's urban markets as hollow and desolate places. A butcher or two, a small dark-skinned child, a few solitary market women sans customers, and an exceptionally small cattle procession are the only figures that grace the market areas. The differences between these two interpretations raise important questions about the actual density of urban space in pre-Revolutionary Philadelphia, but they also raise critical questions about how contemporaries experienced that density. On the verge of

[53] *Pennsylvania Magazine*, November 1775; "To Mr. Aken," *Pennsylvania Packet*, January 5, 1782.

the Revolution, Philadelphia was a tightly compact community. It began to feel even more congested for some—particularly in the central market-place. And it was this perception, as much as it was reality that drove Susannah Trapes to publish her complaint, just as it was for the hundreds of other Philadelphians who became embroiled in a debate over the expansion of market space in 1773.

By the last quarter of the eighteenth century, Philadelphia and the surrounding countryside had grown into established interdependent communities, with steadily increasing populations, relatively stable economies, and strong commercial and agricultural networks that linked them to local, regional, and transatlantic markets. Rough population estimates of Philadelphia and its liberties demonstrate a dramatic increase from about 22,000 in 1760 to approximately 40,000 by 1776, thereby earning it the status of one of the largest cities in the British Empire. The surrounding counties of southeastern Pennsylvania had likewise been steadily populated by a stream of largely English and German residents whose grain and wheat production not only fed urban dwellers, but had made it the "breadbasket of America." The neighboring colonies of New Jersey and Delaware also continued to feed the domestic and commercial markets of Philadelphia, creating a regional interdependence that radiated far into the rural countryside.[54]

As both the rural and urban populations thickened, Philadelphia's public markets drew in increasing numbers of vendors and consumers. With only a small space of about twenty stalls reserved for the use of "country people"—the Jersey Market—and the rest

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[54] Carl and Jessica Bridenbaugh, *Rebels and Gentlemen: Philadelphia in the Age of Franklin* (New York: 1942), 3-4; John B. Frantz and William Pencak, "Introduction: Pennsylvania and Its Three Revolutions," in J. Frantz and W. Pencak, eds., *Beyond Philadelphia: The American Revolution in the Pennsylvania Hinterland*," (University Park: State University Press, 1998), ix-xxv.

of the shambles rented to town butchers, residents from the surrounding counties began petitioning the colonial legislature for the erection of new market stalls in October 1772 and were supported by petitions from local consumers. The General Assembly, a body with strong ties to the countryside, agreed that the lack of adequate space for rural vendors had become a "public grievance" and accordingly they initiated a meeting with the city's Common Council to find a suitable remedy. Just four days later, a combined committee of General Assemblymen and city Councilmen agreed upon the site of the High Street market as the most convenient space for the erection of new market stalls and commenced preparations for building in January of the following year.[55]

If one segment of the community supported market expansion as the proper remedy to the dearth of market space, another believed that the erection of new stalls in High Street would only create another public grievance. As soon as the committee's decision wove its way into earshot of the public, a small body of Philadelphians began organizing to prevent the construction of the new sheds. The many voices that rose in opposition to the Council's decision did not oppose the market itself, but merely the particular positioning of the market. Based on their experience, the carriages, carts, horses, draymen, porters, farmers, butchers, hucksters and customers already crowded the street so densely during market days that any further expansion would simply add to the congestion of the city's main avenue. Invoking the original plan of the city and the designation of High Street as a wide, open, public thoroughfare, opponents attempted to persuade municipal leaders that the construction would deprive inhabitants of the

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[55] *Votes and Proceedings of the House of Representatives of the Province of Pennsylvania* (Harrisburg, 1773), 419, 432-434; *Pennsylvania Chronicle*, February 1, 1773.

"remarkable regularity" of the urban landscape.[56] Accordingly, they offered suggestions of alternative spaces in which to erect a new market-place. The most beneficial and convenient place, many agreed, was the lot of the former prison on the corner of Third and High Streets that could be financed by lottery, subscription, or from the private wealth of municipal leaders.[57]

Although one critic would later refer to the opponents as a "lawless rabble," the body of individuals that led the opposition to the extension of the High Street market was anything but lawless, or a rabble. The Quaker-dominated leadership consisted of middling and influential artisans and merchants who followed traditional legal channels and attempted to exert their influence peaceably. Opponents met personally with the Mayor, requesting him to cease building until they had proper time to consult with lawyers and the General Assembly. In late May, they drafted yet another petition to the municipal corporation, requesting an amicable suit against the city. And in the meantime, the Friends gathered a subscription for purchasing the prison lot as the new space for the market stalls.[58]

Yet the original petitioners who opposed the market extension had less concern for the broad public than they had for their own individual welfare. In fact, they openly acknowledged that although "in some cases, particular interests give way to public benefits," this was not one of them. Most opponents were property owners, with shops and homes that lined High Street—directly across from the proposed extension of the market-place. Owen Jones, the provincial treasurer, led the organizational efforts, while William Goddard, the printer of the *Pennsylvania Chronicle* lent his editorial and printing

[56] William Goddard, *Andrew Marvell's Second Address*, Broadside (Philadelphia, 1773).
[57] *Pennsylvania Gazette*, June 23, 1773. *Pennsylvania Gazette*, July 14, 1773.
[58] Goddard, *Andrew*.

skills to muster broader public support. Other residents, who held property between Third and Fourth streets and likely joined the cause, include the families of Caspar Wistar and John Wister, Benjamin Franklin, and his son-in-law Richard Bache.[59] Far more disconcerting to these individuals than the harm to the aesthetic of the urban landscape, was that the placement of the new market stalls would threaten the value of their property and block their own enjoyment of the wide breadth of the street fronting their lots.[60]

As their arguments grew in intensity, they moved farther away from the language of "public convenience" and closer to a Lockean theory of private property. Locke's basic proposition that private property was a natural and inviolate right, had swept through eighteenth-century political thought on both sides of the Atlantic. Ambiguous enough to enfold a broad range of individuals because of its loose definition of property as land, goods, and the product of one's labor, it provided the ideological backbone for the opposition's argument against the market extension.[61] By electing to build stalls "not before their own Doors, or where the Mayor, Recorder, or Treasurer have real Estates, (those Places being sacred from Nuisances) but *generously* before their Neighbour's Houses," they reasoned that the corporation had violated the citizen's basic right to manage his own property in the way he saw fit.[62]

Yet as others joined the voice of opposition, they seized the opportunity to wage a public attack on the unchecked powers of the corporation. William Goddard, writing

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[59] Jones and Goddard are the only names that survive in the archival evidence connected to this particular event. However, when the market extension issue resurfaced in the 1780s, the other men named all signed a petition opposing the market sheds that referenced their earlier argument of 1773 detailed here. See the petition "Philadelphia Against Market," Nov. 19, 1784, *McAllister Collection*, Library Company of Philadelphia.
[60] "Philadelphia Markets," *Devoe Papers*, New York Historical Society.
[61] On the artisan interpretation of Locke's theories, which emphasized property as the product of visible labor, see Eric Foner, *Tom Paine and Revolutionary America*, (New York: Oxford University Press, 1976), 39-40.
[62] Goddard, *No. I. Philadelphia*, Broadside (Philadelphia: June 10th, 1773).

under the pseudonym of Andrew Marvell, and other anonymous authors focused on stirring up indignation among the broader public. Over the space of one month, they filled the newspapers with editorial letters, printed and distributed pamphlets and handbills in the public market and launched a bold attack on the municipal body. The ephemera that circulated through the community rejected a "servile slavish spirit," denounced the "arbitrary abuse of power" and called upon "fellow citizens, friends to liberty and enemies to despotism" to join their cause. Goddard, in particular, waged an all out war on the municipal structure, likening the Council's decision to erect new stalls to the previous disputes over taxation with the Crown. Certainly Goddard made a large ideological leap in his analogies, considering that the city financed the maintenance of the public market not through public taxes, but through stall rentals. However, his anonymous verbal attacks struck a central chord of emergent revolutionary ideology. As an appointed body, composed largely of wealthy elites, the municipal corporation had virtually no accountability to the people, only the rhetorical responsibility of protecting the public good. Such tyrannical powers had to be checked according to Goddard, and the only effective solution was to "lay the Ax to the Root of th[e] unprofitable Tree" and apply to the Crown for a dissolution of the municipal charter. When cries of "The people's liberties are in danger of being Swallowed up by the Corporation!" rang through the High Street market, Goddard surely smiled in satisfaction.[63]

In June 1773, William Goddard issued a call for physical action in a handbill circulated through the market: "Rouse then! and let us demolish as fast as they can build." The call proved so effective that when night fell after the first day's work on the market, residents gathered at four o'clock in the morning and began hauling away stones

[63] Teaford, 63; *Pennsylvania Chronicle*, August 30, 1773.

collected for the foundation of the market-house. Despite being confronted by the mayor and some of the aldermen, the residents continued their efforts, while simultaneously, workmen continued theirs by removing the paving stones from the center of the street. The very next day, the residents met again at the building site, this time removing the lime and destroying the temporary wooden house that stored it. In response, the Council suspended the building and it seemed that the Quaker-led opposition had won the battle. Just a few days later, however, the building resumed and the municipal corporation resolved to bring damage suits against the offenders. With few options left, the residents of Third Street returned to the drawing board, held a private meeting of select freeholders at John Little's tavern in Fourth Street and returned to the peaceable tradition they began with. Upon submitting yet another petition "earnestly requesting" the temporary suspension of market erection, the Council finally agreed and on June 29th, the building ceased.[64]

Momentarily, the collective of middling artisans and merchants achieved their goal and succeeded in preventing the market extension. In the process, they dealt a meaningful blow to the market peace by physically destroying the erection of the market and privileging their own private interests over the "public good." More significantly, by arguing that their rights of property ownerships stretched out into the surrounding public streets, they also articulated a definition of public space that was neither common nor fully public. Instead what emerged from the conflict over the potential market-place was a radical vision of public space governed not by the municipal authority, but by a public authority composed of multiple, competing private interests. Whether or not their argument would have proven effective in 1773, however, remains a matter of speculation.

[64] *Pennsylvania Chronicle*, Sept. 4, 1773; Goddard, *No. I.*; Goddard, *Andrew*; Watson, 65.

The city had other matters to deal with as the colonies turned their attention to the relations with the Crown.[65]

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While the previous dispute over public space splintered the market peace, the effects of the Revolutionary war would fracture it into unrecognizable fragments. The shifting of the market from the hands of the new Americans to the British and back again, depleted its usual abundance, turned ordinary exchanges into political acts, and transformed the market-place itself into a battleground of competing and questionable loyalties. The fragile web of mutual obligations that had stitched together vendors, consumers, the state and the broad public not only loosened, but completely unraveled as Philadelphia witnessed the dissolution of the municipal corporation, the inflation of prices by enterprising vendors, and the violent face of the moral economy of the folk.

The earliest rumblings of war throughout the colonies had little effect on Philadelphia's market-place, other than foreshadowing the troubling transactions to come. Two clauses of the association of the Continental Congress, however, bore enough weight on the operations of the market to prompt their serial reprinting in the newspapers. The first, which primarily targeted merchants and grocers, denounced all vendors who took advantage of the scarcity of goods to raise the price of merchandise. The second and more substantial, in terms of its effect on the public market, temporarily prohibited the slaughtering and sale of young sheep in an effort to maximize the production of wool articles. Despite the best efforts of the local Committee to enforce the resolve, including the distribution of printed handbills in the market, "misapprehension" continued to lead to the sale and purchase of lamb in the public market. Frustrated by the lack of

[65] The market was in fact extended in 1786. See Chapter 2.

cooperation on the part of the public, the Committee consequently threatened that any persons "discovered to act in opposition to said resolve, will be published forthwith to the world."[66]

A bigger jolt to the public market struck just after the colonies declared their independence, yet its immediate consequences also proved to be minimal. When Pennsylvania drafted its new Constitution, it dissolved Philadelphia's municipal corporation in one fell swoop. After 1776 and until 1789, the city simply had no legally defined municipal body and instead, the state legislature assumed its responsibilities, including governance of the public markets. The threat of British invasion later that same year further compounded the problems of municipal leadership, as the resultant panic led Pennsylvania to declare martial law in the city on December 8th, 1776. By the following January, the city had recovered and the Assembly turned its attention to reestablishing a working system of governance. Popularly elected justices set the assize of bread and a special committee established by the legislature resumed the responsibility of maintaining the market order. Thus despite the dissolution of the municipal corporation, little changed in the everyday operation of the market. Even Samuel Garrigues, long-time clerk of the High Street market retained his position. When the operation of the public market shifted hands into yet another governing body just a few months later, however, it spelled the beginning of the end of the market peace.[67]

By the time British troops entered Philadelphia on September 26th, 1777, the High Street market already bore little resemblance to anything in its previous days. In

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[66] *Pennsylvania Gazette*, November 30, 1774; *Pennsylvania Packet*, December 19, 1774; "The Association," *Pennsylvania Evening Post*, April 4, 1775; *Pennsylvania Evening Post*, April 29, May 20, July 8, 1775; *Pennsylvania Packet*, July 3, 1775.

[67] George Winthrop Geib, "A History of Philadelphia: 1776-1789," PhD Dissertation, The University of Wisconsin, 1969, 59-69.

preparation for the impending occupation, a local militia unit had swept through the city and neighboring countryside, gathering wagons, animals, and all useful provisions. In addition, about one-third of urban residents abandoned their homes and shops, leaving behind a barren market-place that temporarily served a better function as the stabling quarters for British horses than the sale of provisions. Almost two months after General Howe and his troops had settled into the city, a British agent still saw "neither meat nor fowl" and only a limited amount of fresh vegetables in the market. Even the attempt to host the regular fair in the High Street market in late November produced "some signs" according to Elizabeth Drinker, "tho' it was but just the appearance—little to sell had."[68]

During the early months of British occupation, wealthier residents with the luxuries of cellars, private gardens and livestock managed to stay afloat by relying on their own resources. Drinker's household, for example, depended upon its own cow for the butter and milk no longer readily available in the market. Others, however, proved to be far less fortunate. With Continental forts positioned along the Delaware poised to intercept English vessels making their way into the city with provisions, the approximately 48,000 residents and soldiers inhabiting Philadelphia faced the real threat of starvation daily. Even the almshouse, the only institution still operating to aid the poor, was floundering with two hundred mouths to feed, miniscule amounts of food and a dwindling supply of fuel to carry them through the winter. [69]

The military strategies of General Washington not only compounded the problem of hunger in the city, but helped to transform the physical market-place from a neutral

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[68] November 29, 1777, *The Diary of Elizabeth Drinker*, ed. by Elaine Crane (Boston, 1991), 1: 259; Watson, 1:187; Steven Rosswurm, *Arms, Country and Class: The Philadelphia Militia and "Lower Sort" During the American Revolution, 1775*-1783 (Rutgers, 1987), 149.
[69] Alfred Hoyt Bill, *Valley Forge: The Making of an Army*, (New York, 1952), 75-76; Rosswurm, *Arms*, 149.

zone of exchange protected by broadly defined public interests into a highly politicized space defined by national allegiances. With his own troops facing starvation in the countryside, Washington knew full well that curtailing the stream of provisions into Philadelphia literally equated to choking the life-force of the British forces.[70] Accordingly, he created a blockade around the city to sever the networks of rural farmers that typically vended within the market, as well as to prevent British and Hessian soldiers from foraging in the countryside. At first Washington ordered officers to intercept, detain, and court-marshal country marketers making their way into Philadelphia, but as time wore on and officers reported back on the near impossibility of preventing provisions from making their way into the city, his directives grew more severe. With frustrations running high several months into the occupation, he instructed his troops to "fire upon those gangs of mercenary wretches."[71] Angered by the lack of loyalty shown by his countrymen, General John Lacey, originally from Bucks County, did not hesitate to pass on the directive to his troops. Upon establishing a patrol along the roads to the city by night and day, he ordered his men to "fire upon the villains" and "leave such on the road, their bodies and their marketing lying together" in order to serve as a warning to others.[72]

Despite the combined efforts of Washington, Lacey and other officers, rural vendors continued to risk their lives, freedom and the loss of their goods as they made

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[70] On the difficulty of securing provisions for the Continental army, see Wayne Bodle, *The Valley Forge Winter: Civilians and Soldiers in War* (University Park, 2002), esp. Ch. 5. Washington established temporary market-places in the countryside. See *Pennsylvania Packet*, February 4, 1778, July 24, 1781.

[71] Cited in Richard K. MacMaster, Samuel L. Horst, and Robert F. Ulle, *Conscience in Crisis* (Scottsdale, 1979), 472.

[72] Owen S. Ireland, "Bucks County," in John B. Frantz and William Pencak, eds. *Beyond Philadelphia: The American Revolution in the Pennsylvania Hinterland*, University Park: 1998, 39-40; George Washington to John Armstrong, Dec. 28, 1777, to John Lacey, Jan. 23, 1778, in John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources*, 1745-1799 (Washington, D.C., 1931-44), 10: 215, 340.

their way into the Philadelphia market. They were aided in part by the British army, who sent over 1,000 troops into the countryside and across the Delaware River on market days to ensure the safe passage of farmers into the city. But more often than not, the vendors fought their own way into the market, disguising themselves amidst the rural landscape, exchanging special signals and securing themselves in each others homes until Continental troops passed by. If a marketer had the misfortune of being intercepted, he or she typically faced a lessened form of punishment by Continental troops than Washington or Lacey's orders suggest. Tyson, for example, a member of the Mennonite society at Deep Run, attempted to make his way into the city on horseback, carrying a packsaddle containing butter and eggs when the American forces stopped and arrested him. After being court-marshaled, soldiers stripped him to the waist, tied him to a tree, stepped ten paces away and fired upon him—not with guns, however, but with eggs, thereby reducing "his precious body" "to an eggnog." After confiscating his horse, the soldiers freed him, but only after pledging that they'd shoot him if he made the attempt into the city again.[73]

The tenacity of market vendors that frustrated patriot troops and pleased the British, displayed a remarkable loyalty, either to the Crown or to the promise of hard coin. Although political allegiances certainly split in the countryside just as they had in the city, the willingness of rural farmers to make the dangerous trip into the city more than likely had little to do with loyalties and everything to do with the lure of British gold. Continental currency had already lost 25 percent of its value by November 1776 and by the time the British took over Philadelphia, little confidence or value remained in

[73] Bodle, 106-107, 138-139, 210-213; "Early History of Bedminster Township. Recollections of William H. Keichline," 268-269; Bill, *Valley*, 167.

American paper money. Finding a steady demand and high profits in the city, some farmers, as Joseph Reed reported, simply refused to sell to American forces in “the hope of getting to market.”[74] Regardless of whether allegiances or economic opportunity motivated rural farmers, their continued efforts to supply the city with provisions had translated into a new form of political behavior in the context of war.

Due to the slow, but steady trickle of farmers into Philadelphia, the High Street market continued to function without serious disturbances during the remaining months of occupation. Yet the politicized environment of war heightened the latent distrust embedded within market exchanges and strained relationships not only between rural vendors and the Continental army, but between rural vendors and the British as well. Joseph Galloway, who had been appointed as Superintendent-General by Howe, attempted to regain some semblance of the market order by appointing civilian market clerks and issuing a special proclamation against forestalling, engrossing and regrating.[75] Despite whatever efforts Galloway made to recreate a municipal structure, however, no legal directive or appointed civilian official could fully restore market peace in the midst of a military occupation. All faces, all goods, all prices, and all allegiances had become questionable and neither the Americans nor the British could trust the rural vendors. Consequently, in addition to policing the regular operations of the market-place, the civilian clerks also had to police the vendors and remain alert to possible spies sent in by the Continental army with poultry and produce.[76]

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[74] Ireland, “Bucks County,” 24, 40; Geib, 74; Bodle, *Valley Forge*, ; Bill, 176; Doerflinger, “Farmers,” 194-5.
[75] *Pennsylvania Evening Post*, December 4, 1777, March 23, 1778; *Pennsylvania Ledger,* January 28, 1778; Scharf and Westcott, 1:367.
[76] Cited in Ruth, “Memories of Mennonite Marketing in the Delaware Valley, Part I,” *Mennonite Historical Quarterly* 6, no. 2 (2003), 17.

When Howe's troops withdrew from Philadelphia on June 18, 1778, the market-place and the market peace accounted for just two of the many causalities left behind in the British wake. Physically, the city had been devastated. Evacuating forces cut down fruit trees, confiscated goods and provisions, damaged churches, stores, homes and the market. When residents filed back into the city, they returned to a home that scarcely looked familiar. They also returned to a home that scarcely *felt* familiar. As questionable Tories and patriots and pacifists greeted each other in the streets, fear and distrust permeated their interactions. This same distrust would also permeate the market as war profiteers drove up prices of provisions, the value of Continental currency plummeted, and the poor and middling found it increasingly difficult to survive.

From the repossession of the city in June 1778 to the close of 1779, the prices of domestic staples such as grain, wheat, flour, sugar and molasses rose to unseen levels and sent shockwaves through Philadelphia. Americans could barely feed their own local markets, which led the Council of Safety to lay an embargo on the export of provisions by August 1778 and by November, wheat and meat was prohibited from being exported out of the state. Still, prices continued to skyrocket, with the price of flour and wheat increasing ninefold during 1779, molasses fivefold, and sugar more than tripling. Unlike the previous inflation of imported goods in the preceding years, the rise in prices that began the summer of 1778 affected the most basic articles of one's diet. Simultaneously, as mentioned earlier, the value of currency steadily depreciated. These two economic

currents created desperate circumstances for everyday men and women, who became "almost Clamerous" because they could afford neither bread nor shoes.[77]

Yet these same men and women did not see rampant inflation as a result of abstract currents or forces, but as a result of the actions of specific, self-interested, "heinously criminal" individuals—individuals who operated out of shops and groceries, but also out of the public market. To the broad populace who depended upon the market for provisions, it seemed that all notions of a "just price" had been abandoned in favor of self-interested "monopolizers," engrossers and forestallers, some of whom either refused to accept paper money or offered discounts for specie. Complaints regarding their behavior saturated the newspapers and filled petitions to the state legislature. On the heels of the British occupation, these denunciations also carried important political overtures. Engrossers and forestallers weren't just greedy, self-interested persons; they were unpatriotic Tories.[78] In an effort to respond to the grievances of the public and in particular, of the "industrious poor," the state legislature passed a new Act of Assembly to regulate the public markets on April 1, 1779. With special concessions for hucksters, butchers and innkeepers, the law prohibited forestallers of all "food of man, coming by land or by water, towards the market" and regraters from buying and reselling goods within four miles of the court house, on penalty of imprisonment.[79]

The Assembly's attempt to restore order to the market did not produce either immediate or meaningful results, however, and as prices continued to rise, so did

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[77] *Pennsylvania Packet*, December 10, 1778, January 19, 1779; Anne Bezanson, "Inflation and Controls, Pennsylvania, 1774-1779," *The Journal of Economic History*, v 8, Supplement: The Tasks of Economic History (1948), 1-20.

[78] Rosswurm, "Equality and Justice: Documents from Philadelphia's Popular Revolution, 1775-1780," in Billy G. Smith, ed., *Life in Early Philadelphia: Documents from the Revolutionary and Early National Periods*. University Park: The Pennsylvania State University Press, 1995), 254-268; Foner, 162-163.

[79] Pennsylvania General Assembly, *An Act for the Regulation of the Markets in the City of Philadelphia*, April 1, 1779; *Pennsylvania Packet*, April 8, 1779.

"murmurings and discontent" among the people. On May 12, 1779 a group of fifty-one militiamen petitioned the Supreme Executive Council detailing the material hardships they personally faced as well as those experienced by the mass of middling and poor within the city. Just two weeks later, on May 25, the city erupted into a "popular movement" led by the ranks of radical middling artisans and professionals that culminated in a mass meeting in the State House yard and the beginnings of price control efforts.[80]

For thousands of other Philadelphians, however, the latent face of the moral economy emerged and these "common people" spent the same evening gathered along the Delaware, "clamoring for bread," and escorting a merchant, a butcher, and a "speculator" to jail. The new extra-legal Committee established to regulate prices attempted to focus on the abuses within the market-place, in addition to the stores of larger vendors and merchants, but their actions could not restrain the even more radical behavior of the "lower sort." By July 1779, physical and verbal conflicts within the public market between rural vendors and local residents had become so numerous that the Supreme Executive Council feared "Tumults and Insurrections" would soon envelop the city. Despite the presence of market clerks, constables and "well-disposed Private Citizens," every element of the market order had broken down. Although the rhetoric of the "public good" continued to permeate legislation, speeches, and republican thought, the events occurring within the market-place visibly implied that the always fragile "public" body had finally splintered into markedly different, competing self-interested

[80] Rosswurm, *Arms*, 177-181; Barbara Clark Smith, "Food Rioters and the American Revolution," *The William and Mary Quarterly*, 3rd Ser. 51 (1994), 24-25; Foner, 164-168.

individuals. With the breakdown of the market peace then, came the breakdown of the "public" itself.[81]

Consequently, when civic leaders stepped in to repair the market order, they did so by attempting to repair the social bonds of the community. With the understanding that the city depended upon the hinterland and vice versa, they articulated that "community" as one that extended far into the rural countryside. Under the pen of Secretary Timothy Matlack, the Supreme Executive Council issued a proclamation emphasizing the need to protect country vendors from abuses by the urban residents in order to support and protect "intercourse with the city." Through written handbills and verbal proclamations throughout the city, the Council threatened to arrest anyone "without favour or affection who shall be found disturbing the Peace and Good Order of the Market." Furthermore they directed the Justices, High Sheriff, and Constables to all attend the market and called upon the "well-disposed and faithful Citizens… not only to discountenance such Practices, but to give all Aid and Assistance to the Officers of Justice in the discharge of their duty."[82] Because of the mutual dependence of the city and the country, however, just three months later, the General Assembly enhanced the protection of urban residents by passing another Act that targeted the "evil practice" of monopolizing and forestalling both imported merchandise and country produce.[83]

The extra-legal Committee created to set price controls likewise emphasized the need for cooperation with the rural vendors and drew both the city and the country

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[81] *In Council*, Broadside (Philadelphia: July 8, 1779); *Proceedings of the General Town-Meeting, Held in the State-House Yard, in the City of Philadelphia* (Philadelphia, 1779); Foner, *Tom Paine*, 169-70.
[82] *In Council*, Broadside. Philadelphia July 8, 1779.
[83] *Laws Enacted in the Third Sitting of the Third General Assembly, of the Common-wealth of Pennsylvania*..., (Lancaster: Printed by John Dunlap, 1779).

together in rhetoric and in practice.[84] Even before the serious disturbances occurred in the market, Chairman Daniel Roberdeau attempted to ameliorate the tensions already felt: "It takes all the country peoples money to go to shops with, and all the town peoples money to go to market with, and the whole community is growing poor under a notion of getting rich."[85] In addition, the committee encouraged every market stall renter to sign their association resolves and agreed to hear complaints concerning members of the public who forced them to take prices for their goods "much below their value."[86] By drawing together the abuses faced by both rural and urban residents, the Committee may have intended to sincerely protect and aid the whole of the "community." However, they may also have intended to redirect popular frustrations onto the wealthier merchants and dealers and away from the potentially volatile space of the open-air market.[87] In the following months, the focus of popular action would in fact shift from the market-place to individuals as demonstrated by the well-documented Fort Wilson riot.

Redirecting attention towards larger merchants or threatening to imprison violent consumers, however, did not bring about the restoration of the market order in 1779. Just as the price control movement floundered, so too did attempts by the state legislature to curb forestalling and engrossing in the public market. People not only continued to buy and resell goods at higher prices, but they denied all knowledge of the law, protected each other from arrests, and openly challenged the authority of the market clerk, Robert Smith. The group of violators also grew more diverse as time wore on. Corders and

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[84] *Pennsylvania Packet*, June 1, 1779;
[85] *At a General Meeting of the Citizens of Philadelphia*, May 25, 1779.
[86] *Pennsylvania Packet*, June 1, 1779; *Pennsylvania Evening Post*, June 2, 1779; *Proceedings of the General Town-Meeting, Held in the State-House Yard, in the City of Philadelphia*, (Philadelphia, 1779), 19-20.
[87] Foner, 168; Smith, "Food Rioters," 3-38.

carters, taking advantage of the winter weather, had joined in the act of engrossing, as well as cheating customers out of proper measurements and offering wood of poor quality. Tavern-keepers began buying provisions that only should have been sold in the market and re-selling them out of their businesses. By December, Smith was so inundated by the continued amount of flagrant abuses of the law and the accompanying social disorder that he reprinted the regulations in the local press with a special addendum: "no citizen can take it hard if he or his servant, found in the breach of the law, are prosecuted."[88]

IV. From Market Peace to Market Order

The difficulty that the market clerk faced in curbing the practices of forestallers was not merely a spasmodic problem in the history of the High Street Market that could quickly be solved by punishment. Nor would the problem be completely remedied as the economy recovered in the aftermath of war. The events of the 1770s completely fractured the system of obligations that sustained the market peace and destroyed the fragile levels of trust and cooperation that had enabled the market's long history of smooth operation. Neighbors had turned against neighbors, vendors had turned against consumers, the public had turned against the state, and the state itself had broken down into wildly competing factions. In the shards of the market peace lay a bevy of differing ideals, private interests and political loyalties of men and women, and for the first time in its history, the state would have to harness every ounce of its power to restore order to Philadelphia's market-places. Ultimately, the Revolutionary era ushered in a new market

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[88] *Pennsylvania Packet,* December 4, 1779.

experience into the city—one that was ordered more by market clerks than market people.

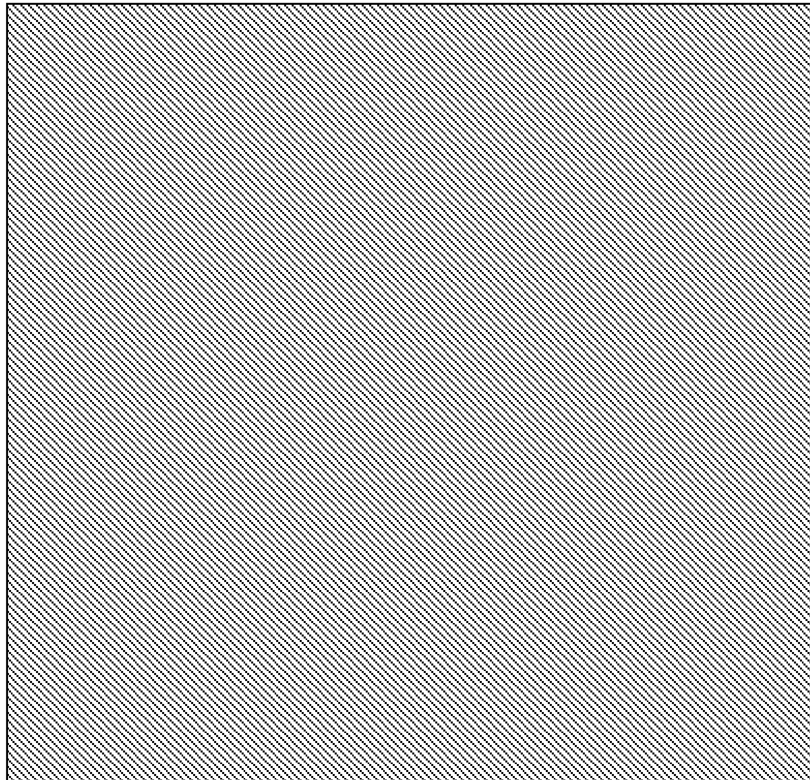

Figure 1.2: Philadelphie, par Eas[t]burn. Paris: Le Rouge: [ca. 1777].
Cartographer: B. Eastburn, American Philosophical Society.

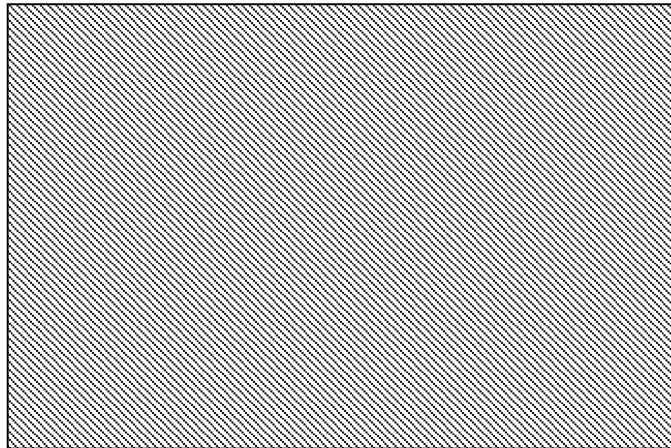

Figure 1.3: High Street & Market Shambles. Originally published in *Watson's Annals of Philadelphia* (Philadelphia, 1830) opposite p. 301. Copy held at The Library Company of Philadelphia.

This is a retrospective drawing of the eastward view down High Street from Second Street, towards the Delaware. The large visible building is a representation of the early prison, built in 1685 which sat in High Street and likely was destroyed sometime around 1723, when the new prison building was erect on the southwest corner of 3rd and High Street. The attached sheds behind the prison building are representations of the Jersey market, but the historical accuracy of the image is questionable. While the market depicted here appears permanent, only "moveable sheds" were positioned eastwardly from the prison. In 1729, new wooden stalls were built in place of the prison, although the pillory remained. In 1765, these stalls were torn down and the first permanent, Jersey market, roofed and constructed with brick pillars was built in its place.

CHAPTER 2:

"A Market of Brothers": The Republican Experiment Meets the Market

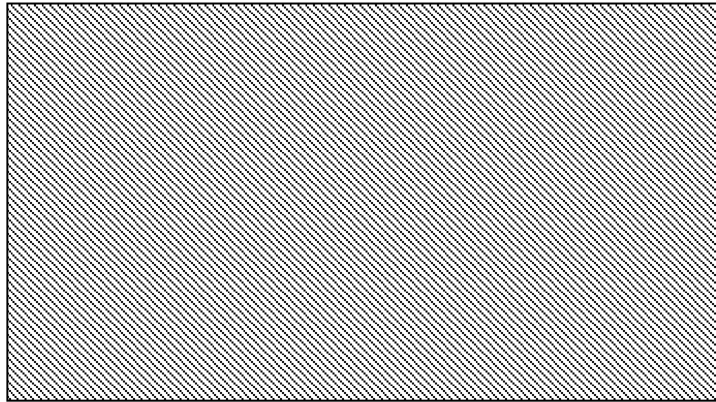

Figure 2.1: High Street Market, *Views of Philadelphia*, 1800. Thomas Birch.

By the 1780s, no shard of the tension and disorder that characterized the post-revolutionary market place was evident to the eyes of Brissot de Warville. Chronicling his visit through the High Street Market in 1782, he found not only a well-oiled and ordered machine of public economy, but a living, physical example of the republican impulses that guided the new nation. "One would think that it is a market of brothers," de Warville wrote, "the meeting place of a nation of philosophers, of disciples of the silent Pythagoras."[1] Even the police that often wandered through the stalls of European markets were conspicuously absent. Rather, Philadelphia's markets seemed to be run entirely on their own, with a fully resuscitated system of tradition and mutual obligations that had characterized the peace of old.

[1] J.P. Brissot de Warville, *New Travels in the United States of America: 1788* (Cambridge: The Belknap Press of Harvard University Press, 1964), 199-200.

In reality though, the market of the 1780s had become a police zone, structured by lengthy municipal ordinances and legislative acts, and operated almost exclusively according to the whims of newly elected and appointed officials. At no point in the market's history, in fact, had the state assumed such an omnipresent role. Yet with the breakdown of the public in the midst of Philadelphia's confrontation with the tides of revolution, a window had opened. Although the political men who led the new federal capital city had much on their plates in terms of crafting a new state and nation, the city's markets did not slip beyond their purview. In fact, Philadelphia's open-air market-places became tiny experimental worlds of their own, in which the state acted out its deepest desires in the crafting of a New Republic. Those desires were far from uniform, however, and the state passed a series of new legislative acts that at once expanded market space and then structured almost every square inch of it. These new laws reflected not merely a new urgency for market order in the aftermath of the Revolutionary chaos, but a broader new emphasis on social and economic order in the new nation.

Far from being apathetic observers, the mass of people that comprised the loosely-defined public in the aftermath of the revolution also used market space to act out their own desires for their nation. Their vision was decidedly different—from the state's and from each others. Between 1780 and 1809, the rifts exposed by the tides of the revolution thus came to play out in the market in the sharpest relief. Philadelphia's open-air markets became test tube babies for how the city would bridge the exposed gaps between the urban and the rural, the poor and the wealthy, the black and the white, the male and the female, and the vendor and the consumer. In the complex negotiations of

the market-place, Philadelphia began to confront its colonial past, its independent future, and in the interim—the true essence of republicanism in the new United States.

The drama between market vendors, forestallers, consumers, and legislators that erupted during the Revolution continued to plague market operations in the ensuing years. Indeed, the experience of war had demonstrated to state and local leaders and the everyday men and women who filed into the city markets for sustenance that the public could not be trusted to maintain a sense of harmony. The ugliness of greed and the immorality of profiteering had been exposed, and thus, the inherent instability of all market relationships. Lurking behind Brissot deWarville's literary descriptions of market peace was a season of suspicion in Philadelphia. Perhaps his descriptions were even intended to alleviate this suspicion in the minds of local Philadelphians. More likely, as public writings that wove their way into cities along the seaboard and across the Atlantic, they were intended to bolster a tidy image of a harmonious federal city, and accordingly, a nation. But, amongst locals in Philadelphia, de Warville's polite literary portraits fooled no one.

Discussions of suspicious and immoral market happenings rippled out into the press and into the daily conversations amongst market goers. One "DETECTOR," angered by the "abominable" practice of forestalling butter that transpired on every back road leading to the city, was equally frustrated that no one bothered to identify such dangerous country imposters or punish them. Identifying them would have been an easy task he argued, for the very "physiognomy of this pack" exposed their deceptive dealings, "as many of them seem more calculated to tend a hog stye [sic] than a dairy."[2] Indeed, the possibilities for deception seemed endless. Small market boats for example, once

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[2] *Pennsylvania Packet*, October 30, 1783.

innocently imagined to be steered by honest farmers (and perhaps a slave or two) from New Jersey now received sideways, suspicious glances. Perhaps these were refugee boats, or worse, British spies "C—" imagined, cruising in disguise and intentionally "affect[ing] to appear like market boats."[3] That the market served as a natural backdrop for such pervasive suspicions in early national Philadelphia should not be surprising. The market as an economic and social space, filled by the bodies of varied transactions, languages, and men, women and children, naturally existed as a space of relative anonymity. Philadelphians had raised hardly an eyebrow over this anonymity in the colonial era, but in the aftermath of independence, as the city grew in size and importance, the dangers posed by this anonymity seemed to be spiraling out of control.

Adding to the problem was the fact that the municipal corporation, the usual body that controlled such issues, had been abolished by the state's democratic constitution of 1776 and replaced by a bare-boned skeleton of men with little actual power. These "wardens" of the city were appointed by the Supreme Executive Council, but despite their close connections to the main governing body, they had no legislative powers and no real form of authority over municipal affairs. Rather, they merely acted as supervisors, overseeing the implementation of legislative acts and policies dictated by the state government. Even this limited power, however, did not translate to the city's public markets. The main supervisory role was vested in the market clerk, a man who was appointed by and accountable to the state's Supreme Executive Council. Like other members of the general populace, city wardens had to rely on the influence of petitions to effect concrete change. Thus when complaints over hucksters and the cleanliness of the market surfaced in the city the only recourse the city wardens had was to request control

[3] "A Case for Consideration," *Pennsylvania Packet*, April 2, 1782.

over the markets through a petition to the Executive Council. If granted more power, the wardens argued, such complaints and disorder "would be obviated."[4]

Yet the conflict and abuse that had characterized the post-war market had proven too volatile to return the reigns of control back to a weak body of municipal leaders. Furthermore, as the central zone of local trade and provisions, the market was simply too important. Accordingly, with the general season of suspicion hanging over market relations, the local government still in shambles, and the public as a body of relative consensus in fragments, the State's Supreme Executive Council stepped in to repair the order. Despite the radical leadership of the new state government, their approach to management of the city markets remained a reactionary one while they held the reigns of power through the early 1780s. By and large, they adopted the crisis management style that had characterized previous municipal intervention, responding only when pushed and prodded by a majority of the people.

To describe the revolutionary government's actions on market issues as "reactionary," however, is not to suggest that it was conservative. Rather, the state's early concrete actions in terms of market management demonstrated meaningful democratic possibilities that grew from a desire for growth and expansion. Indeed, one of the most radical experiments of early republicanism took place with the erection of the Callowhill market. The initial building and operation of the Callowhill Market, an open-air space of exchange nestled into the streets of the neighboring Northern Liberties, became, in essence, a revolutionary project, guided by the motives and demands that had

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[4] March 1st, 1784, Petitions and Miscellaneous Records, 1776-1790, *Records of the General Assembly*, RG 7, Pennsylvania State Archives. On the nature of government in post-revolutionary Philadelphia, see Jon C. Teaford, *The Municipal Revolution in America* (Chicago, 1975), and Judith M. Diamondstone, "The Government of Eighteenth-Century Philadelphia," in Bruce C. Daniels, ed., *Town and County: Essays on the Structure of Local Government in the American Colonies* (Middletown: 1978).

driven colonial independence and structured according to republican values. In greater Philadelphia, it became the first tangible, physical experiment of independence, and accordingly, it demonstrated decisive breaks with the colonial past and a new independent future.

I: The First Experiment: A Market for and by the People

The Northern Liberties was a small neighboring township of Philadelphia, established just north of the city proper according to William Penn's early plan of Pennsylvania {Fig. 2.2}. Early in the eighteenth century, community members had petitioned the provincial legislature for the right to build a market-place within its boundaries on the grounds that the High Street Market was inconvenient to local inhabitants. These early petitions to build a market-place had been rejected, not by the local provincial bodies, but by the King himself.[5] Thus when petitions again surfaced requesting the right to build a market, it presented a tangible opportunity for revolutionary leaders to demonstrate the meaningful fruits of independence. And so, in 1783, the Supreme Executive Council broke with the past and granted the Northern Liberties the authority to erect a new market-place, offering the small community a right to shape and control its own destiny.[6]

In almost every sense, the new Act offered real democratic potential in its phrasing. While colonial legislation had restricted all market stallholders to "freemen," for example, "any manner of persons" could rent the new Callowhill market stalls. In fact, the new Act placed no restrictions on vendors *or* on saleable goods. "[A]ll sorts of

[5] *Minutes of the Provincial Council of Pennsylvania*, Vol. II, (Lancaster, 1852).
[6] Pennsylvania Act of Assembly, 1783 (11 St. L. 2, Ch. 1026), *The Statutes at Large of Pennsylvania*, 103-107; *The Pennsylvania Gazette*, September 17, 1783.

provisions, victuals and things of the country produce and manufacture" would comprise the market offerings and be available for consumption every day of the week, except Sundays. Furthermore, the legislation also put both the market building and governance firmly in the hands of the "people." Construction would be financed through a voluntary subscription and managed by a popularly elected board of superintendents and an appointed market clerk.[7]

Pre-printed subscription forms suggest the high expectation of early superintendents that the market would draw a broad base of popular financial support from the community. {Fig. 2.3} According to the market minute books, a wide cross-section of men and women from different occupational classes and geographic sections of the city did in fact band together to support the market construction. Shopkeepers, widows, gentlemen, brick-makers, merchants, the high sheriff, brewers, bakers, and even Elizabeth Coats, noted "spinster of the Northern Liberties," contributed sums that ranged from ten to three hundred and fifty pounds. The largest sums came from the pockets of the new superintendents, and while no detailed construction record has survived, it is likely that these superintendents also had a direct hand in supplying building materials and erecting the new market-place. John Britton, a lumber merchant, was listed at offering three hundred fifty pounds, a sum that was probably paid in wood rather than cash. Two other superintendents, John Rose and George Forepaugh, a brick-maker and house carpenter respectively, probably took charge of the physical construction. All in all, the subscribers who financed and built the new market were men and women of means, but also those who had a vested interest in enhancing the neighborhood of the Northern Liberties. Rather than being itinerant or day-laborers, most were established

[7] Ibid.

merchants, shop-owners, and skilled tradesmen, eager to improve their community and boost revenues.[8]

The physical location of the new market-place bolstered other expectations that it would draw important revenues from potential market vendors in the surrounding area. The Northern Liberties was a burgeoning suburb of Philadelphia and had recently experienced dynamic growth in building and lot improvements, thanks to expanding commercial and ship-building industries. Built only one block eastward from the Callowhill Street wharf on the Delaware River, the market would be conveniently situated near a new public ferry that carried farmers and country produce from New Jersey. In addition, the market, whose geographic boundaries took the form of a cross, offered ample physical space for a variety of goods and bodies. One section stretched eastward and westward through the center of Callowhill Street at a length of one hundred ten feet. The other section stretched northward and southward through New Market Street at a length of one hundred thirty feet and intersected the former sheds at the center of Callowhill Street. Within this space stood four separate brick market houses, covered with cedar shingles and filled with distinct stalls. Lamps were to be positioned around the market houses and the streets paved. And when the market houses were not sufficient enough to house all the vendors and goods, moveable booths and stands were positioned in the surrounding streets.[9] Such generous spatial proportions convinced early superintendents that market vendors would contribute a steady supply of income to the new market.

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[8] Norwich and Callowhill Markets Records, 1784-1845, HSP.
[9] *The Pennsylvania Gazette*, September 17, 1783.

Less than a year after the plans were drawn and authorized by the State, the Callowhill market was preparing to open in July 1784. Promising to "exert the utmost of their Powers, to keep good Order and Regulation," the superintendents proudly advertised available stalls for rent in the *Pennsylvania Gazette*. On Saturday afternoon, the men stood alongside Duncan Stuart, the market clerk, chatting up area butchers who came to apply for stalls. One week later, the same body of men likely gathered in anticipation on the morning of July 13th, to watch the first sales of mutton, butter, cheese and manufactured products on the market's first official day of business. "So necessary and advantageous an Institution" as this new market-place, they must have believed, would begin to prosper in no time.[10]

Despite the democratic potential of the Callowhill Market design and the high expectations of market superintendents, the grand experiment failed—quickly. Conflicting and competing interests of the "public," which had also created such turmoil during the recent occupation of Philadelphia by the British, reared their heads once more and caused the rapid downfall of the market. Even before the market went into operation, management issues dogged the board of superintendents. Meeting at the house of Ebenezer Branham in March, 1784, the body of men who comprised the market leadership discussed the perceived ill effects of relying upon subscribers to elect future superintendents. Perhaps because of conflicts with potentially elected officers or the fear of losing their own position as leaders, the current superintendents drafted a bill to reform the Act of Assembly, advocating that "Disinterested Persons should be introduced to the disposal of the Property without the consent of the subscribers themselves."[11]

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[10] *The Pennsylvania Gazette*, July 7, 1784.
[11] Norwich and Callowhill Market Records, 1784-1845, HSP.

The profits derived from market vendors also fell far short of expectations. As attested by the early market clerks, enterprising stall holders seemed to have other designs for their market earnings. John Browne had such difficulty wrangling payments from market butchers that he was quickly fired by the board superintendents. Subsequent clerks continued to report "extraordinary troubles" in collecting stall rents and even demanded an extra allowance. On at least one occasion, superintendents had to take matters into their own hands and gathered market butchers to interrogate them about the ongoing problem of delinquent payments. All "promised payment as Speedily as possible." While Godfrey Lenee and Peter Weelar paid in full by December, however, other debts accounts still remained unsettled. The burden of market debt grew so menacing that even death did not stop superintendents from attempting to collect stall payments. When Peter Markle, a long-time delinquent butcher, lost his life to the yellow fever epidemic that washed over Philadelphia in 1793, superintendents politely noted his death at their February board meeting. By July, their mourning had apparently passed and they resolved to bring action against his estate for the nineteen pounds, nineteen shillings and eight pence owed in stall rents. The lack of income in turn stalled other improvements such as nearby street pavings, gutter repair and stall improvements.[12]

While superintendents may have gossiped about the irresponsibility of market butchers at Branham's home where they met for evening meetings, part of the difficulty in deriving revenues resulted from the butchers not deriving substantial profits of their own. Prior to the market erection, housekeepers of the Northern Liberties either traveled to the High Street Market in Philadelphia proper for foodstuffs or waited for butchers and

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[12] Minutes of March 9, 1787, June 12, 1788, November 1792, Feb. 15, 1794, July 1794, Norwich and Callowhill Market Records, 1784-1845, HSP.

country vendors to knock at their doors. This tradition of door-to-door sales by traveling victuallers in particular proved devastating to formal market butchers, yet was so firmly entrenched in custom that the superintendents could not persuade either housekeepers or itinerant butchers to discontinue the practice. Hucksters, a class typically dominated by widowed and poor women, also threatened the source of market income, by buying provisions in the surrounding neighborhood from farmers before they reached the market and re-selling them for small profits door-to-door. Such itinerant vendors, then, not only threatened the profits of legitimate market stallholders, but also threatened the very purpose of a centrally located market-place by accommodating housekeepers at their doorsteps.[13]

Because of these difficulties, superintendents had to turn back to the State for guidance and supervision within only a few short years of opening the Callowhill Market. One Act of Assembly altered the system of electing superintendents in order to protect the financial interests of the largest market subscribers. The next piece of legislation banned door-to-door sales of meat and dairy products in order to ensure the market's continued livelihood in 1789.[14] Within the oncoming years, the Callowhill Market would continue to falter, however. Debts accumulated so rapidly in fact, that the township had to begin a lottery in order to recover the monies lent by original subscribers.[15] As the expectations of superintendents, subscribers and Pennsylvania legislators floundered, the Callowhill Market became a cautionary tale. A market run by the people would not

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[13] *The Pennsylvania Gazette*, June 10, 1789; Minutes of May 1789, December 1789, March 1, 1790, June 27, 1797, Norwich and Callowhill Market Records, 1784-1845, HSP.
[14] Act of August 31, 1785 (12 St. L. 2, Ch. 1170), *The Statutes at Large of Pennsylvania*, 12-14; Act of March 18, 1789 (13 St. L. 3, Ch. 1398), *The Statutes at Large of Pennsylvania*, 225-6.
[15] Minutes of Dec. 28, 1795, Norwich and Callowhill Market Records, 1784-1845, HSP.

survive in a community still struggling to define just who those "people" were and who would speak for them. The heavy hand of the state would have to intervene.

II. The Second Experiment: Shaping the High Street Market

Perhaps this failure informed the future administration of Philadelphia's two main markets, for the same democratic and revolutionary impulses that guided the erection and management the Callowhill Market did not spread as easily to the High Street and New Markets. In fact, if the Callowhill market demonstrated an early and easy consensus on the democratic possibilities of the new Republic, the changes that occurred within the High Street and New markets exposed the deep-seated conflict over those possibilities. In the late eighteenth century, like the nation as a whole, Pennsylvania politics was characterized by increasing rifts between Federalists and Democratic-Republicans that not only shaped the broad contours of state policies, but the local activities of its largest and most important city.[16] A series of new laws and ordinances affecting the city's markets reflected these fissures, for on the one hand, they demonstrated a strong desire for economic expansion. Yet on the other hand, the laws dictated that the expansion would be more limited than at any other point in the markets' history.

The pre-Revolutionary debate over the extension of the High Street Market surfaced once more, on the heels of the construction of the Callowhill Market. In 1784, the General Assembly began receiving a battery of petitions with thousands of signatures arguing for and against the construction of new market sheds between Third and Fourth

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[16] On the detailed political fissures of the period, see Richard G. Miller, *Philadelphia—The Federalist City: A Study of Urban Politics, 1789-1801* (Port Washington: Kennikat Press, 1976), 20-51. Also, Harry Marlin Tinkcom, *The Republicans and Federalists in Pennsylvania,1790-1801* (Harrisburg: Pennsylvania Historical and Museum Commission, 1950).

Streets. For two years, residents of the city and the surrounding rural counties carried out a paper war, forwarding written grievances and pleas to the General Assembly. On March 13, 1786 alone, the Assembly received petitions from 2633 inhabitants of the city of Philadelphia, and of the counties of Philadelphia, Bucks, Chester, Lancaster, York, Cumberland, Berks, Northampton and Dauphin, remonstrating against the bill to expand the High Street Market.[17] While both groups relied upon the previous rationales for either a defense or protest against the extension, both also harnessed the new language of the revolution in order to do so. Their arguments cut to the heart of the conflict over who would rule, who comprised the public, and who would speak for that public.

On one side of the debate sat the usual suspects—the property owners along High Street with a vested interest in maintaining the "free and open" atmosphere of their homes and shops. Among them were the Quaker activists who had led the previously successful protest against the extension, along with such notable names and figures as Benjamin Franklin and the Quaker consortium who had led the pre-revolutionary campaign against the market extension. The expansion, they argued, would "set a dangerous precedent to the Rights of the People, and alarming to those who hold property under the Government."[18] Joining them were a majority of urban residents of the city proper, who argued that the new construction would damage the economic viability of the Callowhill and New Markets by drawing business back to High Street.[19]

On the other side of the debate, however, sat seemingly "new" residents of neighboring rural counties. The basis for their arguments for the market extension in fact was far from novel, as they again discussed the limited space and opportunities for

[17] *The Pennsylvania Gazette*, May 3, 1786.
[18] Minute Books, 1783-4, Records of the General Assembly, RG 7, PHMC.
[19] Petition dated November 19, 1784, McAllister Collection (uncatalogued), LCP.

vending. Yet this time around, they couched their arguments in the language of revolution. The issue at hand was not merely one of convenience, they claimed, but one of "freedom, liberty, and independence." Rural vendors had an equal right to share in these blessings, which they argued, were directly tied to the expansion of opportunities to vend in the market-place.[20]

All of these concerns, so central to the fight for independence, left the State legislature waffling over the final decision of whether to extend the market for two solid years. It was one thing to weigh interests under a system of colonial leadership, but another to weigh rights in a newly independent nation. As guardians of both rural and urban residents, with responsibilities and interests tied to both, the decision to extend the market thus left the Assembly torn. Even the city commissioners were at a loss of how to proceed on the matter, despite the fact that most of the petitions against the extension emerged from Philadelphia residents. As Jacob Hiltzheimer noted in his diary entries written while he held the position of street commissioner in the mid-1780s, the discussions consumed both local municipal leaders and Assemblymen, often overriding other points of business. Over the course of three days, Hiltzheimer recorded debating the extension in commission meetings at the Court House, at a local tavern, and in the private home of J. Dunlap with attorney Isaac Gray, a member of the state Assembly.[21]

On March 3, 1786, sixteen of the men responsible for overseeing municipal affairs gathered around a table in Commissioner's Hall and finally hammered out a decision regarding the market extension. It was a regular evening meeting for these city commissioners, in their regular place of business—the mid-size meeting room perched

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[20] Petition dated February, 1786, McAllister Collection (uncatalogued), LCP.
[21] Jacob Cox Parson, ed., *Extracts From the Diary of Jacob Hiltzheimer of Philadelphia, 1765-1798* (Philadelphia: Philadelphia: W: F. Fell & Co, 1893), 80.

above the market-place in the old court house. The usual issues dogged their agenda—requests for street pavings, the filling and arching of Dock Street, etc. The commissioners skirted most of the issues that evening, laying the majority of petitions for urban improvements "on the table" as they often did. Yet the normally indecisive body resolved one major issue that night, after what had amounted to a decade-long debate: the extension of the High Street Market. After passing their recommendations onto the State legislature, the Supreme Executive Council of Pennsylvania finally passed an "Act to Empower the Wardens of the City of Philadelphia to Extend the Market in High Street" on March 22, 1786.[22]

The final decision to authorize the market extension came just before the legislature switched hands between the fledgling political factions battling for power in the state and the city. Perhaps because they were the same men who drafted the bill for the Callowhill market, the new Act of Assembly that extended the High Street Market contained no restrictions on market vendors or market space. Instead, its focus remained on expanding market opportunities, in terms of space, bodies and sales. As the legislation detailed, the driving impetus for the market extension was to provide shelter for the increasing numbers of vegetable and herb vendors. Whatever costs or grievances to the public resulted, the advantages of protecting market men and women and bolstering their participation in the local economy would outweigh them. The message was clear in the stipulations of the law: the State authorized the city to tax inhabitants for the market's construction, while guaranteeing that country vendors would receive free use of half the new market stalls.

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[22] Act of March 22, 1786 (12 St. L. 3, Ch. 1217), *The Statutes at Large of Pennsylvania*, 203-206; *Minutes of the City Commissioners*, City Archives of Philadelphia.

The emphasis on economic expansion continued to shape the landscape of markets in Philadelphia throughout the Early Republic. Despite the difficulties posed by the Callowhill Market, the State legislature authorized the erection of another market-place in the Northern Liberties in the smaller neighborhood of Kensington.[23] Within a few years of expanding the High Street Market, the New Market (which became known as the Second Street Market) would also experience physical growth. By 1805, the city had extended the market another block through Second Street and added a two-story fire engine house with a cupola and an alarm bell. In response to petitions by poor inhabitants without cellars for storage, the city even authorized the holding of Sunday markets which had previously been legally and socially viewed as a violation of the Sabbath in 1805. As a whole then, these market expansions clearly reflected the strong desires of state and local leaders that the city and surrounding areas continue to grow, economically and physically. Yet a close look at the market legislation of these years suggests just how complicated and limited those desires for expansion truly were.[24]

De Warville's careful rendering of the High Street Market as a space of flourishing republican practice may have overlooked the heavy hand of the state in its operation. But it did in fact serve as a precise replication of state-desired ideals. The particular brand of Jeffersonian republicanism that hinged on agrarian values of small, white male producers provided the backbone for new legal policies that structured Philadelphia's local marketplaces. Face-to-face exchanges between hardworking rural producers and urban consumers, always an important component of public markets, became even more critical in an early nineteenth-century nation looking to boast its

[23] Act of March 27, 1795 (15 St. L. 5, Ch. 1813), *The Statutes at Large of Pennsylvania*, 252-256.
[24] John C. Lowber and C.S. Miller, *Ordinances of the Corporation of the City of Philadelphia* (Philadelphia: 1812), 122-126.

economic and social strengths to the world. Every morning market thus served as a visual testimony of the centrality of rural producers to the national economy and the strength of that economy. Agricultural fairs, sponsored by fledgling agricultural "societies," rounded out the image that hard-working yeomen farmers and artisan manufacturers composed the vital skeleton of the American nation.[25] In the day-to-day operation of Philadelphia's markets, the support of honest country vendors was most notably reflected in the State policy of releasing them from the obligation of paying tolls, rents or any other fees to occupy market stalls. In addition, a new legislative Act stipulated that half of the stalls within the newly erected market building between Third and High Streets would remain "free forever" to country people. Furthermore, the same Act ensured that half of every market structure built in the future would also remain free for country vendors.[26]

In an era in which hard work was praised as part of the republican ethos and concerns were steadily increasing about urban poverty, urban market and street vendors also enjoyed a brief moment of praise from some contemporaries.[27] German-born artist John Lewis Krimmel, for example, produced moralizing images of market people, including farmers on the way to the market, a cherry-selling girl, an oystermen and a pepper-pot woman {Fig. 2.5} In each of his images, black and white vendors stood as the central figures, surrounded by diverse members of the community. Doling out foodstuffs

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[25] Philadelphia Society for Promotion of Agriculture, Minutes, University of Pennsylvania Archives. On market parades and agrarian values, see Helen Tangires, *Public Markets and Civic Culture in Nineteenth-Century America* (Baltimore: Johns Hopkins University Press, 2003), 48-68.
[26] Act of March 22, 1786 (12 St. L. 3, Ch. 1217), *The Statutes at Large of Pennsylvania*, 203-206; Act of February 12, 1795 (15 St.L.5, Ch. 1796), *The Statutes at Large of Pennsylvania*, 219-220.
[27] On the changing perceptions of Philadelphia's poor, see Simon P. Newman, *Embodied History: The Lives of the Poor in Early Philadelphia*. (Philadelphia: University of Pennsylvania Press, 2003).

to women, children, the poor, and the wealthy alike, Krimmel's market-people appeared as the backbone of society; as guardians of the community's very survival.

The growing genre of street cry literature that surfaced in the nation during the early nineteenth century echoed Krimmel's appreciation for the ethical work of market and street vendors. The small chapbooks, containing engravings and descriptions of urban street "characters" had a long tradition of publication across the European continent, and their introduction into the U.S. coincided with the steady growth of urbanization. Because the most substantial growth of cities further overlapped with the development of republican traditions however, the street cry literature immediately fell into a welcoming market. Philadelphians published several versions and editions of city cry books in the early nineteenth century, while numerous others emerged in New York and Boston. Geared towards literate middling-classes of white children, the small books emphasized the strong character of urban vendors by highlighting their work ethic, independence, and determination to stay off public charity.[28] Apparently quoting Benjamin Franklin who in turn, quoted the sentiments of a black laborer, *The Cries of Philadelphia* attempted to drive the point home to its juvenile readership: "Boccarorra (meaning the white man) make de black man workee, make de horse workee; only de hog. He de hog, no workee; he eat, he drink, he walk about, he go to sleep when he please, he libb like o gentleman." Wouldn't it be "more desirable and reputable" to be "engaged in some useful employment," like the little radish girls, *The Cries of Philadelphia* asked is readers, than to imitate "the gentleman-hog, only live to eat, drink, and sleep."[29] In an ironic twist then, an

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[28] For brief histories of street cry literature, see Linda F. Lapides, *The Cries of London; The Cries of New York* (New York: Garland, 1977), v-xxi; Leonard S. Marcus, Introduction. *New York Street Cries in Rhyme* (New York: Dover Publications, Inc., 1977), v-viii.

[29] *The Cries of Philadelphia* (Philadelphia: Johnson and Warner, 1810), 14.

African-American who challenged the skewed power dynamics that structured his life came to serve as a model of the republican nation for young white children in Philadelphia.

III. Restricting Market Space

African-Americans, women, and the working poor may have enjoyed brief moments of glory in the safely removed realm of literature and art, but that glory did not transfer into the everyday market-place of the Early Republic. For if municipal leaders worked diligently to craft the market as a peaceful space of republican brothers, their success hinged on excluding all non-producers and non-whites. Thus the great irony of the market expansion in late eighteenth-century Philadelphia was that it also came with the most lengthy and detailed set of regulations in the city's history of public market operation. New laws, passed between 1789 and 1805 structured almost every square inch of the High Street and New Markets and every lone body that sold within its boundaries. Carts and horses were to be tied up in designated places, while vegetable sellers, butchers, meal vendors, and others were separated and lined up according to the category of their foodstuffs and wares. Chains were to be placed across almost every alleyway and intersecting street, and no wagons, carriages, cattle or horses were allowed within the boundaries. No "beer, cyder, or spirituous liquors of any kind," were to be sold during and after market-hours, and no butcher was allowed to kill any animal within the market-place or sell any meat outside of it. And amongst a host of other restrictions that attempted to

order market space after the proper hours, no pepper-pot soup was to be sold—an item vended almost exclusively by black women.[30]

In no small part, the birth of such restrictive legislation reflected a number of new political developments that had overtaken the city. The men who took the reigns of the state government in 1786 shared the same view of market expansion and the growth of the broad American economy as their predecessors. But these "anti-constitutionalists" rejected the democratic underpinnings of the Pennsylvania Constitution and possessed a more narrow view about who should control and lead this economic expansion. An even more narrow view underlay the political philosophies of local Philadelphia leaders, who in the aftermath of the state elections, received the authority to control municipal policies once more. After years of petitioning the state legislature for the reincorporation of the city, local leaders finally won the right to resuscitate the city government in 1789. By and large, they were a replica of the body of men who had controlled the city prior to the Revolution. Dominated by elite families, these were men of old wealth and conservative ideas, particularly when juxtaposed against the burgeoning factions of more radical republicans with democratic impulses.[31] Although these newly re-elected urban leaders had much on their plates in terms of fleshing out the skeleton of municipal politics, few issues commanded as much attention as the city's open-air marketplaces.

Several scholars have latched onto this new market legislation as symbolic of the continued paternalist role of state and the rejection of laissez faire principles in the New

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[30] John C. Lowber and C.S. Miller, *Ordinances of the Corporation of the City of Philadelphia* (Philadelphia: 1812).
[31] Teaford, 57-59; Miller, 20-36.

Republic.[32] There is truth to this point, for while the early Act that authorized the extension of the High Street Market served to enhance the opportunities of market vendors, the new municipal legislation that emerged in its aftermath served to protect the interests of market consumers. Regulations that cracked down on second-hand vendors in particular, seemed to mimic older legislation that upheld the values of a moral economy, such as those that outlawed forestalling and established uniform weights and prices of bread and dry goods.[33]

Yet the new legislation that affected the physical market-place should not be viewed as a throwback to state-protectionist strategies embedded within the policies of colonial mercantilism. For the issue at hand was not simply regulating the economic exchanges that took place within the market. Rather, the issue was controlling a public space, and managing both the social and economic exchanges that occurred. The municipal government's driving impetus, as it plainly articulated in the first piece of market legislation passed, was to remedy the "divers great abuses" they believed had crept into the market "for want of proper regulations."[34] In the case of the early republican market, then, government intervention signaled new methods of social control.

The need for controlling market space was clear and pressing at the end of the eighteenth century in Philadelphia—not only in the eyes of the municipal government, but the broad public as well. As an outdoor space, exchanges were never limited to the boundaries of market structures. Rather, economic and social dealings had long spilled

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[32] William J. Novak, "Public Economy and the Well-Ordered Market: Law and Economic Regulation in Nineteenth-Century America," *Law and Social Inquiry* 18 (1993): 1-32.

[33] See Richard B. Morris, *Government and Labor in Early America*, New York: Harper and Row, 1965, for a thorough overview of price controls during the era; Also, Ruth Bogin, "Petitioning and the New Moral Economy of Post-Revolutionary America," *William and Mary Quarterly* 45 (July 1988), 391-425 on the "new moral economy" in the post-revolutionary era.

[34] June 8, 1789, *The Constitution and Ordinances of the City of Philadelphia*. (Hall & Sellers, Philadelphia: 1790), 20-33.

out into nearby streets and alleyways. Even before the new market erection, frustrations among nearby business owners and residents along High Street were running high. City wardens had been placing so many benches and stalls along the pavements in front of their shops and homes that they were becoming a ready nuisance on market days according to one group of petitioners.[35] While the erection of a new block of formal market stalls in 1786 attempted to alleviate such nuisances, it also spawned further problems by expanding the perimeter of market space and in turn, the growth of more informal side street exchanges.

Recognizing the de facto sprawl of market space, the city legislature thus moved to incorporate the informal spaces of exchange into de jure market space. By the close of the eighteenth century, the municipal government had developed ordinances covering not only the three formal market structures built between Front and Fourth Streets, but an additional sixteen blocks of space surrounding the physical market-houses {Fig. 2.4}. Collectively, these side-streets and alleyways comprised the official limits of the High Street Market. Within this space, the activities and placement of vendors were carefully circumscribed and orchestrated. Butchers faced penalties for occupying stalls reserved for country vendors, for killing animals in the market and remaining after designated market hours. Fish vendors could only occupy specific stands closest to the Delaware River to prevent the pungent odor of shad and herring from overwhelming the mass of consumers in the rest of the market. Rural vendors from New Jersey could only occupy designated stands in the block of sheds known as the Jersey Market. And marketers of

[35] *The Pennsylvania Gazette*, June 14, 1786,.

earthenware, hosiery and other domestic manufactures were likewise limited to specific zones along the sidewalks of the broad market area.[36]

No group faced more regulations at the hands of the municipal government than hucksters, however. In an early American market-place that emphasized the virtue of direct, face-to-face exchanges between producers and consumers, there was little ideological space for petty second-hand retailers. Consequently, there was little physical space as well. A few managed to find their way into the system—second-hand vendors of meal and fish, for example, whose goods were in high demand.[37] But the great majority of hucksters were not only legally pushed out of the market-place, they were branded with negative labels tied as much to their occupation as second-hand dealers as to their gendered makeup. Residents filled petitions and newspapers with complaints of the evil and growing nuisance of the "young tribe of girls" of all "ages and colors" who had overtaken the markets and threatened to destroy the "publick morals" through their habits of profaneness, effrontery, and idleness.[38]

Regardless of their actual behavior, background, or appearance, female hucksters' visible and independent presence in the city's markets had translated into a badge of the most dangerous, aggressive and unfeminine traits by the end of the eighteenth century. Contemporary portraits and accounts typically painted country market women, the daughters and wives of rural farmers, for example, as wholesome and just providers. Similar accounts that focused on the city's female hucksters, however, often charged

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[36] Lowber, 112-122.
[37] April, 1801, *The Ordinances of the Corporation of the City of Philadelphia*, 219.
[38] *The Independent Gazetteer*, June 25, 1787, April 4, 1791; T*he Gazette of the United States*, September 15, 1795, August 6, 1803; Benjamin Davies, *Some Account of the City of Philadelphia, the Capital of Pennsylvania, and Seat of the Federal Congress* (Philadelphia: Richard Folwell, 1794), 25-26; *Poulson's American Daily Advertiser*, January 23, 26, 1805; A Housekeeper, "For the United States Gazette," *The United States Gazette*, January 28, 1805.

them with the most violent physical actions to transpire in the city's markets. Sensational news reports fed the hungry public with stories like that of "an old woman huckster" who used a long butcher's knife to stab another male huckster and "cut him through his coat on the shoulder."[39]

Hucksters' visible participation in the public economy also drew them into the company of another stigmatized group of Philadelphia's enterprising women in the eyes of public opinion—prostitutes. The occupations of both groups certainly shared similarities. Both involved economic negotiations, bartering, a high degree of independence and a physical public presence in the city's public spaces. Yet contemporaries did not stop at merely drawing parallels between prostitutes and female vendors. Rather, some openly accused hucksters of engaging in prostitution, like one resident who warned the public of the "large tribe of young girls" that rose at dusk and traveled to the city's wharves, taverns, and incoming roads to purchase food-stuffs from men "at a price which must not be named."[40] Such accusations may not have been that far-fetched, for the markets did attract women like Margaret Britton "wish[ing] to have carnal Intercourse" with rural farmers in exchange for cash.[41] Regardless of whether or not Britton or other women did exchange sex for provisions to resell, the linkage between prostitution and huckstering clearly illustrated the emergence of a new image of the city's second-hand vendors. Female hucksters had become far removed from the minor label of nuisance and the caricature as weak, enfeebled, and elderly that they bore in the colonial period. Instead, they had become dangerous, perverse individuals who threatened an increasing destruction of public morality.

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[39] *Poulson's American Daily Advertiser*, August 9, 1805.
[40] *The Gazette of the United States*, August 6, 1803.
[41] Vagrancy Docket, 1790-1797, PCA.

In agreement that these women had become threatening figures, municipal legislators thus embarked on a rigorous campaign to erase them from the streets and market-places. According to the ordinance passed in 1789, "the great encrease of hucksters within the city for some years past has tended to enhance the prices of provisions and necessaries of life, has taken many able-bodied people from other more useful employments, and they have become an incumbrance and a nuisance to the city at large, and especially to the said market." Consequently, the council ordered that hucksters could not resell foodstuffs before the hour of ten in the morning of any market-day and only after a special bell had been rung, nor could they sell any provisions or fruit which had been purchased from country vendors bringing the same articles to the market for sale. And finally, the ordinance prevented hucksters from selling goods anywhere but in the market-place, and on any day but the official market days of Wednesday and Saturday during proper market hours.[42] Less than a decade later, the city corporation took unprecedented action against the petty retailers and outlawed all forms of huckstering through a lengthy new market ordinance passed in 1798.[43]

The new ordinance banning hucksters did not merely collect dust in the bound books of the municipal library; it was enforced in the everyday operation of the market. On the morning of October 13, 1805 constables gathered in the long stretch of market sheds that ran through the center of High Street, Philadelphia's main thoroughfare. Their presence in the marketplace was unusual, but their mission was becoming more familiar in the early nineteenth century—to apprehend as many hucksters as "they could lay their hands." And so they did. Over the course of the morning, they arrested twenty-two

[42] *The Pennsylvania Gazette*, June 17, 1789.
[43] Lowber and C.S. Miller, *A Digest of the Ordinances of the Corporation of the City of Philadelphia; and of the Acts of Assembly Relating Thereto*, (Philadelphia, 1822).

hucksters in all, confiscated their goods, and escorted them to the Mayor's Court to await sentencing. Elizabeth Mason, a resident of nearby Germantown, knew the story well. Only a few years earlier, she had been apprehended and fined for selling veal, poultry, pork, butter, eggs and nuts in the High Street Market. So too were her neighbors: Elizabeth Nell, her husband John, and nine other petty market vendors, all of whom had been convicted of participating in the "scandalous system of huckstering" that contemporaries believed had overtaken the city markets.[44]

Such campaigns to rid hucksters from the streets and markets of Philadelphia in turn boosted the status of Philadelphia as a model corporation on the eastern seaboard. News of the 1805 crackdown on petty vendors spread one hundred miles to the north in early November, surfacing as a "Hint to Our Corporation" in the *New York Commercial Advertiser*. To the editor, the crack-down on the city's petty traders signaled a crucial victory for the state and citizens in an ongoing battle to control an unruly population of second-hand vendors that appeared increasingly ill at place in an orderly new Republic.[45]

IV. The Counter-Experiment from Below

The republican ideal of white, masculine well-ordered market-spaces never materialized to the extent that legislators hoped, however. At every step, the efforts of mayors and civic authorities seemed thwarted by an increasingly bold and persistent class of vendors determined to create their own ideal market spaces in the wake of the Revolution. Even the broadly defined "public" seemed intent on creating their own

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[44] *Gazette*, November 2, 1805; Thomas Farrington Devoe Papers, Philadelphia Markets, NYHS; The Mayor, & c. *versus* Mason, A. J. Dallas, *Reports of Cases Ruled and Adjudged in the Several Courts of the United States, and of Pennsylvania, Held at the Seat of the Federal Government* (Philadelphia, 1807), IV: 266-267.
[45] *Commercial Advertiser*, November 2, 1805.

market meanings, using market spaces in drastically different ways than those circumscribed by municipal leaders. Philadelphia's markets, then, were a multi-fold experiment in the early Republic, a constant and unending negotiation between various branches of state authorities, vendors and the broad public about the shape of the economy, the nature of public space, and what body could legitimately claim control over both.

Although the municipal government attempted to push African Americans, independent women, and the working poor to the physical margins of the market or ban them from the market-place altogether, they repeatedly faced covert and increasingly overt challenges from those on the bottom rungs of the social ladder. The petition became the most prominent weapon wielded in the fight for market space, an ironic feat perhaps, considering that most of the poorer sorts of market men and women were likely illiterate. Recent legal scholars have emphasized the significance of the petition as a political tool in the early U.S., arguing in particular that its widespread use should not diminish its potency or significance in the eyes of current historians. The petition was one of the only political tools available to the masses as Gregory Mark has pointed out; the only tool safeguarded by the constitution as a right granted to all inhabitants, regardless of formally defined citizenship. Men of means and political influence used the petition to seek redress of grievances, as did the working poor.[46]

Repeatedly, various vendors of produce, herbs and other goods petitioned the city and the state government to occupy sections of urban space to market their goods. Joshua

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[46] Gregory A Mark, "The Vestigal Constitution: The History and Significance of the Right to Petition," *Fordham Law Review*, 66 (1998), 2153-2185; Marcia Schmidt Blaine, "The Power of Petitions: Women and the New Hampshire Provincial Government, 1695-1700," *International Review of Social History* 46 (2001) sup 9, 57-77; Stephen A. Higginson, "A Short History of the Right to Petition Government for the Redress of Grievances," *The Yale Law Journal*, 96: 142 (1986), 142-166.

L. Howell and John Blackwood, for example, petitioned the city on behalf of the "Brother Fisherman" for the privilege of using the Market Street Dock to land their shad during the fishing season.[47] In another prime example, when municipal legislation closed nearby Strawberry Street off to market vendors in 1798, a group of over one hundred Delaware County petitioners requested the privilege to return to the space or acquire a newly designated place where they could escape the "extream heat of the sun, in the summer season" and "the severity of the weather at other times, by which causes our produce is much injured."[48] The vendors' petition was supported by yet another petition from property owners in Strawberry Street, attesting to the loss of revenue caused by barring market activity. Taverns, public houses, stables and groceries alike were suffering, they argued, because of the ban on market vendors along their thoroughfare.[49]

By far, the greatest number of petitions for the right to occupy market space came from hucksters, the very class of workers most vigilantly prosecuted by the state and persecuted by the press. As a body, their sheer numbers had likely been growing, although any approximate calculations are impossible given the informal nature of their work and the invisibility of women in tax and census records. Yet, more than likely, the particular social factors structuring the lives of poor women in the late-eighteenth century had both pushed and pulled overwhelming numbers of them into the huckstering trade.[50] Repeated outbreaks of disease had created a pool of widows left to fend for themselves, and women who traditionally fit the mold of the industrious poor, like recent widow

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[47] Society Msc. Records, Box 1, Folder 4, 1801. Petitions, March. 30th 1801, HSP.
[48] March 11, 1802. Petitions to the Select and Common Councils, HSP.
[49] Society Msc. Records, Box 1, Folder 5, Jan-Mar, 1802; Petition dated February 29, 1808, McAllister Collection, (uncatalogued), LCP.
[50] Seth Rockman, "Women's Labor, Gender Ideology, and Working-Class Households in Early Republic Baltimore," *Pennsylvania History* 66 (Supplement, 1999), 185-188.

Eleanor McCullough, turned to huckstering in addition to operating boarding houses or taking in washing to make ends meet.[51] As opportunities for domestic service dwindled and prospects for women's market labor drew increasingly narrow overall, however, large numbers of women who did not fit the traditional mold also turned to huckstering. So many "sturdy young females" had taken to selling limes, squashes, melons and other fruits in fact, that the market appeared to at least one contemporary as "a seminary for initiating votaries for the temples of the Cytherean goddess."[52]

Throughout the late eighteenth century individual women began to petition the city for permission to vend foodstuffs and wares in the marketplace. As independent women with relatively little power few achieved immediate successful outcomes. Yet, as the century wore on, huckster women found more and more allies. In 1790, for example, Edward and William Shippen of the wealthy and prominent Pennsylvania family and the influential Revolutionary leader Charles Biddle followed a hucksters' petition with one of their own, recommending them as "proper persons" to participate in the trade.[53] Such prominent men typically supported huckstering as a customary privilege of the urban poor and argued that petty retailers deserved protection from the state. Discussions emphasizing this need for protection even wound their way to the floor of the Pennsylvania Senate as legislators debated passing a bill to annul all regulations of the huckster trade in 1792.[54]

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[51] Clement Biddle, *The Philadelphia Directory* (Philadelphia,1791); James Hardie, *The Philadelphia Directory and Register,1793* (Philadelphia, 1793).
[52] T*he Gazette of the United States*, September 15, 1795.
[53] For individual petitions of hucksters see Philadelphia, Common Council Minutes, 1789-1793, PCA; "Hucksters," Gratz Collection, HSP.
[54] *Claypoole's Daily Advertiser*, January 16, 1792.

Hucksters found other allies along the way, surprising economic bedfellows, who supported their work as middle-women in the context of their broad support for free markets and trade.[55] Men steeped in progressive economic thought latched onto the trade as symbolic of the richest blessings of a free market economy. One such "Friend to Free Trade" countered the oft-repeated complaints that hucksters drove up prices by emphasizing the promise of economic competition. Rather than being looked upon as nuisances, the honorable "United Company of Hucksters attending Philadelphia Markets" should have been praised for cheapening the market by preventing the growth of monopolies, he argued.[56] The minutes of the city's Select and Common Council reveals that such discussions had even reached the body of municipal leaders responsible for the restrictive legislation against hucksters. Indeed, the most impassioned speech of the era actually took place around the table of the Common Council. Standing before his colleagues, one member attempted to influence a change of heart by situating hucksters in the larger ideological sphere of the national economy:

> "Now, Sir, what is commerce? Why nothing more than huckstering upon a very large scale; and what is huckstering? Why, nothing more than commerce upon a very small scale. Sir, if we snap off this huckstering twig we shall be in danger of wounding and killing the great tree under which we all fit."[57]

Although the speech attempted to draw hucksters into a symbolic web of economic relationships that tied together merchant and petty vendor, city and nation, poor and elite, his appeal fell on deaf ears. The majority of Council members refused to see hucksters as anything more than nuisances.

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[55] *American Daily Advertiser*, November 23, 1791; *The Gazette of the United States*, September 15, 1795, November 13, 14, 1801, January 20, 1802; *Aurora,* November 12, 14, 1801.
[56] *American Daily Advertiser*, November 23, 1791; *The Gazette of the United States*, September 15, 1795.
[57] *The Gazette of the United States*, January 20, 1802.

Rather than admitting defeat, hucksters responded by traversing a new political channel and sought redress through the most important judicial body in the state—the Supreme Court of Pennsylvania. One by one, petty retailers such as Catherine De Willer, Elizabeth Mason, and Elizabeth and John Nell called upon well-connected attorneys and challenged the judgments rendered against them by the city. Following their cue, eleven other hucksters who had been fined by the city also filed a collective suit.[58] The Supreme Court and legislature of Pennsylvania evidently saw much more at stake in the hucksters' cases then the reach of one municipality's authority or concerns of public order. For one, Philadelphia's markets served as destinations for a wide array of rural vendors and consumers, and the state had already set a precedent of protecting their interests over those of urban dwellers.[59] More importantly, however, the hucksters' cases evoked the very principles that comprised the backbone of Pennsylvania's democratic constitution. These two issues proved paramount for the state government, and in 1802 legislators took a decided stand and reversed the city's decision with a state-wide ordinance that not only restored, but enhanced previous freedoms of hucksters. In a decision that interwove democratic principles with free-market advocacy, the legislature argued that every man should "do what seemeth to him good in his own eyes, unembarrassed by too much regulation or restriction." Accordingly, the new Act abolished time constraints that

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[58] For individual hucksters whose cases were argued in the Supreme Court of Pennsylvania, see De Willer *vs*. Smith, A.J. Dallas, *Reports*, (Philadelphia, 1798), v. II, 236-237; The Mayor, Aldermen and Citizens of Philadelphia *against* John Nell, Jasper Yeates, *Reports of Cases Adjudged in the Supreme Court of Pennsylvania: With Some Select Cases at Nisi Prius, and in the Circuit Courts,* v. III, (Philadelphia, 1889), 475-478; The Mayor, & c. *versus* Mason, Dallas, *Reports*, (Philadelphia, 1807), v. IV, 266-267; Continuance Docket, *Records of the Supreme Court, Eastern District, Sept. Term 1800-Dec. Term 1804*, RG 33, Pennsylvania State Archives; and Common Council Minutes, 1799-1803, PCA.

[59] Despite a strong body of opposition from local Philadelphia residents, for example, the General Assembly authorized the extension of the High Street Market in 1786 in response to thousands of petitioners from outlying counties. Lowber, *Digest of Ordinances*, 109; Records of the General Assembly, Petitions and Miscellaneous Records, 1776-1790, RG 7, PHMC.

hucksters labored under in previous years and gave them full reign to vend fruits and other provisions in the markets and streets, as long as they did not purchase their goods within the limits of the city.[60] In the end, the State stood by their unlikely huckster allies, making a clear statement that protecting the tree of free commerce, no matter how small or petty its twigs, took precedent over protecting the broader public from whatever financial injuries or disorder might result.

The state's decision to restore the privileges of select hucksters may have drawn them into an increasingly accepted sphere of free trade and drawn connections between huckstering and democracy. Yet it did little to protect the vast majority of the city's petty vendors who continued to face daily interrogations in the market, particularly at the hands of a municipal government incensed over the State's intrusion into their political affairs.[61] Still, even this large mass of mass of women, with limited financial resources and no wealthy elite men to support them, found their own voice of protest in the Early Republic. Indeed, if "public virtue and political voice rightly belonged to men" and femininity was defined by an absence from the economic and political realm during this era as scholar Jeanne Boydston has argued, huckster women directly challenged these beliefs in their public response to the crack-down on second-hand market vending.[62] In a rare petition that affords a brief, yet significant sound bite of the voice of the female working poor, nineteen women pleaded with the city legislature to cease their efforts at prosecution. All, with the exception of Mary Swarts, left no written signatures—only their "marks." A close reading of this public document demonstrates the ways that these

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[60] *The Gazette of the United States*, August 6, 1803; Lowber, *Digest of Ordinances*, 111.
[61] Common Council Minutes, 1799-1803, PCA.
[62] Jeanne Boydston, "The Woman Who Wasn't There: Women's Market Labor and the Transition to Capitalism in the United States," *Journal of the Early Republic* 16 (Summer 1996), 183-206.

women both accommodated to and challenged gendered ideals of economic behavior and the state-driven experiment of fashioning the public market as a masculine space of white brothers.[63]

Through the calculated use of deferential language, the petition played upon "the pity and compassion of the Councils" and challenged the host of negative stigmas that had enveloped female hucksters in the previous two decades. Rather than being young and able-bodied for example, the women styled themselves as "helpless by the infirmities of age," "enfeebled," or "oppressed by the cares of Widowhood." Rather than electing to huckster because of the ease of quick profits, they were driven to the occupation due to their incapacity for hard labor. And rather than possessing rough, malevolent or unfeminine natures, they were respectful, just, obedient individuals and mothers. Their reliance on such passive descriptors thus evoked previous social customs that entitled generations of hucksters to vend in the city's markets. If such a precedent was violated and they lost their occupation, the women further warned the Councils that they would have no choice but to call on the already "severely taxed" support of public and private charity.[64]

Like other petitions of the era, however, the huckster women used deferential language to advance their claims, but their demands stemmed from an unspoken belief in the political right to vend their goods in the market.[65] Mid-way into the three-page petition, they slightly altered their tone and engaged in the debates over economic policy

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[63] Petition of the Huxters, December 18, 1805, Petitions to the Select and Common Councils, 1763-1868, HSP.

[64] Ibid. Just how many of these women were actually helpless and enfeebled is impossible to judge, but at least four were indeed listed as widows or as single heads of households in contemporary city directories. See Cornelius Stafford, *The Philadelphia Directory of 1801* (Philadelphia, 1802) and *The Philadelphia Directory of 1805* (Philadelphia, 1805).

[65] Bogin, 391-425.

and legislative acts based on their desire for equal access to the market. Even as they denied any direct questioning of the present laws, they boldly claimed that "many men of wisdom and information" had advised them that the laws were indeed questionable and should be relaxed. The ordinances were particularly dubious, according to the hucksters, because more economically viable vendors often purposely evaded the city's regulations by selling foodstuffs from their cellars directly adjacent to the city markets. Regrating a few fruits and nuts that were "more in demand for the tables of the rich," they argued, could hardly be deemed as injurious to the citizens at large, especially when compared to the substantial numbers of engrossers who practiced illegal hoarding and maintained stalls in the market.

By the close of the document, the hucksters' petition emerged as less of a prayer upon the sympathy of the Councils than a business proposition between enterprising women and the city at large. Their final plea was not merely the relaxation of the laws relative to their trade, but that a certain number of stands should be set aside for weak, widowed, and enfeebled women like themselves, in exchange for the payment of a reasonable small rent. Requesting space within the market was no small demand, for while no legal ordinance segregated the physical space of the city's produce and meat markets, they had long been divided along the lines of both gender and race. Of the eighty-nine stalls rented in the Second Street market, for example, only five were rented to women. Legal and illegal female vendors, white and black, clustered on the outskirts of the market on makeshift benches or in moveable stalls temporarily erected by the market clerks. Accordingly, the request to have a designated space within the city's marketplaces was much more than an attempt to secure a comfortable spot under the

eaves of the market sheds. Rather, it was an attempt to occupy a formal, legitimate and legally sanctioned space in the public economy.[66]

The hucksters' plea for market space evoked no municipal legal changes, however, for while advocates of the petty trade continued to surface, no chorus emerged to argue specifically that *female* hucksters deserved a place in the public economy. With no male patrons to advance such claims, no wealthy allies to advocate their cause, no recommendations from "reputable citizens," and perhaps no capital to hire local attorneys, the hucksters' petition had little chance of swaying the very Council members that had been so fervently opposed to second-hand vending in the past. Indeed, one month after the petition reached the tables of the legislature, the committee appointed to consider it, simply "reported unfavorably" and the matter was dismissed.[67] Together, the resentment of the city towards the state legislature, the increasing stigma attached to character of female petty vendors, and the lack of specifically gendered advocacy had created an environment where even the most deferential language or attitudes mattered little if one was a laboring huckster woman. The city's poorest enterprising women continued to be pushed just outside the legal and physical boundaries of the market-place in the early Republic.

While huckster women attempted to challenge the shape of the republican market through legal channels, other members of the lower classes simply used their bodies. Indeed, if the lengthy lists of municipal regulations reveal an idealized image of well-ordered market space, they also reveal the countless challenges posed to carrying out that ideal by the "lower sorts." The most serious disturbances to the peaceful ordering of

[66] Petitions, List of the Occupiers of Stalls in 2nd Street Market, 1802, Box 1, Folder 6, May-Dec, 1802, HSP.
[67] Journal of the Common Council, January 15th, 1806, PCA.

Philadelphia's markets came at night, and during the markets' off-days. As in the colonial era, men and women continued to use the public markets as gathering places for socializing, drinking, and more illicit activities. Sunday markets, for example, were canceled just a year after they were authorized in 1805 due to petitions by local residents that "Butchers Boys, dissipated men, and idle women" gathered on Saturday evenings "and the Market during the whole night is the scene of every species of riot and debauchery."[68]

The debauchery that petitioners spoke of came in many different forms and suggests the myriad beliefs that contemporaries possessed about the use of public space. The open sheds of the market-houses attracted not only late-night socializing, but perpetual drunkards looking for overnight shelter like Edward Serjeant who was "found drunk & Lying in an indecent manner in the market." Constables had their hands full rounding up such men and women, all of whom were either imprisoned at hard labor or turned over to the almshouse.[69] Prostitution continued to be another market-place problem around the turn of the century. Country farmers setting up the night before market days became targets for women who admitted that they "wished to have carnal Intercourse with them to get money." Mary Ray and Elizabeth Griffiths, for example, found themselves working for the city after being accused of "being excessively abusive,

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[68] Cited in Margaret Tinkcom, "The New Market in Second Street," 82 *Pennsylvania Magazine of History & Biography* (1958), 393.
[69] Quoted in Newman, 31-32. Other instances of intoxication that Newman includes are Patrick Murphy, "a dirty drunken fellow taken up in that condition in the New Market," and James Lynch, a repeat offender was well known about the market. Also, Mary Evans was locked up for thirty-six hours after being "found in the Market intoxicated, with strong Liquor," and imprisoned at hard labor for thirty days.

disorderly Women, whose behaviour in the Market in high Street was disgraceful to the City."[70]

Collectively, these illicit activities of the "lower sort" after proper market hours, the petitions of rural vendors, and the political activities of huckster women reveal the complicated negotiations that took place over and within market space in the Early Republic. Despite the municipal government's consistent attempts to craft a market based on elite visions of an exclusive brand of agrarian republicanism, the poorer sorts, vagabonds, drunkards, non-producers, middle-men and women—black and white, still remained central figures in the physical space of the city's markets, although legally marginalized.

These complex negotiations over physical space were captured best in the growing body of literary and visual imagery of the period. John Lewis Krimmel's *Pepper-Pot*, for example, affords a rare glance of an African-American female vendor sitting at a stall in the High Street Market {Fig. 2.6}. Despite her physical presence in the "proper" space of the market, her tattered appearance and slumped posture suggest that both she and her activities belonged in the "improper" or more informal sphere of market activity. As a black woman, serving a hearty soup which customarily appealed to the tough digestive systems of the poor, as one contemporary argued, she appears "in the market," yet not exactly "of the market." Thomas Birch's engravings at the turn of the nineteenth century speak even more poignantly to the shape of the early republican market. In the long series of engravings entitled *Views of Philadelphia*, the interior space of the market emerges as relatively empty, yet orderly {Fig. 2.1}. Scenes captured just outside the market, on the

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[70] Cited in G.S. Rowe and Billy G. Smith, " Prisoners: The Prisoners for Trial Docket and the Vagrancy Docket," in Billy G. Smith, ed., *Life in Early Philadelphia: Documents from the Revolutionary and Early National Periods* (University Park: The Pennsylvania State University Press, 1995), 52, 62, 83.

other hand, present a vast array of female vendors, both black and white, clustered at the market entrances and in the open streets waiting for sales {Figs. 2.7, 2.8}.

Still, out of all the images crafted of the early American market, it was Philip Freneau, the revolutionary poet, radical democrat and great advocate of agrarian republicanism who perhaps yielded the most accurate description. Taking advantage of the stillness of the market at night long after the "innumerable host of flesh eaters of all sizes, shapes, principles and complexions" had left, Freneau pondered the full range of market activities in his "Midnight Soliloquy in the Market House of Philadelphia." Despite encountering a drunken man uttering "wild incoherent sentences," who promptly vomited and then fell like a "swine wounded by the butchers knife," into the "loathsome fluid disgorged from his filthy stomach," Freneau still found much to applaud:

> The market house, like the grave, is a place of perfect equality. None think themselves too mighty to be seen here—nor are there any so mean as to be excluded. Here you may see (at the proper hour) the whig and the tory—the Churchman and the Quaker—the Methodist and the Presbyterian—the moderate man and the violent—the timorous and the brave—the modest and impudent—the chaste and the lewd—the philosopher and the simpleton—the blooming lass of fifteen, and the withered matron of sixty—the man worth two pence, and he of a hundred thousand pounds—the huxter with a paper of pins, and the merchant who deals in the produce of both the Indies—the silly politician who has schemed and written himself blind for the service of his country, and the author who wears a fine coat, and is paid to profusion for writing nothing at all![71]

In the unyielding battle over and within market space, Freneau saw what the negotiations between municipal leaders, state legislators, hucksters, prostitutes, drunkards and the consuming public had actually created: the closest approximation to a living egalitarian zone possible in the Early Republic. Politically, economically, structurally and legally of course, the markets of Philadelphia were hardly democratic. A host of complicated economic changes would have to take place before African-Americans, independent

[71] Philip Freneau, "A Midnight Soliloquy in the Market House of Philadelphia," *Freeman's Journal*, September 4, 1782.

women and the lower sorts would be welcomed into formal market space by the state. Yet the stirrings of these lower sorts in the aftermath of the Revolution and their refusal to yield market space demonstrated to the city that they were poised to enter when the levee broke, or worse yet—poised to break the levee themselves.

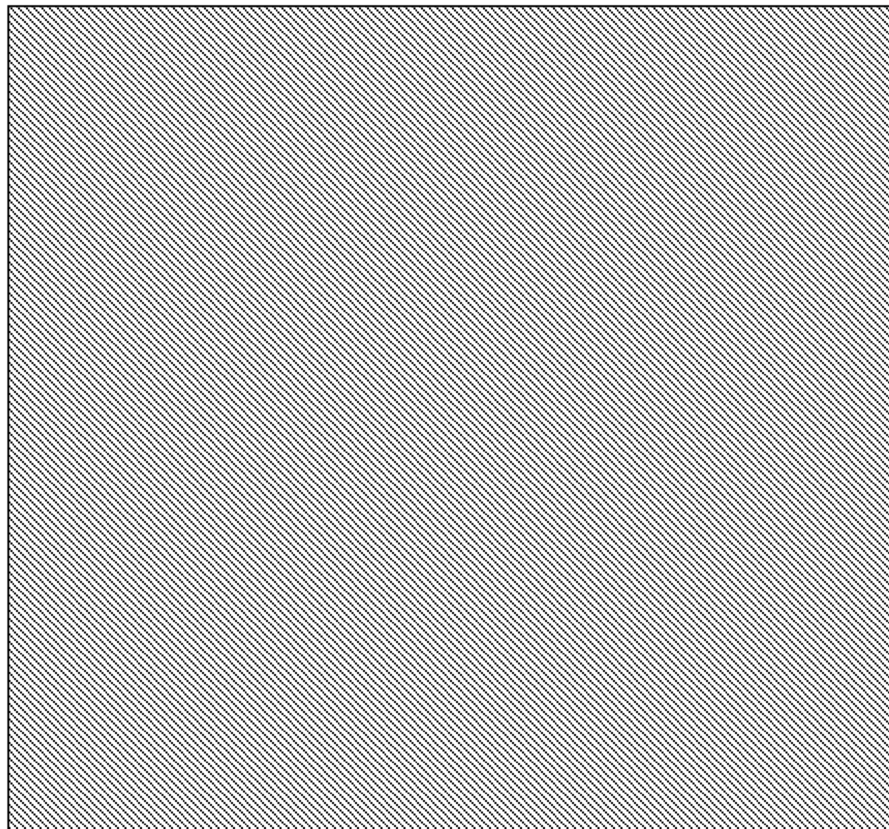

Figure 2.2. Plan of the City of Philadelphia. Taken from *The City of Philadelphia, in the State of Pennsylvania North America: as it appeared in the Year 1800 consisting of Twenty Eight Plates*, by William Russell Birch and Thomas Birch, PA, 1800. Free Library of Philadelphia.

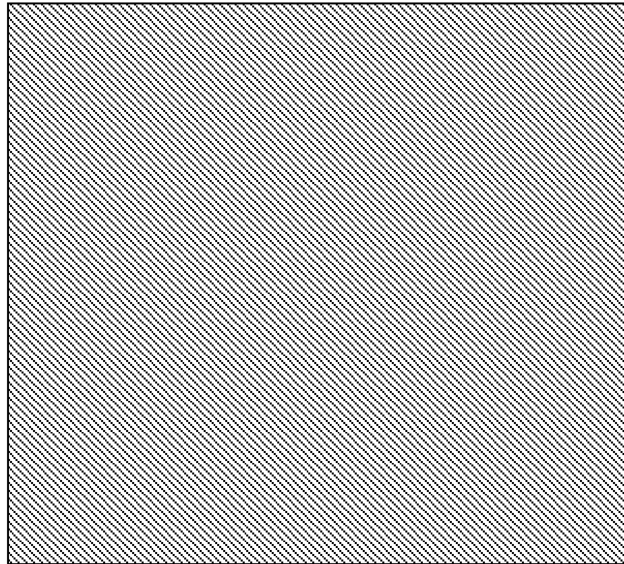

Figure 2.3: Printed Subscription Certificate. *Norwich & Callowhill Records*, Historical Society of Pennsylvania.

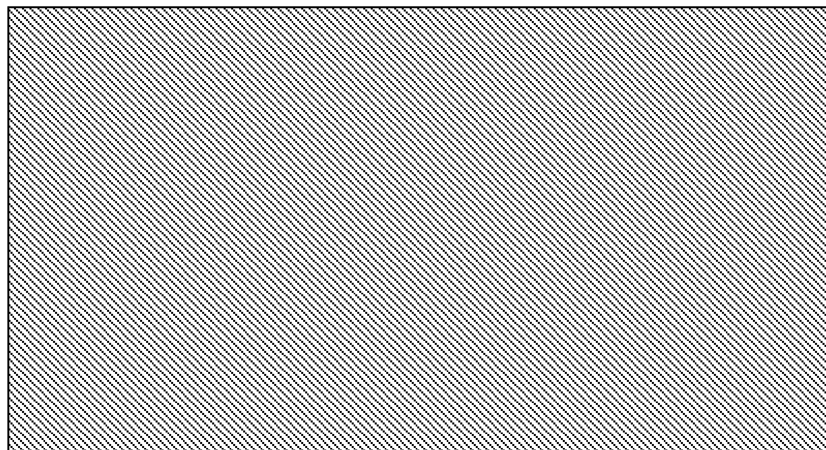

Figure 2.4. Legal Boundaries of High Street Market Space as Defined by the legislation of 1798.

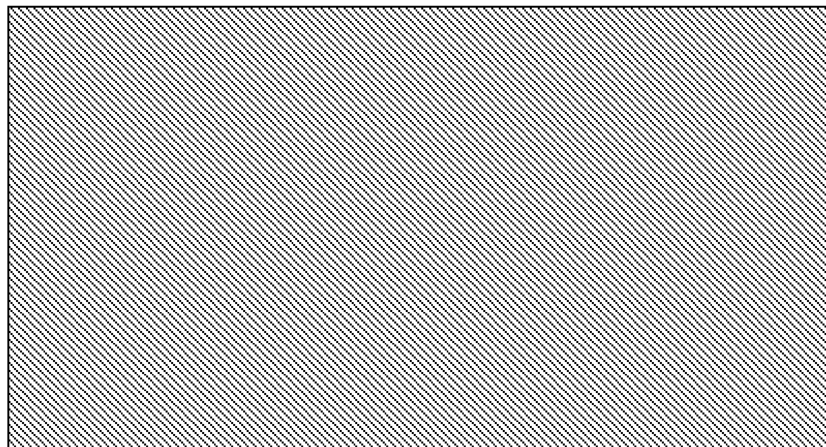

Figure 2.5: *Cherry-Seller*. John Lewis Krimmel. n.d., Reading Public Museum and Art Gallery

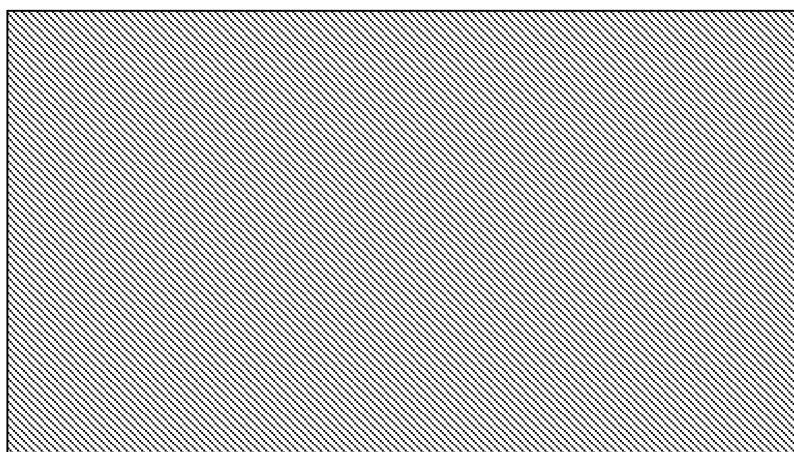

Figure 2.6: *Pepper-Pot: A Scene in the Philadelphia Market*. John Lewis Krimmel (1786-1821), oil on canvas 19 ½ x 15 ½ in., 1811, Philadelphia Museum of Art.

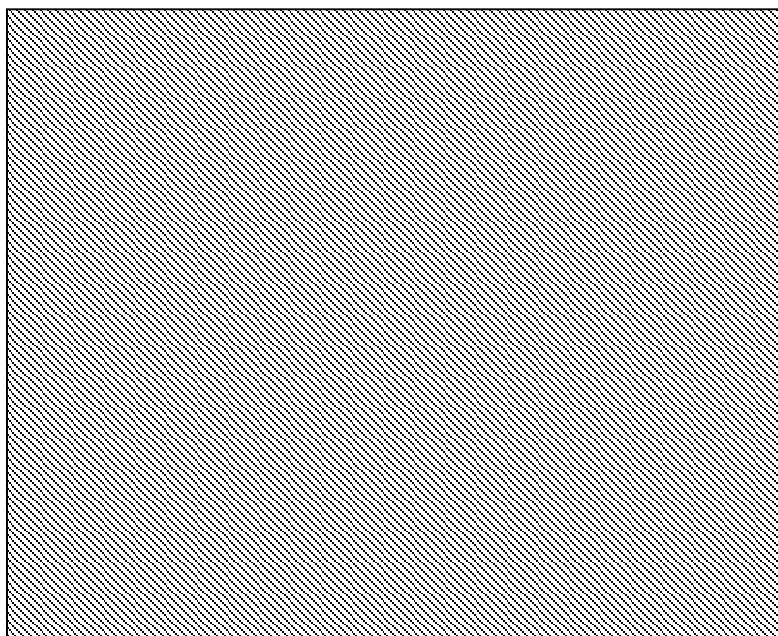

Figure 2.7: *Second Street North from Market St. with Christ Church.* W. Birch & Son. The city of Philadelphia : in the state of Pennsylvania, North America; as it appeared in the year 1800, consisting of twenty eight plates / drawn and engraved by W. Birch & Son. (Springland Cot, near Neshaminy Bridge on the Bristol road, Pa. : W. Birch, 1800), Plate 15.

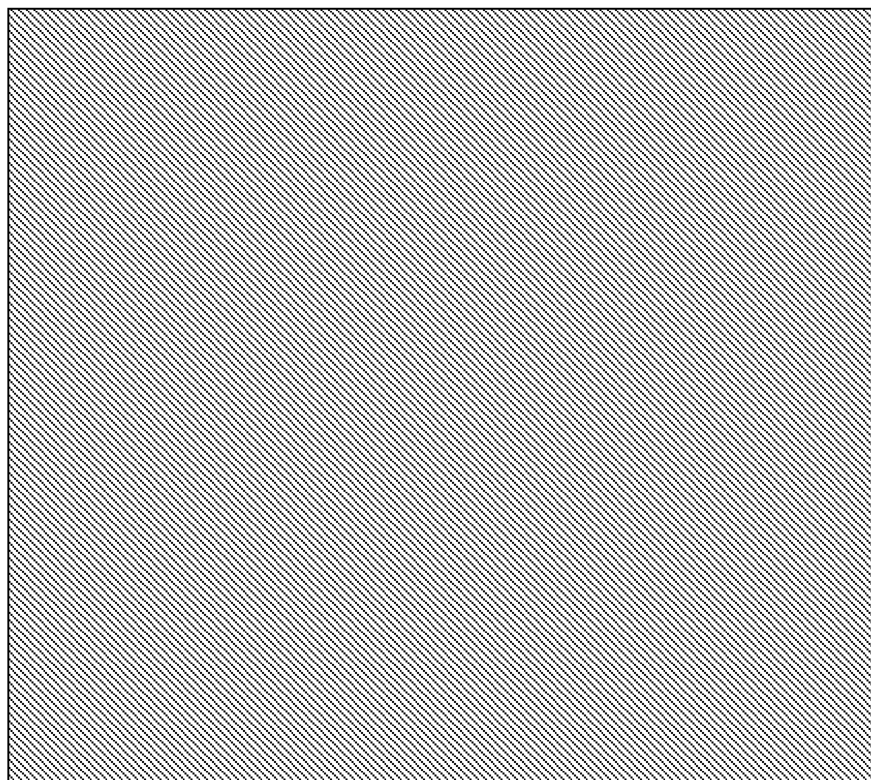

Figure 2.8: *South East Corner of Third and Market Streets, Philadelphia*. William Birch, 1799. American Philosophical Society.

CHAPTER 3:

"One of the Most Interesting Sights Perhaps in the World:" The Expanding Landscape of Market Exchange, 1810-1833

As if peering into a crystal ball, the editor of *The Port-folio* conjured up a striking image of the potential expansion of the High Street Market. At the moment when he penned his optimistic vision in 1809, the market stretched only a few blocks down the main thoroughfare. But within a few decades, he hoped the city would see "a uniform open arcade mathematically straight, two miles in length, perfect in its symmetry, gracefully broken by the water building in its centre… opening on a noble bridge."[1] His wish was largely granted, for within twenty years, nearly the entirety of the street was indeed filled with open-air market exchanges, presenting a simply extraordinary sight. Wharves, markets, steamboats, carters, vendors, consumers, and commercial traders were all intertwined in a bustling portrait of economic vitality—"a flattering picture of the success which ever attends honest industry and enterprise," according to one contemporary standing at the foot of High Street.[2]

Behind these flattering scenes, however, lay a much more complicated and conflict-ridden schematic. The market expansions had been borne out of a new vision of the municipal government—one that ultimately shattered century-long customs and created a radically different market experience in Philadelphia. Inspired by the doctrine of laissez faire, urban leaders took on novel business-minded roles, turning the city's markets into essential money-making properties and fostering a new atmosphere of open competition.

[1] "Some Account of the Markets of Philadelphia," *The Port-Folio*, December 1809.
[2] "Foot of Market Street," *Atkinson's Casket*, October 1832.

Jarred by the changes, vendors and consumers alike would respond strongly, although in wildly different ways that ranged from praise to protest, and in the case of Philadelphia's butchers, to a fierce articulation of the market as a space of traditions to be guarded and maintained by any means necessary.

I. Market Expansions

Between 1810 and 1833, Philadelphia experienced a veritable explosion of public market space spawned by the city's demographic growth. The population rose from roughly 86,873 to 185,000 over this period, an increase of 113%.[3] The shape of the city had also begun to change, bowing out from the small two-square mile plot of land that had long contained most of the city's residents. People began spreading north into the outlying districts of the Northern Liberties and Kensington, as well as into the southern districts of Southwark and Moyamensing. With more mouths to feed and a sprawling residential area, the construction and expansion of new market-houses had become a vital necessity.

Accordingly, the High Street Market alone more than doubled in size during this period, with newly erected market sheds stretching from the banks of the Delaware to Eighth Street. The new construction began in 1812 when fish hucksters and mongers were finally granted shelter after years of remonstrating against the hardships they enduring by vending in the open air. A proper market structure was erected at the foot of the Delaware River and designated as the city's primary fish market.[4] A decade later, the tangential Jersey market was rebuilt and an ornate terminus and clock added. In addition to these new

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[3] Susan Klepp, "Demography in Early Philadelphia, 1790-1860," *Proceedings of the American Philosophical Society* 133 (June 1989), 106.

[4] Preference for stall rentals was given to fisherman, as opposed to the female hucksters that typically dominated the pool of fish vendors.

buildings, nearly the entire length of the thoroughfare had become legally defined market space with market wagons filling in the available spaces between the sheds. The result of these expansions created an astonishing vista along High Street: a seamless line of bustling market activity that stretched the entirety of the two miles between the Schuylkill and the Delaware Rivers. It was, in the words of one contemporary, a "scene of activity, intercourse and motion, such as few cities in the world present."[5]

The fever of market building spread through other areas of the city as well. In 1809, the municipal government added an additional twenty stalls to the Second Street Market and steadily increased its boundaries to include several blocks surrounding the permanent market houses.[6] By the mid 1830s, two additional markets were added to the landscape of the Northern Liberties to complement the existing Callowhill Market by the district's commissioners. Still more markets were erected to cater to the outlying population of the city. In Southwark, two open-air structures were built into the streets and yet another added to its neighboring district of Moyamensing. All in all, over the course of twenty five years, Philadelphia and its surrounding districts had created five new market-places under various forms of municipal stewardship and constructed a total of nineteen new market buildings.[7] The simple geographic expanse of market exchange was extraordinary, for it covered approximately sixty blocks of city space in a community still largely identified as a small, walking town.

The phenomenal growth of market space was accompanied by an equally extraordinary lack of opposition from the broad public and a genuine acknowledgement of

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[5] "Foot of Market Street," *Atkinson's Casket*, October 1832.
[6] Margaret Tinkcom, "The New Market in Second Street," *Pennsylvania Magazine of History & Biography* 82 (1958), 390.
[7] *Aurora and Franklin Gazette*, March 16, 1826.

the value of open-air market houses. Block by block, as new markets were raised throughout the city, few petitions emerged from interested parties challenging their erection. Gone were the old claims to property rights and the rhetorical wrangling over the limits of public space. As a testament to that fact, for the first time in the city's history, the number of petitions to build and expand market houses far outweighed the number of petitions remonstrating against them.[8] A few outcries sounded concerning the placement of market wagons in the streets surrounding market-houses by nearby property owners.[9] But the elite, property-owning voices that waged wars over the definition of public space had fallen silent and open-air markets came to be accepted as natural features of the urban landscape by every class and party of Philadelphians. Whatever nuisances that might ensue, residents had come to believe that provision markets "must be held in some public place."[10] Like the writer for *The Port-Folio*, they conceded that street markets no longer obstructed the urban landscape; rather, they were a critical part of it, built into the very fabric of the city.

Particularly in the aftermath of the War of 1812, markets took on a heightened level of cultural significance as physical and iconographic symbols of national prosperity. Everywhere, Americans seemed hungry to express their profound spirit of nationalism in the wake of the war. Elaborate processions, festive ceremonies, lofty toasts and election revelry offered periodic bursts of civic pride.[11] Although they were powerful in the thousands they drew and the political expressions they contained, these ornate staged

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[8] "Proceedings of the Councils," *Hazard's Register of Pennsylvania*, August 6, 1831.
[9] "Proceedings of Councils," *The Register of Pennsylvania*, January 9, 1830.
[10] "Some Account of the Markets of Philadelphia," *The Port-Folio*, December 1809.
[11] On festive parades and processionals, see Susan G. Davis, *Parades and Power: Street Theatre in Nineteenth-Century Philadelphia* (Berkeley: University of California Press, 1986) and David Waldstreicher, *In the Midst of Perpetual Fetes: The Making of American Nationalism* (Chapel Hill: University of North Carolina Press, 1997).

displays of national pride were also temporary. The market on the other hand, served as a permanent testament to American prosperity. Across the country, advertisements filled columns of local newspapers, touting market sales of fifty-pound watermelons, two thousand-pound heifers and oxen, and six hundred fifty-pound hogs.[12] Such delight in the growing surplus of the produce of the country meshed with pride in the increasing amount of domestic manufactures and collectively fed the image of the United States as an independent and enterprising nation. The market-place, as the physical center of domestic exchange, drew together the very best of these products into one place. Vast displays of meats, poultry, vegetables, manufactured goods, cakes, meal, flour and shoes were piled into wagons and baskets and wound their way into market-places from New York to New Orleans. The market, then, was the only everyday, tangible space in which Americans in the country and the city could gather to gaze upon the bounty of the nation.

Local markets also inspired particular brands of urban pride. Philadelphia's flourishing, abundant markets spoke volumes about the city's success, vitality, and health, and helped to set it apart from rivals such as New York and Boston. From the break of dawn to late evening, market exchanges transpired nearly every day of the week throughout the city. The unbroken chains of market activity that stretched for a mile in length down High Street and yet another mile and a half through Second Street gave some Philadelphians "a reason to rejoice" over the "land of plenty" surrounding them.[13] Others shared the sense of gratitude for a literal market landscape "flowing with milk and honey" and took one quixotic step further to suggest that the visual blending of luscious peaches, nutmegs, flowers and sparkling-eye "fairy forms" briefly whisked them out of Philadelphia

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[12] *Niles' Weekly Register*, September 16, 1815, March 7, 1818; *The Evening Fire – Side*, Aug 2, 1806; *Archives of Useful Knowledge,* April 1811.
[13] *Aurora and Franklin Gazette*, December 23, 1826.

all together and into a "fairy land of romance."[14] Indeed, romantic market descriptions abounded as the decades wore on, all of which testified to the unparalleled state of the city's markets. The American chronicler, Anne Royall, for example, could hardly believe the spectacle before her:

> No one, who has not seen it, can form an idea either of the variety, abundance, or neatness, of the Philadelphia market. Nothing can exceed the whiteness of the benches and stalls; the meat, which consists of every sort, is exquisitely neat, cut with the greatest care, smooth, and disposed upon tables, on cloths as white as the whitest cambric. The butchers wear a white linen frock, which might vie with a lady's wedding dress. The butcher stands at his table, the woman sits in her stall; no moving except that of the citizens, who are coming and going continually, from early in the morning till nine o'clock at night. The whole of this mighty scene is conducted with perfect order; no contention, no strife or noise--presenting one of the most interesting sights perhaps in the world.[15]

Not only was the market of Philadelphia, "reckoned the most abundant in the United States," but local residents were believed to consume more animal food per capita than any other city in the world.[16] No precise calculations would have been possible of course, but such statements were drawn from the overwhelming quantity of butcher's meat sold daily within the city's markets. "Glorious shows" of fat beef, fat pork, and fat mutton received common attention in the local press.[17] Elaborate dinners hosted at the homes of wealthy showcased their own impressive spread of animal food. And as for the poorer classes, a long-time resident claimed that meat constituted "the substantial part of the dinner of every adult in the city, and most labourers and mechanics eat a portion of it at breakfast and

[14] *Saturday Evening Post*, August 16, 1823.
[15] Anne Newport Royall, *Sketches of History, Life, and Manners in the United States* (New Haven: 1826), 206-208.
[16] James Stuart, *Three Years in North America* (Edinburgh: Printed for Robert Cadell, Edinburgh and Whittaker and Co. London, 1833), I: 372-373; James Mease, *Picture of Philadelphia*, reprint (Arno Press: New York, 1970), 121.
[17] "From a Philadelphia Paper," *The American Farmer*, March 4, 1825.

supper."[18] With such a vast amount of meat consumed among all classes of the city, the overall health of Philadelphia seemed indisputable.

The sheer bounty of the city's markets and the good health they promised thus affirmed their physical and cultural importance in the eyes of the broad populace and lessened any resistance to market expansion in the early nineteenth century. Pulling the strings behind this expansion, however, was the city government, a body of men who would no longer heed the protests of any residents even if they did happen to surface. In 1805, the State had passed an Act of Assembly which vested full power in the municipal government to expand new markets whenever and wherever they saw fit.

II. Managing Markets as Municipal Property

Over the course of the first three decades of the nineteenth century, Philadelphia's municipal government took full advantage of their power to exercise authority over the city's public markets. Their minute books reveal an intense preoccupation with the sites of exchange, as do the over one-hundred different ordinances that lined the pages of contemporary law digests. Previous legislators had also devoted a great deal of attention to the city's markets, yet the new obsession would be driven by radically different motives than those evident in preceding years. Close readings of municipal minutes and the resultant ordinances expose a critical, yet subtle shift in the ideological understanding of market space from markets as "public" places to "city property." This shift was more than a rhetorical turn; rather, it embodied a new style of municipal market management that would shape an altogether novel market experience, increasingly defined by the tenets of open competition.

[18] Mease, 121.

The shift to markets as "city property" stemmed from a much broader set of transitions that the municipal government was facing in response to the unique environment of the early nineteenth-century. For one, the new generation of men who held the reigns of government knew and experienced the economic prosperity surrounding them, just as the larger public did. Unlike their colonial predecessors and European counterparts, they had no meaningful memories of or experiences with pervasive poverty or economic scarcity. Even the fearful stories of Old World starvation that guided the market laws in the colonial era occupied little place in their minds.[19] When they glanced out across the populace, they saw overall prosperity—or at least economic stability. The "predicament of poverty" that gripped contemporary Europe, for example, did not translate to Philadelphia. Despite an increasing wealth gap, its streets were relatively vacant of beggars; the market devoid of starving men and women clamoring for foodstuffs, devoid of riots that stemmed from poverty and want. Scholars who have given serious attention to the lives of the poor in early Philadelphia have revealed the deep pockets of poverty that held the mentally ill, widows, African-Americans, and young independent women. Yet they have also revealed the myriad ways in which the work of public and private charities, constables, vagrancy laws and the perennial myth of American abundance forced the bodies of the poor into the urban background or erased them from the landscape altogether. By manufacturing and donning their own rose-colored glasses, then, this new generation of municipal authorities had the luxury of imagining the city as a vista of health and prosperity.[20]

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[19] For the English mentality behind early market laws, see Jon C. Teaford, *The Municipal Revolution in America: Origins of Modern Urban Government, 1650-1825* (Chicago: University of Chicago Press, 1975), 7.
[20] On the lives of the poor and the myth of abundance, see Simon P. Newman, *Embodied History: The Lives of the Poor in Early Philadelphia* (Philadelphia: 2003) 2-11; John K. Alexander, *Render Them Submissive: Responses to Poverty in Philadelphia, 1760-1800* (Amherst: University of Massachusetts Press, 1980); Essays in Billy G. Smith, *Down and Out in Early America* (University Park: 2004), especially Gary B. Nash, "Poverty and Politics in Early American History," 1-37, Monique Bourque, "Poor Relief 'Without Violating

The shape of the municipal government that these men operated was also undergoing serious and sweeping transitions. Like other urban centers of the era, the corporation was morphing into a complicated, multi-tiered organization. Within the first two decades of its revival, in response to Philadelphia's growing population and its increasingly diverse set of needs, the municipal government had matured in size and power. Periodic outbreaks of yellow fever epidemics and new medical knowledge resulted in a preoccupation with issues of public health and sanitation in the early nineteenth century. And finally, a sprawling residential population demanded more attention to the paving, lighting and safety of city streets, while the continued focus on commercial growth demanded increasing attention to wharves, bridges and internal improvements. In response to these needs, Philadelphia created a host of new boards to oversee their management. New committees on lighting, wharves, and paving thus complimented growing police forces and committees on public health and sanitation.[21]

Under this sprawling umbrella of urban organization, markets fell within a newly emerging category of city property that included city-operated wharves, streets, public squares and the celebrated waterworks facility. Over the course of the first two decades of the nineteenth century, this category grew into a formal structure and by 1829 a designated grouping of city commissioners had formed a committee on markets. Within five years, this committee had moved under the stewardship of a formal Committee on City Property, complete with an appointed commissioner to oversee all municipally owned property.[22]

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the Rights of Humanity'," 189-212; Susan Klepp, "Malthusian Miseries and the Working Poor in Philadelphia, 1780-1830," 41-62.

[21] Edward P. Allinson and Boies Penrose, *Philadelphia 1681-1887: A History of Municipal Development* (Baltimore: 1887), 60-61; Sam Bass Warner, *The Private City: Philadelphia in Three Periods of Its Growth* (Philadelphia: University of Pennsylvania Press, 1968), 99-111.

[22] E. J. James, *The City Government of Philadelphia: A Study in Municipal Administration* (Philadelphia: Wharton School, 1893), 189-191.

This clear definition of the markets as “property” of the city stemmed from a new municipal management style in which local legislators, city commissioners, and the mayor became businessmen, intent on increasing and protecting the value of their real estate. As their minutes reveal, these municipal brokers focused on extracting the greatest revenue possible out of the city’s two markets under their jurisdiction and maintaining order to protect the value of their property. This new role did not supplant as some scholars have suggested, but rather complimented their traditional role as guardians of the public welfare in the early nineteenth century. In terms of market management in particular, the city’s dual interests in the public welfare and maximizing municipal revenue merged in a series of ordinances and actions that sought to create both a well-ordered and a profitable market-place.[23]

Laws that focused on the cleanliness of market spaces and the sale of dangerous foodstuffs expressed the clear convergence of the city’s interests. In the late eighteenth century, Philadelphia’s population had been devastated by epidemics of yellow fever and small pox. In an environment in which the fear of epidemics was grounded in reality and visible on the scarred faces of human beings, traditional concerns about deceptive food sales became increasingly important, not because they cheated consumers, but because they could prove deadly to consumers. Accordingly, new penalties were attached to fraudulent practices such as adding fake blood to stale fish, an “art” in which contemporaries argued that hucksters were “no novices in.”[24] Seafood vendors in fact drew the majority of attention in new market ordinances because of the peculiar health risks attributed to their products. Fish vendors were required to wash their baskets three times a week, while

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[23] William J. Novak, "Public Economy and the Well-Ordered Market: Law and Economic Regulation in the Nineteenth Century," *Law & Social Inquiry* 18 (Winter 1993), 1-32.
[24] *Aurora & Pennsylvania Gazette*, September 11, 1829.

market clerks were charged with the responsibility of washing and cleaning their stalls daily.[25]

Efforts to sanitize market spaces blended into laws that sought to enhance and protect the value of the city's investment by imposing uniformity and physical order on the sites of exchange. Anyone who "maliciously or wantonly" broke market pillars, posts and lighting fixtures, for example, found themselves paying fines to the Mayor's Court. Likewise, those who transgressed proper demarcations for vending also faced penalties. In the High Street market, for example, butchers were limited to use of specific stalls, as were herb vendors, stocking vendors and all others. In perhaps the boldest attempt to create uniformity, the city mandated that all baskets used in the Fish market at the foot of the Delaware River be made the same size and numbered. By ordering nearly every square foot of the spaces, and dividing them by occupation and goods, municipal authorities thus created a uniquely ordered landscape of exchange that would both provide a safe environment for consumers and draw the highest financial return on their investment.[26]

Increased efforts to police market space further reflected the convergence of municipal interests. In order to maintain social order and protect the public safety, additional watchmen were hired to patrol designated sections of the markets on Sunday mornings and from sunset until eleven o'clock at night Monday through Saturday. Empowered with the same authority as other city watchmen, these market police were specifically charged with arresting "every vagrant, or any riotous or disorderly person or

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[25] *Ordinances of the City of Philadelphia* (Philadelphia: Printed by: E.C. Markley & Son, 1876), 60-64, Ch. 211.
[26] Ibid., October 26, 1815, 57, Ch. 206.

persons that may be found harbouring [sic] in or about said market, to be dealt with as the law in such case directs."[27]

The city's serious attention to policing the market (and all streets for that matter) was dramatically reflected in the changing physical use of the old Court House, a two story building that was nestled into the long range of market buildings on High Street. Throughout the eighteenth century, the upper story of the building had been used as the seat of the state and city legislators, and accordingly, had served as a visual symbol of the intricate relationship between politics and economy. By 1809, however, the building had been turned into a meeting space for the night watch and a temporary holding place for vagrants and criminals.[28] Men and women of means, as well as those without, grew to know the space intimately after being escorted out of the city's markets for vagrancy violations and up the stairs into the old courthouse chamber. Like a revolving door, men like Farther Lynching, found lying drunk across a butcher's table in the Second Street Market, entered and exited past other men, like the well dressed western merchant who was found "gloriously drunk, and somewhat pugnacious" in the market.[29] So too, the "genteel appearing" James Haley Brandwaithe swapped spaces with a "coloured Quack Doctor," who claimed to have fallen asleep in the market while explaining to a boy the difference between the cholera morbus and cholorosis.[30]

If the attention to order and cleanliness developed in part out of concern for the public welfare, the city's increasing attention to the subject of stall rentals developed exclusively out of their new vision as managers of market real estate. Indeed, for the first

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[27] Ibid., 130.
[28] "Some Account of the Markets of Philadelphia," *The Port-Folio*, December 1809.
[29] "Mayor's Office," *Atkinson's Saturday Evening Post*, July 16, 1831.
[30] *Atkinson's Saturday Evening Post*, July 23, 1831.

time in municipal history, city records revealed bold and unabashed attempts to extract the highest potential revenues from its market-places. By 1820 for example, municipal authorities had begun renting nearly every available inch of market space. Wagon stands were designated at the ends of market structures for fish vendors who could not find suitable space under the market eaves. Clerks were authorized to rent any empty stands to transient persons for a daily fee. Victuallers were even allowed to erect stalls in the empty spaces of the market and lease them for three years—provided, of course, that they paid for their erection.[31] And still other empty spaces, like those between the old Court house and Third street, were let as stands for butter and vegetables. Squeezing vendors into open market space was merely one half of the new municipal strategy to increase its profits, however. The qualifier attached to all these new vendor opportunities was that they be let for "the best and highest rents possible."[32] From the vantage point of this new municipal structure, then, the city's markets had become prime money-making enterprises, making up more than twenty percent of its annual revenue.[33]

Overall, the city's new emphasis on managing market real estate, coupled with their increased authority over all municipal matters, worked to undermine the role of the public in daily market operations. This consequence was yet another aspect of the shift from envisioning markets as "public spaces" to city property." For nearly a century, the markets had operated according to a fragile system of mutual obligations that drew together municipal leaders, vendors, consumers, interested citizens, market clerks and individual financiers. Yet in the early nineteenth-century, the "public" was largely divested of its long-standing responsibilities of ensuring smooth economic and social transactions. In

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[31] *Ordinances*, March 17, 1820, 151, Ch. 274.
[32] Ibid., September 16, 1819, Ch. 269.
[33] "Proceedings of the Councils," *Hazard's Register of Pennsylvania*, November 1, 1831.

practice, everyday men and women still performed their informal duties. For example, when a woman stole a pair of chickens in the Second Street market, two dozen country people and hucksters chased, caught, and returned her to the market.[34] Yet according to municipal records, virtually all authority and responsibilities had been transferred exclusively to city commissioners and constables. As mentioned previously, market policing was now to be performed by the increased number of designated watchmen. The task of collecting stall rents, a duty of market clerks they had performed since the seventeenth century, was transferred to individual commissioners. In fact, all responsibilities in terms of collecting revenues, advertising stall rentals and financing market improvements were removed from individuals to the larger body of the municipal corporation. Rather than billing the sites of exchange as neutral zones of public space dependent upon the smooth intercourse of varied groups and individuals then, municipal leaders crafted and dictated a new message: the markets would be the exclusive property of the city, under its sole ownership and discretion.

Divesting the broad public from any meaningful role in market operations had an early and profound impact on area farmers that would foreshadow even grander changes to come. Farmers, or "country people," had long been exempt from paying stall rental fees in the High Street and New markets. For nearly a century, this *de facto* protection had served as an enticement for rural producers to travel long distances to vend in the city's markets, as well as a tribute to the significance of their role in the local economy. In 1786, Pennsylvania legislators honored the tradition and formally wrote the protection into law. In all newly erected market buildings they decreed, "one half of the stalls would remain

[34] "Fowl Deed," *Atkinson's Saturday Evening Post*, January 12, 1833.

free for country people, forever."[35] Several decades after the passage of the Act, however, the municipal government began petitioning the State to have the privileges revoked. In 1810, the city secured the right to begin charging farmers for stall rentals in all newly constructed market buildings, provided that the fees did not exceed a yearly sum of twenty dollars. When rural vendors resisted the new charges, however, the city filed yet another petition urging the State to erase the Act of 1786 from the books and allow them to charge all country people the same standard amount. The city's rationale was based on their new vision of markets as city property and demonstrated how little the public mattered in the new market equation. Referring to the early Act of Assembly, the petition argued:

> These regulations corresponded with the state of things at the time and were found useful and productive of the general good… a very material change has taken place not only within the city but in the views and situation of the country people. At that time and before, it was found expedient to hold out to them an exemption from toll in order to induce them to attend the Market with their produce. This necessity has long ceased… as from the access streets being rendered easy at all times, by means of turnpike, and other improved roads. The products of the soil have likewise increased in quantity by an increased fertility from the modern improvements in agriculture so that the same quantity of land will actually yield more than formerly. From these and other causes, the original motives for the exemption of the country people from toll has ceased…[36]

By basing their argument exclusively on the economic prosperity of the countryside, municipal authorities succinctly erased any acknowledgement of the historic value attached to the role of farmers in maintaining local market operations. Even with the national emphasis on domestic production looming in the background and the development of new agricultural societies led by elite members of the city, farmers were simply reduced to economic actors and relegated to the sphere of ordinary vendors.

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[35] Act of March 22, 1786 (12 St. L. 3, Ch. 1217), *The Statutes at Large of Pennsylvania*, 203-206.
[36] Petitions, McAllister Collection, (uncatalogued), LCP.

The revocation of farmers' fee exemptions ultimately revealed a moment of intense transition in the realm of economic ideology that structured the new market relations. What was clear was that the market would no longer be guided by an economy of reason, based on the delicate balancing of interests and a system of mutual obligations. Barring issues of public health, the state was steadily beginning to withdraw the moral hand it previously used to guide market exchanges. Instead, municipal authorities seemed to be charting a new economic course for its market-houses, one crafted more from the tenets of laissez-faire than the regulations bound up in mercantilist thought. In this new equation, privilege and exemptions for special tradesmen in market matters were being daily interrogated in council boardrooms, backrooms and taverns.

III. The Free Market Meets the Market-Place

By the late 1820s, the municipal-led experiment of introducing the tenets of open competition into the market-place had begun to seriously alter the sites of exchange. As the values of free trade began to trickle down through ordinances and penetrate the market atmosphere, the public was forced into a meaningful consideration of the pros and cons of the new market-place. For on the one hand, the increasing convenience of market days, hours and spaces, and the expanded spread of comestibles and domestic goods was indisputable. On the other hand, those expansions were made possible because the city had begun to open the floodgates for market vendors of all types and backgrounds to participate in the open markets, particularly those middle-men and women who had been barred from selling second-hand foodstuffs and goods in the past. Caught between the increased conveniences of urban progress and a tradition that stressed the physical meeting of

producers and consumers, the public as a whole would confront the new market-place with a profound sense of ambivalence at best and unadulterated antagonism at worst.

From the vantage point of all consumers, the new market-place offered a stunning variety of available goods that drew provisions, domestic manufactures and literary tracts into one mass arena of commodities. In the new palate of offerings, one could find ice cream, death bed confessions, candles, buttermilk, cantaloupes, the life of Andrew Jackson, mutton pies, a cure for dyspepsia, Pilgrim's Progress, applesauce, hair powder, tooth brushes, fighting cocks, country veal, babies' moccasins, mineral beer, ham, ladies' curls, sausages, peaches, hominy, toys, cow hides and tongues—just to name a few. The buffet of food items alone might cause indigestion or worse, *The Ariel* warned, if Philadelphians could not restrain their greed. [37]

The expansion of goods also increased the anonymity of market sales, thereby enhancing opportunities for thefts and occasionally turning the city market into a black market. In a column titled "Beware!" for example, readers were advised to keep their valuables close or risk the fate of two women who had their handbags snatched in the Second Street market.[38] While it's unclear what happened to the purses or their contents, they might have very well turned up later for sale in the same market or a nearby pawn shop. The foundations of this "tertiary economy," a sphere of gray market sales, were steadily being laid in the early nineteenth century and the market was a prime starting point for future operations.[39] After being apprehended for selling a stolen gold watch to a northern broker for example, Isaiah Johnston, "a young negro," confessed to lifting the

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[37] "Philadelphia Market," *The Ariel*, August 22, 1829.
[38] "Beware!" *The Ariel*, November 1, 1828.
[39] Wendy A. Woloson,, "In Hock: Pawning in Early America," *Journal of the Early Republic* 27 (Spring 2007), 35-81.

watch from a gentleman in the Second Street market. The deal Johnston made was hardly a profitable one, as he received only four dollars from the broker for a watch valued at twenty-five.[40] For men like Johnston, however, the increased opportunity to illegally secure what would have been a week's pay for a common laborer, seemed like a good deal indeed.

If the ready availability of goods could have dangerous consequences, it could also have the positive effect of fostering a sense of freedom in purchasers. Letters submitted to the local press, for example, repeatedly stressed the significance of choice in market exchanges. Although indecisive "shopping" might make one miss out on the freshest offerings due to the temptation to wander from stall to stall for the best price, the increased number of vendors and goods that resulted from open market competition could only make matters better for the consumer they argued. Market purchases could offer an even more meaningful sense of freedom, particularly for servants and slaves who used market trips as opportunities to escape the daily confines of unequal power dynamics at home. This too, could prove dangerous though, as in the case of a young African-American boy, who was promptly put up for sale after appropriating a few cents out of his master's market allotment to buy cakes for himself.[41]

The expansion of markets throughout the city was also accompanied by an extension of market hours, and offered further convenience for urban consumers. Opportunities to make purchases could occur nearly any day of the week, provided one was willing to walk a few extra blocks. The municipal government even encouraged the extension of market hours to Sundays, a day that had long been set aside from market

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[40] *Aurora & Pennsylvania Gazette*, October 4, 1828.
[41] William Brown Parker to James Hamilton, December 20, 1811.

activities out of reverence to the Christian Sabbath. Yet because of the long work weeks of laboring men and women and the fact that few owned cellars to store fresh provisions, the city gradually began authorizing Sunday morning markets. The Second Street Market was the first to have its hours extended, from 3am to 7am on Sunday mornings. Despite the appointment of designated watchmen, however, petitions quickly persuaded councilmen that the morning activity was too disruptive and the privilege was revoked two years later. As a compromise however, the Saturday market hours were extended into the evening, from 6 to 9pm. Several years later, an official Sunday market was held in the center of High Street at the cross-section of Broad Street.[42] The commissioners of neighboring districts also underwent the same tension over Sunday market hours, particularly in the Northern Liberties where petition wars raged unabated for several years. By the 1820s, however, the value of commerce had trumped the value of faith in most of the outlying districts, and Sunday markets were held in the Northern Liberties, Wharton, and Broad Street markets.[43]

A marked growth in the number of vendors both sparked and grew out of the market expansions. The city's effort to fill every vacant market space with new vendors, for example, resulted not only from their desire to increase revenues, but from the demand on the part of vendors to occupy market space. Petitions to the Councils often pleaded for more market space, and came from vendors that ranged from country people to oyster sellers. In 1831, petitions to increase the space of the Second Street market even had to be

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[42]*Ordinances*, June 13, 1811, 349-351, Ch. 142; January 27, 1814, 17-18, Ch.179; June 28, 1821, 178-9, Ch. 293.

[43] *Desilver's Philadelphia City Directory and Stranger's Guide, for 1828* (Philadelphia: 1828).

tabled because all available stalls had been rented well into the succeeding year and could not be legally disrupted.[44]

Out of the great pool of market vendors that expanded in this era, none grew so extensively as second-hand dealers. The city's interest in maximizing revenues opened the floodgates for these middle-men, particularly those on the wealthier end of the economic spectrum. The most novel of these large-scale retailers dealt in domestic produce, and would ride through the countryside, fill wagons with purchases from farmers and retail their goods at rented market stalls. Likewise, wholesale dealers of domestic coffee and manufactured goods like shoes and stockings also began to move into market space, assuming positions next to established second-hand vendors of flour, meal and fish. With the lax market laws, even small-scale dealers began renting annual stalls, vending salted fish, breads, cakes, and hominy—most of which were items typically sold by African-Americans.

Even the poorest of these second-hand dealers, the hucksters, who had long been prosecuted by various municipal administrations found some semblance of legitimacy within the new market environment. In 1822, the Select and Common Councils had reiterated restrictions against hucksters in a new market ordinance and opposition to their presence continued well into the late 1820s, as demonstrated by the occasional fines paid by them to the corporation.[45] Yet, this "bold and persistent class" of predominantly female traders, as one mayor characterized them, continued to file into the markets and formally petition the city for recognition of their rights to vend.[46] In 1831, after a long stalemate over their petitions, the city legislature passed a new ordinance that granted hucksters a

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[44] June 23, 1831, *Journal of Common Council*, HSP.
[45] *Aurora & Pennsylvania Gazette,* Monday, May 05, 1828, June 16, 1828.
[46] Petitions, McAllister Collection (uncatalogued), LCP.

handful of designated spaces to retail their second-hand provisions within the market. This decision to allow select hucksters into formal market space, however, stemmed out of a deep ambivalence on the part of municipal legislatures as opposed to any clear commitment to recognize a legitimate right for them to vend. Included in the same ordinance, in fact, remained an older clause that invested the market clerk with the duty to "examine all persons suspected of unlawfully selling provisions at second-hand."[47] The legal conflict between the two sections of the ordinance reflected the indecision among council members themselves over the legitimacy of hucksters in the new market environment. Indeed, according to their own minutes, the decision to designate certain stands for hucksters actually resulted from the fact that the police simply had too much difficulty identifying and arresting them.[48]

Residents of Philadelphia were also still deeply divided in sentiment over hucksters, as they were about the entire pool of traders and dealers that operated within their city. The great increase in market middle-men and women fostered widespread conversations throughout the community that questioned the character and usefulness of retailers as well as the value of genuine market competition.

A few of the more mercantile-minded welcomed all dealers into the fold and celebrated the convenience that they provided, both to consumers and producers. Many more singled out huckster women in particular as deserving members of society and advocated on their behalf both in the local press and in formal petitions. In the mid-1820s, for example, a large collective of "well-respected citizens" supported a petition submitted by hucksters by circulating one of their own. Requesting that the city reconsider the

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[47] *Ordinances*, December 22, 1831, 428-31.
[48] Journal of Common Council, February 6, 1829, HSP.

ordinances that had prohibiting huckstering, they hoped to see a disposition that would be "consistent with the principles of justice and humanity."[49] When applied to hucksters, a class of dealers comprised largely of poor widows, the concept of humanity resonated loudly in the mid 1820s because of the increased attention to indigent ranks of society. Writing for the *Mechanics' Free Press*, a huckster advocate, "Joe," captured the sentiment of the time:

> Any man who is acquainted with the trying circumstances in which the widows of labouring men, and of journeymen mechanics, are placed, would hesitate long, before he would censure them for choosing the occupation of a huckster. Do they attempt to gain a livelihood as seamstresses, the prospect is one of beggary or starvation. Do they seek to be admitted into the kitchen of some wealthy individual, there is no vacancy—they are unskillful and without recommendations.

"Joe" also drew huckster women into the larger sphere of legally recognized market vendors and accordingly, articulated the other leg of defense for huckster women—justice. "Now, it appears to me that a poor person has a good a right to speculate as a rich one," Joe argued, "nay, a better right, for in the one case there is compulsion, in the other there is none."[50]

If "Joe" found a moral gray area in which to place the city's hucksters, other residents did not. In fact, the easy linkage between hucksters and the larger pool of "urban mercantilists" was one of the more unsettling relationships of the era in the eyes of many Philadelphians, particularly those who were rounding out the base of the new workingmen's movements.[51] If one were to pick up a copy of the very paper "Joe" wrote for in the 1820s, *The Mechanic's Free Press*, they would quickly understand the words

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[49] *Aurora and Franklin Gazette*, December 16, 1826.
[50] *Mechanics' Free Press*, March 19, 1831.
[51] Leonard P. Curry, *The Corporate City: The American City as a Political Entity, 1800-1850* (Greenwood Press, 1997), 223-228.

"speculator," "merchant," and "dealer" to be amongst the most vile verbiage possible. Rather than acknowledging any shades of gray within the pool of dealers, labor activists drew a hard and fast line between two social groups: *producers* and *non-producers*.[52] Those who did not create a product with their own hands simply had no use in society. Because of Philadelphia's orientation towards mercantile pursuits well into mid-century, these "useless" beings comprised a sizeable portion of the urban population: merchants, shop-keepers, land speculators, and even ministers according to one contemporary. All of them made a living by riding the shoulders of the workingman.[53]

The workingmen's antagonism towards non-producing classes led them to further denounce the value of "competition"—a term some identified as a dangerous rhetorical device that worked to disguise the oppression of the laboring classes. Rather than offering the prospect of fair prices, competition would merely devalue the products of human hands by orienting the economy around unseen forces instead of manual labor. Thus according to a contributor to the *Mechanic's Free Press*, whatever the presumed advantages that market competition might offer, in the end it would simply turn all Americans into the "whores of Babylon."[54]

IV. Competition Among Market Vendors

While strong, the tensions amongst the various entities that comprised the "public" paled in comparison to the divisions that the new policies of open competition created within the market itself. The mixture of large-scale dealers, petty traders, farmers,

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[52] Ronald Schultz, *The Republic of Labor: Philadelphia Artisans and the Politics of Class, 1720-1830* (New York: Oxford University Press, 1993), 214-216.
[53] *Mechanics' Free Press*, March 19, 1831.
[54] Ibid., May 08, 1830.

butchers, artisans and confectioners produced the most volatile environment in Philadelphia's market history. Old rivalries between country people and hucksters continued to flare up, while altogether new conflicts raged between established tradesmen and market newcomers.[55] Out from under the stringent paternalist protections or exclusions of the state, thrown together in an ideologically loose manner, market vendors would be forced to largely work out their differences amongst themselves.

Employing the same dichotomy of producers vs. non-producers as the broader workingmen's movement, shoemakers struck out via petition against the growing number of shoe-dealers who populated the market. Setting themselves apart from their competitors in terms of character, the artisans identified themselves as industrious manual laborers deserving of traditional government protections. The wealthier dealers who had been legally granted market space, they argued, were jeopardizing their already "scanty subsistence." As small-scale producers, they could not afford to rent either houses or shops and therefore had to vend their goods in the open market.[56] Ironically, both the petitions of hucksters and shoemakers sat side by side on the tables of the municipal legislature and both went unanswered. The artisans discovered what farmers had found earlier—that the city would no longer extend special treatment or privilege to any class of dealers, no matter how noble their occupation. Shoe dealers would remain as legal stall renters and the artisans would have to rise to the challenge of competition or starve.[57]

Philadelphia butchers faced an equally threatening type of competition in the new market-place. But instead of confronting an enemy outside their trade, they faced competitors within their own fraternity, colloquially known as "shinners." These "shinners"

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[55] *Aurora & Pennsylvania Gazette*, June 06, 1828.
[56] "Proceedings of Councils," *Hazard's Register of Pennsylvania*, December 3, 1831.
[57] Ibid.

were victuallers from New Jersey who "passed" as farmers in order to vend in the city markets.[58] Like other urban dealers, shinners took advantage of the relaxed market laws that sprung from the city's emphasis on open competition. Early municipal ordinances had welcomed, and even encouraged vendors from New Jersey by specifically building the Jersey Market at the foot of High Street for their use. Designated spaces for New Jersey vendors were also later added to the layout of the Second Street Market. All of these stalls had been reserved specifically for country people, yet in 1822 the city softened its regulations by allowing farmers to loan their stalls to fellow country vendors on the days they were not attending. An even greater relaxation in the ordinance permitted New Jersey farmers to rely upon agents to carry and sell their produce in their absence.[59] The spirit of the law clearly sought to encourage and aid New Jersey farmers in their sales. Yet the letter of the law created a profound ambiguity about who exactly could vend on a farmer's behalf and who could claim legitimate use of the stalls. The ease with which one man could now replace another behind a market stall thus translated into an increasingly anonymous arena of exchange in which enterprising vendors, like shinners, could cleverly move into the market fold.

Despite the legal loopholes, successful market passing still required shinners to adopt a multilayered performance that affected everything from the cuts of meat they offered to their physical appearance. No ordinance circumscribed the size or quantity of meat one could vend, but small sales of beef by joint or pound, for example, readily identified one as a butcher and could easily expose a passing farmer as a victualler by trade.

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[58] "The Philadelphia Butchers," *Atkinson's Saturday Evening Post*, May 25, 1839; "Butcher's "Stand Out," in Philadelphia," *Workingman's Advocate*, July 23, 1831; "Butchers vs. Shinners," *Hazard's Register of Pennsylvania*, Dec. 24, 1831.

[59] *Ordinances*, April 21, 1814, 22-24, Ch. 184; December 23, 1813, 14, Ch. 177.

Likewise, the precision of cuts was a clear sign of a trained victualler as opposed to the rougher cuts offered by farmers. Stories also had to be kept be straight. Alliances had to be forged with legitimate farmers who would act on a butcher's behalf and "license" him as a farmer by leasing him a plot of land in case he was confronted by municipal authorities. And lastly, in order to make the transformation complete, shinners had to avoid the white aprons customarily worn by victuallers and disguise themselves in "farmer's garb."[60]

The stark reactions of the Philadelphia men who did line the stalls in aprons so crisp and white that they "vied with a lady's wedding dress," revealed the difficulty of market passing for these shinners.[61] But more significantly, the angry sentiments roused in response to the shinners exposed the myriad frustrations felt by Philadelphia's resident butchers over the relaxation of market laws and the transition to free market competition. Among these, subsistence proved to be a critical issue simply because the increasing number of vendors who retailed pre-cut meat and poultry threatened their basic livelihood. Yet the range and intensity of the direct protests and legal challenges undertaken by urban victuallers revealed that much more was at stake—namely the butchers' symbolic position as the backbone of Philadelphia's market-places.

Since the earliest days of Philadelphia, local butchers had served as central figures of the market community and as vital economic actors. They had helped to finance the earliest market constructions, covered the costs of periodic maintenance, and rebuilt the High Street Market after it laid in ruins following the British occupation during the War of Independence. Because Philadelphia had no tradition of private meat shops, these butchers relied upon the market-place for their daily subsistence and thus, at any given moment in

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[60] "Butchers vs. Shinners," *Hazard's Register of Pennsylvania*, Dec. 24, 1831.
[61] Royall, 207.

the markets' history, they generally made up over one-third of all vendors. Also, because they paid an average of four times the rate of farmer's fees for stall rentals, their annual rents had traditionally provided the largest source of market income for the municipal government.[62]

So entrenched were the victuallers in the city's market-places that generations of recognizable surnames had filled the rosters of stall renters over the years. Butcher families like the Weckerley's were well-known as both famous and infamous characters in the High Street Market. These "Coates Street Weckerley's" consisted of "Curley-head George," the son of Jacob—both beef butchers who rented stalls in the city's most prominent market. They were connected by blood to another set of Weckerley's, a band of brothers who included Isaac, Peter and Abram, all sons of another memorable victualler, "Old Weckerley." The familiarity of their faces, like so many others, translated into a rich tapestry of oral tradition that carried stories of their physical quirks, accents, and personalities through the city's history. Abram Weckerley for example, or "Short Abe" as he was known, was remembered not only for his stature, but for the many times he would fall asleep in his meat box under the stall. And then there was the deliberate way he would walk—with his hands crossed behind his back, wiping the toe of his right foot against his left heel.[63]

Female members of butcher families, too, wove their way into the oral tapestry and earned their own distinct reputations as forward, no-nonsense, economical women. Although they did not appear on the formal roster of stall renters, some wives of male

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[62] Helen Tangires, *Public Markets and Civic Culture in Nineteenth-Century America* (Johns Hopkins, 2003), 89.
[63] George Bates, *A Biography of Deceased Butchers, and a Narrative of Facts* (Philadelphia: Thos. E. Bagg, 1877), 4-5.

butchers attended the market alongside their husbands, forming teams of notable character. Harry Yeager and his wife, for example, traveled to the market daily in a covered cart and worked as team retailing cuts of pork in High Street.[64] A few women, tied into the trade by lineage, attended the market on their own. Old Manny Heff, the mother of butchers Johnny, Cass and Charley Heff, retailed tripe in her own stall while her sons vended meats in other area markets.[65] Often, these independent female meat-sellers were widows of butcher men, who would formally take over the stalls of their deceased husbands.[66] The presence of these women, and the ease with which the trade passed between husbands and wives after death, revealed how butchering operated as a family business rather than a gender-specific trade despite its reputation.

The butchering trade also crossed ethnic boundaries, although it rarely crossed racial lines in Philadelphia. By and large, German and Irish tradesmen dominated the occupation and new immigrants who shared their ancestry continued to swell their ranks long into the mid-nineteenth century. Some butchers did utilize African-American slaves and servants whose duties would likely include slaughtering amongst other household chores. As late as the 1850s, for example, George Bates recalled visiting the home of John Muckleroy, a beef butcher, and meeting his black slave woman who lived a double life with her free black husband in Happy Alley and at the Muckleroy's where he was also employed.[67] Yet a black butcher apprentice would have been an anomaly in mid-century Philadelphia, despite the hefty representation of African-Americans in food-service

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[64] Ibid., 31.
[65] Ibid., 19.
[66] Clement Biddle, *The Philadelphia Directory* (Philadelphia: 1791).
[67] Bates, 41.

occupations. As a trade crafted out of largely familial ties and networks, it was a natural habitat for a solid white ethnic identity.

This same solidarity of trade, built upon whiteness and family linkages, enabled victuallers to overcome the growing economic tensions between the haves and have nots in Jacksonian Philadelphia. By the early 1830s, the emphasis on domestic manufactures had begun to transform not only wealth gradations, but labor relationships within the city as well. Yet this transition did not directly affect the city butchers. As previously described, the trade was primarily passed through family lineage, eclipsing much of the tension that was breaking forth among other tradesmen. But even when outsiders were brought in, they still adhered to the traditional system of apprenticeship that characterized labor relationships of old. Young butcher boys were clothed, fed, and raised in the homes of established butchers. If the relationship failed, the boys were simply removed into other homes. The hierarchy remained, and throughout the antebellum era, no internal tensions between master butchers and apprentices ever erupted; or at least none erupted so sharply as to make local headlines. The butchering trade was one bound deeply by custom, with relationships knit together by the traditional system of mutual obligations.[68]

Economic distinctions did exist among butchers, but these were often laced into cultural references that distinguished between those who were "respectable" and those who were disreputable. Older, established victuallers like Henry Boraeff and George Woelpper occupied prominent stalls in the High Street market and were often spoken of with tremendous esteem by members of the larger community. When obstacles to market order surfaced, they petitioned the city for new ordinances like the banning of umbrellas and the

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[68] On New York butchers, see Sean Wilentz, *Chants Democratic*: *New York City & the Rise of the American Working Class, 1788-1850* (New York: Oxford University Press, 1984), 137-139.

speeding of horse-driven carts passing by the stalls.[69] These “gentlemen butchers” not only helped sustain the markets, but also supported the broader urban infrastructure by serving as community leaders and lending financial support to public and private charities like the Pennsylvania Hospital. They also supported each other as colleagues and friends and formed a close-knit group of trade leaders. Woelpper, for example, was identified by multiple victuallers in their wills, and granted custody of their children and estates. The “tall fine looking” Boraeff, trained three sons as victuallers and likely named his second, Shuster, after a fond member of his fraternity, Larry Shuster, who lived north of the city and was also identified as a respectable figure of the trade.[70]

The designation of certain butchers as respectable, however, coexisted with a characterization of them as notorious and noxious. The neighboring districts of Spring Garden and the Northern Liberties for example, were as much linked to the butchers who dominated the residential areas, as to the manly sports of cock fighting, bull-baiting and bear-baiting.[71] Within the market, lewd behavior directed towards female customers was often attributed to young butcher apprentices who jeered and taunted them to pass the time. Older victuallers, like Joseph Buck, also joined the heckling, however, often serving up sharp, yet humorous critiques of changing women’s fashions. Upon spotting an older woman outfitted in contemporary dress, Buck yelled out to a nearby friend, “Holloa, Leckley, there goes an old ewe, dressed lamb fashion.”[72] Indeed, jeering, gambling and fighting were trademark characterizations of urban butchers that many of them not only

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[69] “Proceedings of Councils,” *The Register of Pennsylvania*, March 21, 1829.
[70] Bates, 29.
[71] J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884* (Philadelphia: L.H. Everts & Co., 1884), 941.
[72] Bates, 19.

accepted, but encouraged as common expressions of masculinity in the early nineteenth-century city.[73]

Urban victuallers blended the seemingly dissimilar threads of manliness and respectability together, however, in elaborate street dramas that worked to display the solidarity and strength of their craft. In 1821, a crowd of thirty thousand men, women and children filled the streets to watch the "Procession of Victuallers" march through Philadelphia's avenues. As children peered around the skirts of their mothers and other onlookers hung their heads from their home windows, they glimpsed an elaborate two mile-long spectacle of butchers mounted on horseback. A tall, two-story wooden cart crowned with men in long white frocks and top-hats led the way, just behind a massive stuffed ox. Unlike other festive processionals in which select representatives of the trade participated, this carefully orchestrated event showcased their entire occupational range in a single line. The uniforms alone were a particularly critical aspect of the procession and served as a visual bridge between each man. Bringing up the rear of the parade were two hundred boy-aged apprentices also adorned in white frocks drawing carts laden with fresh meat. Young and old then, master and apprentice, gentlemen and journeymen were all intertwined in a respectable and masculine portrait of craft solidarity.[74]

Not all were convinced of the respectability of the victuallers' procession, however. Particularly those who existed on the wealthier and more powerful end of the social spectrum had begun to distrust festive street dramas of any kind in the early nineteenth century for fear that they would unravel the social and political order.[75] Dr. James Mease, vice-president of the Philadelphia Society for Promoting Agriculture (PSPA), for example,

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[73] Ibid., 22.
[74] Tangires, 64-68.
[75] Davis, 113-114.

found little to praise about the victuallers' procession. Rather, he derided the performance for generating "the loss of work among every class of mechanics, the interruption to the education of the poor, and the temptation to useless expense for strong drink which they excite."[76] Mease, like other members of the PSPA, was a man of means who encouraged small farmers and related tradesmen, but also sought to control them by turning them into more ambitious, enterprising and respectable men.[77]

Regardless of whether the processions were seen as "respectable," they functioned as mechanisms to convey the symbolic power of Philadelphia's victuallers to the broader community. The flag hoisted above the tall butcher's cart carried the motto, "We Feed the Hungry," which served as a poignant evocation of the butchers' belief that they were just providers of society. The extraordinary turn-out of the crowd, along with the fact that advertisements for other parades continued to run until 1845, illustrated just how important and captivating the processions were for vast numbers of the town's people.[78] Drawing the carts of meat directly to the market, the butchers ended the parade by selling thousands of pounds of meat.

Proceeding to the market served as a symbolic capstone to the victuallers' parade for there was no space in the city that held greater significance for them. It was after all, their outdoor shop, the space in which they moved beyond symbolism to perform their actual roles as providers long after the parades ended. It was the sober space in which they earned the respect and trust of the public through fair and abundant sales, just as it was the

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[76] Cited in Tangires, 66.
[77] Philadelphia Society for Promotion of Agriculture, Minutes, University of Pennsylvania Archives.
[78] Edwin Coutant Moore, *The House of Excellence: The History of Philadelphia's Own Market Place*. (Philadelphia: 1931), 44-46. Philadelphia was certainly not alone in staging such elaborate displays. Rather, local butchers and farmers were taking part in a tradition that took root largely in New York that sought to portray the city's prosperity and bounty. See Tangires, 64-66.

light-hearted place of their laughter and juvenile antics. Day in and day out, these butchers constructed relationships with each other, with consumers and with other vendors. Taken all together, the market was the place in which their identities as Philadelphia tradesmen were forged.

Because of this deep attachment to urban market space, Philadelphia's butchers reacted to those whom they labeled "shinners" with unprecedented hostile action. The earliest stirrings of agitation surfaced in the market itself as the resident tradesmen confronted and attempted to harass the Jersey butchers out of the city's market space. When those efforts failed, the victuallers turned towards the city for protection and began petitioning the municipal legislature. Like other goals of the fledgling workers' movements of the period, their early petitions harnessed the language of rights and privileges and called for a return to customary protections. Like shoemakers, they set themselves apart and above their competitors in character, claiming they rightfully adhered to both the spirit and the letter of municipal ordinances while their opponents did not. The shinners' encroachment was, in their words, "an evil imperiously calling upon your honorable bodies for prompt and efficient redress."[79]

While the Committee on Markets debated the issue, the butchers' intensified their efforts, drafting more demanding petitions to the legislature and reaching out to the public through printed appeals. In both the petitions and the public pleas, the victuallers attacked the laws which permitted Jersey butchers to disguise themselves and vend as farmers as "radically defective." Speaking to the municipal government, they also changed their tactics slightly by speaking to the city's primary interest in extracting revenue from the market:

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[79] "Butchers vs. Shinners," *Hazard's Register of Pennsylvania*, Dec. 24, 1831.

> "Your petitioners, believe, as a class, they contribute more in rents towards the public revenue, than any other attending the markets—they are as necessary to the comfort and convenience of the citizens—that they sustain the reputation of the city in the line of their profession as well, whether quantity, quality, or attention be regarded, and they further believe they claim but their rights when they require full and ample protection in the pursuit of their occupations."

By serving their own interests and protecting their rights, the butchers contended that the monetary interests of the city would also be served. When addressing the public on the other hand, they denounced any aspect of self-interest and instead staked their case on moral grounds. Desirous of "no especial or unequal immunities," they argued that they simply wanted treatment equal to that of New Jersey victuallers. Either their own rents should be reduced or the Jersey butchers' increased. "All we ask," they wrote, "is justice, and we appeal to the common sense of every citizen, to say whether or not our propositions are fair."[80]

Yet the butchers in fact were requesting more equal treatment; they were demanding that the city grant them a monopoly over specific meat sales. Unlike the controversy surrounding the entry of market dealers, the butchers could not draw any obvious dichotomy between producers and non-producers to base their argument on. Indeed they acknowledged that any clear definition of who actually was a "butcher" could not be resolved by ordinance because of the natural overlap between their own occupations and those of farmers and graziers. Accordingly, they proposed that the most useful method possible to eliminate market competition from shinners was to prohibit anyone besides resident victuallers from vending meat in less than a quarter. Unless the municipal

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[80] *Atkinson's Saturday Evening Post*, July 23, 1831.

corporation granted this monopoly over small cuts of meat and eliminated their market competition, the butchers threatened to pursue radical action.[81]

With frustration mounting, just two days after their last petition resident butchers turned out "to be good pluck" in the words of one local printer, and stood-out of the market. As a trade whose members were knit so closely together, they embraced and were embraced by the labor activism that was beginning to take root in the antebellum city.[82] Following in the footsteps of strikes by the city's cordwainers, printers, tailors and shoemakers, amongst others, Philadelphia's butchers deserted three of the city's main markets on a Saturday morning in July, 1831.[83] All but one butcher abandoned their stalls, promising to return only when legislators responded favorably to their petition and protected their rights to vend as the lone butchers in the city's markets. The only protection the city offered, however, was to Mr. Schaffer, the single victualler who attended the market despite the stand-out. With a large crowd of consumers gathered around him, Schaffer was flanked by several constables poised to fend off any attacks from striking butchers. [84]

The victuallers' stand-out and their demands for a monopoly over meat sales caused an immediate and deep sensation in Philadelphia and its hinterland that affected interactions on the street, in the press, and behind closed doors. On the first morning of the strike, thousands lingered in the market with all eyes on the stall of Schaffer in anticipation of a riot. Gossip abounded among the onlookers, circled through the streets, into the press and

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[81] "The Butchers," *Workingman's Advocate*, July 23, 1831; "Butcher's Stand Out, in Philadelphia" *Workingman's Advocate*, July 23, 1831.
[82] For press descriptions of strikes by carters and sailors in Philadelphia, the latter of who stood in protest along the side of the Second Street Market, see *Workingman's Advocate*, June 20, 1835.
[83] The strike spread through three markets in the city—Second Street, High Street and the Northern Liberties.
[84] Scharf and Westcott, 627-628.

out into the countryside. Farmers from the neighboring counties of Delaware, Chester and Bucks, as well as those from New Jersey filed their own petitions in opposition to butchers' demands, claiming that any protection of the butchers would necessarily diminish their own rights and interests.[85] Within the city itself, one local paper estimated that nearly one hundred fifty thousand people were potentially affected by the butchers' actions, despite the advanced notice they had publicized. Another related how the "force of circumstances" spurned by the strike affected one household in this larger maze of urban life. In Sassafrass Alley, an avenue dominated by the working poor, the effect of the butchers' desertion resulted in physical abuse between a "coloured" man and his wife. When the husband was forced to bring home rock fish on Saturday morning instead of his customary cut of beef, the couple began a verbal conflict that quickly escalated into the husband assaulting his wife. So "usual" were these episodes of domestic violence that most were likely never printed, yet in this moment the stories served as poignant statements on the deep and physically painful impact of the victuallers' actions.[86]

As news of the strike wove through the realm of print, the butchers' demands sparked confusion and a divided public opinion about both the victuallers' intentions and their tactics. In New York, the paper of the workingmen's movement supported the butcher's stand-out, but interpreted it as a political protest against taxation of any sort. Indeed, the paper's take on the strike revealed the deep fissures and confusion within the working-class over the effects of free trade and market competition. Ironically, the column rejected the imposition of fees demanded of the butchers because it raised prices of meat for the poor, but also because it hindered free market competition—the very system that

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[85] *The Banner of the Constitution*, August 3, 1831.
[86] *Atkinson's Saturday Evening Post*; July 23, 1831.

Philadelphia's butchers stood out against.[87] Local Philadelphia papers sensitive to the workingmen's movement treaded carefully around the issue of the strike, but hardly offered unified support of the butchers' position. *Poulson's American Daily Advertiser*, for example, chided the victuallers by printing a fictitious petition to the Councils from dry-goods merchants who demanded that all persons be prohibited from selling dry-goods who did not pay the same rent for their stores that those paid who lived in High Street.[88] For the most part, however, the press respected and supported the butchers in their resolution to expunge shinners from the market-place who evaded the spirit of the ordinances, but denounced their tactics to withhold the city's meat supply as an attack on consumers, as well as their demands for a monopoly of meat sales that would exclude the equally respectable farmers from the hinterland.

It was *The Banner of the Constitution*, however, a self-avowed Free Trade paper, that provided the sharpest critiques of the butchers' stand-out and used the events to draw parallels with the issues of political economy gripping the nation. In repeated editorials, *The Banner* denounced the butchers' request for a monopoly as part of the regulations bound up in the "American System" advanced by Henry Clay. In their view, the strike served as "a practical illustration, upon a very small scale" of the dangers of market regulations. The stark white frocks of the butchers would be missed for the neatness they brought to the market, but Philadelphians, the paper claimed, "love liberty more than butcher's meat… and will certainly never yield in the contest."[89] By drawing parallels

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[87]If New Yorkers were misguided in their understanding of the butchers' motives, it was likely because the butchers of their own city were actually waging wars of their own against municipal regulations. Unlike in Philadelphia, the municipal government of New York fixed prices for everything sold within its domestic markets. See Tangires, 71-94.

[88] *The Banner of the Constitution*, July 27, 1831.

[89] Ibid.

between the everyday events shaping physical market-places and the events shaping the invisible arena of international markets, the paper succinctly brought elite issues of political economy into the homes and minds of everyday Philadelphians. The message was clear: just as the nation as a whole was caught in a violent political battle between a laissez-faire system and a regulatory system, so too were the markets of Philadelphia. And either faction would have profound consequences on the lives of every American citizen.

Municipal leaders too recognized the tremendous implications of the moment before them. In what would be the clearest articulation of the market as a space of open competition to date, city authorities defended their rationale for not extending any form of special legal protection to the victuallers just days after the strike began. Speaking to Select and Common Councils, the Committee on Markets adamantly opposed the victuallers stand-out as an abuse of their power and a coercive act that might have had dangerous consequences for the city if an ordinance had existed that granted the butchers' monopoly over animal food. Instead of proving that the laws that encouraged market competition were unjust, they argued, the butchers had proven that they were necessary because without farmers and shinners to feed the populace, the poor might very well have gone hungry as the strike progressed. "Monopolies are always odious, and seldom politic," the committee reported. And any ordinance that might grant butchers such a powerful hold over prices and supply "would be of doubtful legality, obviously unjust and impolitic in a high degree."[90]

The butchers strike thus failed in its objective to secure exclusive rights to vend small cuts of meat in the city's market-places. Not only had the city and the press denounced the actions of the victuallers as dangerous and laughable, but farmers and the

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[90] *The Banner of the Constitution*, August 3, 1831.

alleged shinners had stepped in to supply the meat of the city to such a degree that the resident butchers were hardly missed. Accordingly, within ten days, a handful of butchers returned to their stalls and by the end of July, business resumed as usual with no new municipal legislation to protect the interests of the victuallers. The victuallers did persist in arguing for the elimination of shinners in the market, however, and won a small victory later that year through a case before the Mayor's Court that attracted regional attention. But by and large, like the farmers and shoemakers before them, Philadelphia's victuallers were left to fend for themselves in a new market-place characterized by open competition.

The failure of the butchers' strike thus marked a pivotal moment in the city's market history when the municipal government was forced to define its new management style and the consequent shape of the antebellum market. If legislators had previously been torn over the value of special protections for vendors, they were no longer. Economic interests would fully drive market management, as well as the individual men and women who crowded into the market landscape to vend their goods. These interests in turn would create an invisible hand, a la Adam Smith, drawing consumers, producers, and vendors into a competitive, self-regulating market that would serve the public good far better than municipal ordinances could ever do. It was in the words of *The Banner of the Constitution*, "a complete triumph of the principles of *Free Trade*, over the Restrictive System."[91]

In the end, only when the state withdrew its customary protections and opened up the market as an arena of free competition did the latent meaning of market-space for everyday Philadelphians become manifest. Rather than being solely spaces of economic exchange or interests, the butchers' strike had revealed another vision of markets as

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[91]Ibid.,

“turfs”—grounds in which collective identities were forged, maintained and fiercely guarded. They were spaces in which the language of rights was not just imagined or argued in courts of law, but deeply felt and experienced. Indeed, by reacting to the increase of shinners with such force and intensity, the butchers had designated their Jersey counterparts as “foreigners” and effectively turned the market into its own imagined nation-state. This portrait of markets as miniature nations, with citizen-vendors and consumers imbued with specific rights and privileges antagonistic to “outsiders” would grip Philadelphia as a whole in the oncoming years. For as the social and political wars of the1830s and 1840s unfolded in the city, the spotlight would shift from the High Street and Second Street markets onto neighborhood market-places where their function as “turfs” to be guarded and protected would become a glaring aspect of the new battles over race, class, religion and immigration.

CHAPTER 4:

"This Ground Don't Belong to Them, It's Ours!": The Primacy of Place in Antebellum Markets

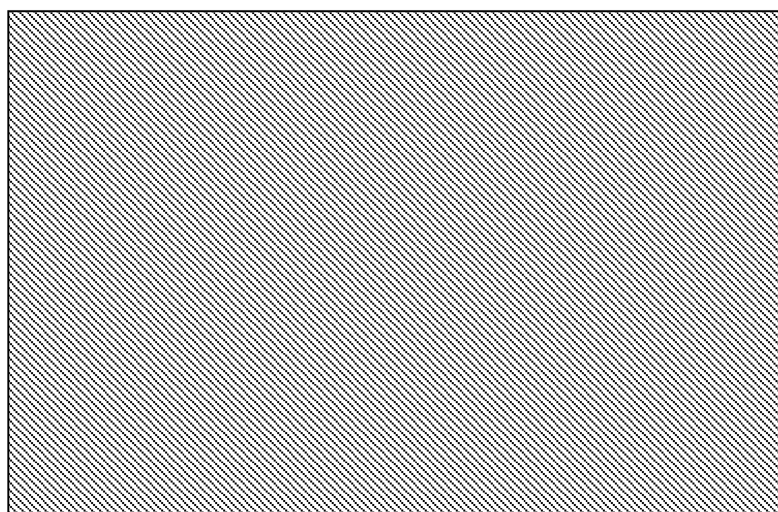

Figure 4.1. "Scene of the Conflagration," taken from *A Full and Complete Account of the Late Awful Riots in Philadelphia.* Philadelphia: John B. Perry, 1844.

The middling decades of the nineteenth century buzzed with an ever-expanding lexicon of market meanings that began to overwhelm the one physical space that had long been understood as the "market." Money markets, labor markets, regional markets and like phrases rolled off the tips of men's tongues and saturated press columns, board minutes, and municipal records and increasingly began to threaten not only the value of urban public markets, but their very existence. The more carefully attuned men became to the wheels of commerce and to the dreams of economic progress and modernity, the less concerned they became with the simplistic acts of face-to-face exchange between producers and consumers that transpired in the market-places. Indeed, elite and middling merchants, manufacturers,

and municipal authorities gradually began to imagine the market in a radically different light. Rather than being a symbol of urban prosperity, a critical pillar of the broader economy, and a duty of municipal government, markets instead became obstructions to urban prosperity and the steady development of internal improvements. Embarrassingly traditionalist, even physically unattractive, the market-place thus essentially became the antithesis to the market economy. Within the new dichotomy, the latter was an exciting, abstract, innovative space of dynamic exchange, while the former was merely a dusty, dilapidated, place.

Yet this same characterization of markets as physical places bound by tradition would make them all the more attractive to other groups of Philadelphians during this period. Men and women across the socio-economic spectrum would respond to the potential loss of their markets with fervor and with dedication to the place they knew as the "market." Still others would literally cling to the spaces of exchange, turning them into private territories that functioned not only to shore up their own social identities, but to denigrate those of others. In the midst of the bloodiest era in all of the city's history, market-places in fact became theaters of violence as well as of crime, refuges for some residents and treacherous grounds for others. Even in the face of a changing market culture, a flurry of crime and violence, and the rise of new private, off-street market alternatives, however, Philadelphians by and large would still choose to frequent the city's open-air market-places. For if the commercial interests of municipal leaders and entrepreneurs led them to discredit the market as a mere place of minor exchanges, the broad body known as the city's "public" would privilege the primacy of place in the antebellum market more than ever before.

I. Dis-placing the Antebellum Market

In 1833, a group of merchants along High Street introduced a plainly worded, yet radical petition to Philadelphia's Select and Common Councils. Their desire was to extend the State-sponsored Columbia Railroad through the center of High Street and lay new rails for horse-drawn cars to deliver goods to the wharves and businesses along the Delaware River. In order to meet these needs, however, the eight-block expanse of brick and wooden market stalls in High Street would have to be demolished—and therein lay in the most radical aspect of the merchants' request. For within their vision of economic growth represented in the new rails, the market stalls shifted—quietly and yet profoundly—from a tangible statement of urban prosperity to an utter obstruction and a "long-standing inconvenience" to enterprise. Rather than being fundamentally bound up in the broader economy, markets were articulated as separate and subservient places and only by relieving the streets of the market nuisance and laying new rails, proponents argued, could prosperity flourish for urban dealers, manufacturers, and the state alike.[1]

The consequent decision before the body of men who composed Philadelphia's municipal government was a truly "momentous subject" in the words of one contemporary.[2] For nearly three years, they wrestled with the possibility of the most significant alteration in market space in the city's history. Petitions dogged their every agenda, ranging from circles high and low, some so sharp with passion that the councilmen had to stop reading mid-sentence because of their offensive language. Reports from designated commissioners and the Committee on Markets, bids and advice from local

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[1] "Proceedings of Councils," *Hazard's Register of Pennsylvania,* August 3, 1833; "Report on the City Rail Road," *Hazard's Register of Pennsylvania*, May 23, 1835.
[2] "The Old Market," *Hazard's Register of Pennsylvania,* June 6, 1835.

architects, columns in the press, and town hall meetings all translated into a weighty decision. Accepting quickly and easily into the dichotomy established by the railway petitioners, councilmen faced the difficult question of whether they should they opt for progress or tradition. Should they privilege the market-place or market capitalism? Either way, the consequences would be profound; more profound perhaps than all but the most visionary of the men could have imagined. For at stake was not only the future of the market-place, but the very meaning and shape of the "market" itself in antebellum Philadelphia.[3]

The mile-long series of sheds in High Street had long stood as a landmark of the city, a testament to its prosperity, and a clear statement of the local government's responsibility to its citizens. But the merchants' petition to extend the railway introduced another appetizing vision of prosperity and responsibility. In order to supplement its canal system, the State had begun laying rails in 1828 and five years later, they stretched from Pittsburgh into Philadelphia where they ended in the center of the city at Broad Street. The request to extend the rails further through High Street seemed ripe with economic possibilities, particularly in a city competing with New York for the title of the commercial capital of the nation. First, the rails would further the growth of the region's fledging manufactories by offering an easy and direct route of raw materials from the countryside to the Delaware River and beyond to the Atlantic. Secondly, it would streamline the movement of goods for wholesale dealers who were beginning to build new establishments in the western portion of the city. All in all then, the prospect seemed like a natural extension of the municipal government's growing role as financiers of urban improvements

[3] January 28, 1836, *Journal of Common Council*, HSP.

that would further industrial and economic progress, and enhance the image of Philadelphia as a modern, progressive city.[4]

Accordingly, the vast majority of municipal legislators, many of whom had strong ties to the mercantile community, embraced the vision of the new rails through High Street, as well as the characterization of the market sheds as obstructions to economic development. Within only a month, the committee charged with consideration of the proposal responded favorably and determined that the plan be carried through in its entirety. The rails should indeed be laid if financed largely by the petitioners, while the municipal government should fund the demolition of the market sheds and the erection of new market-places elsewhere throughout the city. Yet the weight of the decision, its serious impact on the urban landscape and the costs involved in financing new market constructions, prevented them from passing any immediate bills.[5]

In the meantime, as word spread to the broader public, the railroad proposal spawned immediate large-scale resistance. From the vantage point of a diverse body of urban residents, the "wild and visionary scheme" of running rails through High Street and destroying the markets—the "pride of our city" in the words of one opponent—seemed nothing less than outrageous. On May 27, 1835, a large group of concerned men crowded into the Mansion House off High Street and formed a committee to organize against the railway construction and the demolition of the markets. The same committee went on to call two general town meetings in Independence Square to accommodate the numerous interested voices on the matter and prepare a formal remonstrance to the City Councils.

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[4] "Proceedings of Councils," *Hazard's Register of Pennsylvania,* August 3, 1833; George Rogers Taylor, *The Transportation Revolution: 1815-1860* (New York: Rinehart & Company, 1951), 77, 90; Agnes Addison Gilchrist, "Market Houses in High Street," *Transactions of the American Philosophical Society* 43 (1953), 306.

[5] "Proceedings of Councils," *Hazard's Register of Pennsylvania*, September 21, 1833.

Over the next six months, various committees of citizens continued to meet at local taverns and inns, crafting public appeals and drawing up new petitions to the municipal legislature to stop the proposal. [6]

The most visible leaders of the resistance effort came from the upper ranks of society—merchants, doctors, attorneys and master craftsmen. Collectively, they opposed the lengthening of the rails primarily because the project was linked more with private enterprise than public service. As John Larson has detailed, similar internal improvement projects across the nation were looked upon as schemes of speculation, rather than improvements fostered out of the good will of the state. Extending the railway through Philadelphia was precisely such a plot, opponents believed—a flighty scheme conjured up by private investors and "visionary dreamers" that would never seriously play out to fruition. Regardless of whether financiers funded the rails, the costs alone in demolishing and rebuilding market-places throughout the city would surely be prohibitive. Harnessing the familiar rhetoric of privilege and injustice, opponents further reasoned that taxing the public for the demands of a wealthy few at any cost, would be nothing less than "moral treason."[7] Not only would the alteration hurt the pockets of the middling and lower classes, but it would be a death knell to the carters, porters and draymen who specialized in hauling goods from the current depot in Broad Street to the wharves. And even the most opulent of

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[6] "The Old Market," *Hazard's Register of Pennsylvania,* June 6, 1835; "To the Citizens of Philadelphia," *Hazard's Register of Pennsylvania,* June 27, 1835; "Proceedings of Councils," *Hazard's Register of Pennsylvania*, December 26, 1835; *Journal of the Select and Common Council, 1835-36*, Dec. 10th, 1835, Dec. 24th, 1835, Jan. 28, 1836.

[7] "The Old Market," *Hazard's Register of Pennsylvania,* June 6, 1835.

merchants would be affected by the lengthening of the rails, particularly those who had built warehouses on the western fringe of the city. [8]

Another leg of the argument against the extension of the railroad centered on the potentially dangerous changes to the city's physical landscape. Although the Philadelphia Board of Trade reassured the city and public that horses rather than steam power would be used, their claims made little difference in the eyes of the public. From the perspective of most Philadelphians, the rails would have physically torn through their urban setting, bringing noise, dust, chaos and other "evil effects" to bear upon pedestrians and residents. Furthermore, during and after the railway construction, opponents further argued, the property along the route would also decrease in value, particularly the retail businesses that profited from foot traffic.[9]

The final argument of the resistance, and the most critical for those gathered at the town meetings in Independence Square, turned on the destruction of the markets themselves. Holding fast to the sense of tradition embodied in the market sheds, the spokesmen of the movement created a broad-sweeping argument that ranged from the enduring economic and cultural importance of the markets to the potentially dangerous eradication of the rights of farmers, victuallers and public consumers. Opponents challenged the characterization of markets as obstructions to progress, contending instead that the flourishing success of High Street businesses was "mainly, if not entirely" attributable to the long existence of the markets which induced thousands of people from

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[8] John Lauritz Larson, *Internal Improvement: National Public Works and the Promise of Popular Government in the Early United States* (Chapel Hill: University of North Carolina Press, 2001), 226-233; "To the Citizens of Philadelphia," *Hazard's Register of Pennsylvania,* June 27, 1835.

[9] "The Old Market," *Hazard's Register of Pennsylvania,* June 6, 1835; "High Street Rail Road," *Hazard's Register of Pennsylvania*, June 6, 1835; "Proceedings of the Councils," *Hazard's Register of Pennsylvania*, December 26, 1835.

the city and country to daily gather in the streets. Accordingly, they argued that the markets' removal would be "unwise, impolitic and ruinous to the great commercial interests of this most magnificent street," as well as a distortion of the "true interests" of the city. Others argued that the displacement of the market sheds would destroy the very nature of market exchange by eliminating the competition spawned by the large mass of vendors in one space, thereby turning future sites of exchange into disconnected, specialized huckster shops. In the end, the organizers of the resistance movement overwhelmingly clung to custom, urging municipal leaders "not to abandon, for light and transient causes, that which long experience has proved to be essentially good, in the vain and delusive hope that we may possibly do better."[10]

The outbreak of public resistance against the rail extension did in fact give the city's councilmen pause. As the months passed, they listened and absorbed reports from various committees and experts charged with researching the potential alterations. Over the course of the proceedings, several "spirited debates" were recorded in their minutes, some of which took oddly personal turns. When Mr. Thompson requested that his name be changed to the list of "nays" on the Rail Road Ordinance, for example, because he wasn't even present when the original vote was taken, several of his colleagues attacked him until he retreated. Frederick Fraley, a young councilman and secretary of the Philadelphia Board of Trade, quickly opined that the request "was not parliamentary" and was supported by several other colleagues who charged that the alteration in the minutes would set a potentially dangerous precedent.[11]

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[10] "High Street Rail Road," *Hazard's Register of Pennsylvania*, June 6, 1835; "The Old Market," *Hazard's Register of Pennsylvania,* June 6, 1835.
[11] "Proceedings of Councils," *Hazard's Register of Pennsylvania,* December 26, 1835; "Proceedings of Councils," *Hazard's Register of Pennsylvania,* September 20, 1834.

In the end, Thompson and other nay-sayers were silenced as the Select and Common Councils passed the ordinance to extend the railway and destroy the market houses as a Christmas gift to the city on December 24, 1835 at a cost of $80,000.[12] Municipal authorities were convinced by the deliberations of the appointed commissioners who emphatically agreed that the rails were "indispensably necessary to maintain the present prosperity of the city." To reject the plan would ultimately be "to reject a rich harvest already growing upon her threshold, and to build up the prosperity of the adjoining districts." But as the same committee disclosed, the councilmen needed little persuasion. After several years of discussion, the benefits of extending the rails was already "fully appreciated." [13]

The market sheds, on the other hand, were held to be obstacles to progress and should be destroyed. As a somewhat casual addendum, the Councils also voted to demolish the "old building" at the intersection of Second Street, a statement that relegated the historic court house to a space of utter insignificance.[14] Collectively, the court house and its attached market sheds, with their faded lime wash and dilapidated roofs were now seen as backwards, embarrassingly traditionalist and an assault on the senses. Removing them, therefore, would return the street to the status of an asset to the city. Any of the objections that had been previously raised, in the estimation of the commissioners, were unimportant, and more pointedly "insignificant in comparison with the broad and general interests to be advanced by the contemplated improvement." Still, it was cost prohibitive to build new

[12] *Ordinances of the City of Philadelphia* (Philadelphia: Printed by: E.C. Markley & Son, 1876), December 24, 1835, Ch. 635.
[13] "Report on the City Rail Road," *Hazard's Register of Pennsylvania*, May 23, 1835.
[14] *Ordinances*, December 24, 1835, May 12, 1836, Ch. 654, September 1, 1836, Ch. 677; Jay R. Barshinger, "Provisions for Trade: The Market House in Southeastern Pennsylvania" PhD. Dissertation, 1994, The Pennsylvania State University, 52-55.

markets elsewhere at the moment, and thus councilmen settled on erecting new, narrow iron stalls in their stead. As the Committee on City Property reported, the old market houses had a "cumbrous and unsightly appearance" in addition to being too wide, and should at the very least be replaced with structures "possessing architectural beauty."[15] Not coincidentally, the Committee's idea of beauty was anchored in the material of iron—a perfect compliment to the attractive rails that would stretch down the sides of the new market stalls.

Already, before the rail request appeared on the Councils' agenda, municipal authorities had begun to embrace iron architecture as the embodiment of industrial progress. Inspired by the strength and structural potential of the metal, local architects were increasingly designing more utilitarian buildings that included the most symbolic element of industrialism as a central feature—cast iron. The city's Chestnut Street Theatre, U.S. Naval Home, the Walnut Street Theatre and the Eastern State Penitentiary all incorporated iron columns and had been constructed in the 1820s. As John Haviland, the noted architect who designed the latter two buildings had prophesized, the facility with which iron could be molded had created a "totally new school of architecture" by the mid-nineteenth century.[16] Eventually, it would be a school known to reap its inspiration from the process known as the Industrial Revolution, but in the moment, it was a school that physically symbolized the very best of innovation and modernization.

The propensity toward this new aesthetic first spread to the Committee on Markets in 1834. After receiving petitions for a new market house west of Broad Street closer to the Schuylkill River, the committee responded by soliciting proposals from architects that

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[15] "Reports on City Rail Road," *Hazard's Register of Pennsylvania*, May 30, 1835; "Proceedings of the Councils," *Hazard's Register of Pennsylvania*, December 5, 1835, Feb. 11, 1836.
[16] Cited in Gilchrist, 307.

specifically included iron columns and metal roofs.[17] Within a few weeks, William Strickland responded with a proposal that captured the essence of the changing aesthetic:

> The accompanying design of a Market House which is intended to be entirely composed of cast and wrought iron is submitted to your notice with a view of introducing into our city this novel mode of building;—There is perhaps no better object of Architecture than a Market house for an iron construction, and no better site than the centre of Market Street to exhibit its delicate but strong and durable properties.[18]

$13,652 later, Strickland's design was completed and just two months afterwards, a neighboring section of iron sheds was also erected.

William Strickland again secured the design contract for the new series of market sheds that would stretch from Eighth to Second Street, an architect whose interests in the growth of capitalism were evident in every project he had undertaken in the city. Strickland's portfolio included churches and theaters, but among his brightest accomplishments had been the design of the city's Merchant's Exchange and his recent appointment as the engineer for the new stretch of the Columbia Railroad.[19] In May 1836, three years after the first petition graced the table of the city councils, Strickland thus led the market demolition and began directing the re-erection of new iron buildings. By 1838, the transformation was complete and in place of the wooden sheds had risen a narrower range of airy, iron market structures. Running just alongside until Third Street were the complimentary new iron rails of the Philadelphia and Columbia Railroad.[20] {Fig. 4.2}

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[17] Ibid., 305.
[18] Correspondence, July 4th, 1834, Peale-Sellers Papers, APS.
[19] Gilchrist, 304-312; Barshinger, 20-51.
[20] "Epitome of the Times," *Atkinson's Saturday Evening Post*, May 28, 1836.

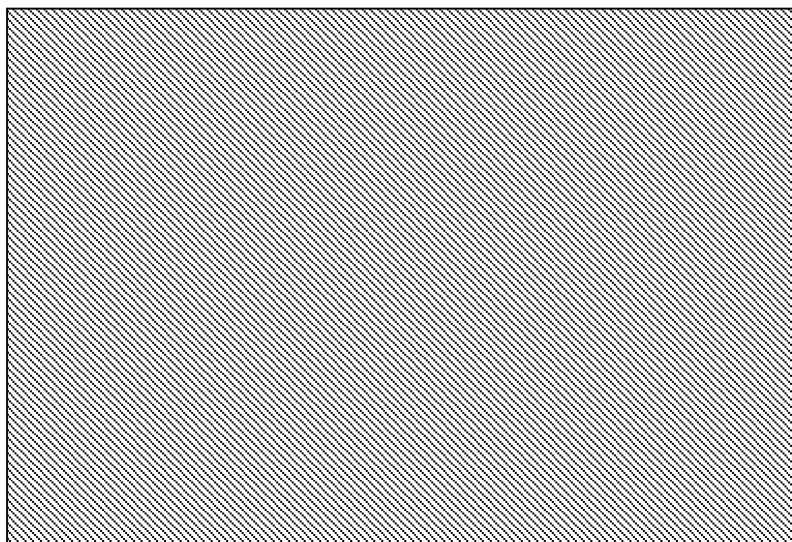

Figure 4.2. Market Street East from 8th to 6th Streets showing the market sheds and streetcar tracks, 1859**.** *Free Library of Philadelphia.*

These drastic physical changes to the High Street market-place signaled two key ideological shifts in municipal market governance, begun in the opening decades of the nineteenth century and completed with the destruction of the court house. First, the physical alterations reflected the final divorce of a protectionist state from the market-place and the consequent entrenchment of the philosophy of free trade. In fact, any remaining attention previously devoted to weeding out second-hand dealers fell by the wayside as municipal leaders authorized commissioners to rent stalls to dealers, agents, and "whoever may want to Occupy them"—including the notorious class of hucksters they had long opposed. [21] Annual stall rentals skyrocketed in the new High Street Market to between $40 and $150, causing a flurry of petitions and published complaints as both vendors and consumers felt an economic pinch. The city did in fact lower the fees slightly, but the

[21] Committee on City Property, *Minutes*, 1836-37, October 24, 1836, PCA.

statement made by the demolition of the court house, the new iron rails and complimentary sheds was clear, resounding and strikingly cold: common men and women would have to fend for themselves as both consumers and vendors of daily provisions.[22]

The other statement clarified by the physical alterations in High Street was that the city had ultimately privileged market capitalism over the market-place. The transformation of the High Street Market thus marked the moment when the city's physical market-places literally lost ground to the invisible expanse of international markets in the eyes of the state. Ideological in origin, the shift became physical, played out in the material landscape of the early nineteenth century city. Each tie and iron rail laid down High Street signaled the slow advance of market capitalism, the increasing significance of the wholesale trade, and the dwindling importance of local provisional markets in the context of the broader economy.

This shift also played itself out in popular thought as the marketplace was slowly being overwhelmed by a host of newer, more abstract market meanings that fleshed out the shape of capitalism. At the turn of the century, for example, when newspapers carried headlines of the "Philadelphia Market," they were almost always referring to the High Street Market. But by the 1830s, the same headline was typically supported by news and pricing for "domestic markets," "money markets," and "seed markets."[23] These new market meanings, which had been taking shape in the sphere of elite ideology of political economy for more than a century, extracted the economic act of exchange from market-places and applied them to a boundless vista filled with paper slips of credit. A "market"

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[22] *Ordinances*, January 31, 1837, Ch. 698; *Philadelphia Gazette*, January 9, 1837, January 13, 20, 27, 28; Market clerks did apparently make a pronouncement that they would enforce the bread assize after a number of petitions, although it's unclear whether any penalties resulted. See *Philadelphia Gazette*, January 3, 23, 1837.

[23] See for example, "Philadelphia Market," *Atkinson's Saturday Evening Post*, March 23, 1833; "Marketing," *Philadelphia Gazette*, September 12, 1835.

was becoming understood in everyday thought as defined by the mere presence (real or imagined) of marketable goods and money, as opposed to the physical space in which those goods were sold and money exchanged. It was, as Jean Christophe Agnew has argued, a profound "etymological inversion of the container (marketplace) with the contained (market process)" that succinctly subordinated the physical place to the process.[24]

Within the context of these growing market meanings, the market-place was not altogether displaced however. All were bound up in a common idea of exchange and intertwined both physically and ideologically. News of "foreign markets" and "money markets" were often exchanged when Philadelphians met in the market-place. Other market references, such as to southern markets, eastern markets, etc., were certainly more spatially abstract than a particular urban market-place, but fundamentally rooted in a common base of geography. Both shared the same primacy of place and could be sketched onto maps.

Still other market concepts were made meaningful precisely because of the continued face-to-face experience of exchange within physical market-places. The understanding of markets as both tangible and abstract arenas that turned human bodies into commodities, such as "labor markets" and "slave markets" depended deeply upon the experience of the market-place. Except for freed African-Americans and handfuls of white abolitionists who had toured the south, slave markets for example, would have been utterly unimaginable to the vast numbers of Philadelphians without drawing upon their knowledge base of provision markets. Abolitionists harnessed such experiences and drew overt analogies to men being sold like sheep and swine in order to capture the empathy of the

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[24] Jean-Christophe Agnew, *Worlds Apart: The Market and the Theater in Anglo-American Thought, 1550-1750,* 41-42.

public. By posting images of slave markets outside their office doors or printing thick descriptions of black men and women being herded like cattle into a market-place, they invited the public to imagine their own market experiences. Just as they poked the sides of animal flesh to test its elasticity, so they could potentially imagine consumers of human beings jutting their fingers into the crevices of black bodies, testing their physical strength and health. The analogy between human and provision markets was so strong that some moral-minded retailers went to extraordinary lengths to disentangle the two. Advertisements for "free groceries" whose marketed goods had been produced without the assistance of slave labor began to checker abolitionist newspapers as part of the growing movement to eliminate slavery from the larger political economy.[25]

Yet, markets as economic spaces were increasingly being seen as fundamentally distinct from and subordinate to their more abstract counterparts. The new syntax of market exchange had wrestled away the market-place's position in the hierarchy of political economy, even turning them into physical obstructions despite their commonalities and continued interdependence. Figuratively and literally the market-place was losing ground, giving way to new modes of exchange that dominated elite thought and were gradually invading the realm of popular thought through the sphere of print culture.

In the wake of these significant changes, however, the market was not so much displaced, as it was reaffirmed as a physical *place*. The newly sharpened distinctions drawn between more abstract (and economically significant) market exchanges and the market-*place*, served to make the very ground of the market more meaningful to the tens of thousands of Philadelphians who daily shopped, sold, loafed, gossiped and traversed their

[25] *The North Star*, April 10, 1851; "To Subscribers," *Philadelphia National Enquirer*; January 7, 1837; "Dreadful," *Philadelphia National Enquirer*, October 29, 1836; Carol Faulkner, "The Root of the Evil: Free Produce and Radical Antislavery, 1820–1860," *Journal of the Early Republic* 27 (Fall 2007), 377-405.

boundaries. Accordingly, as some members of the community turned their eyes and their interests towards other market meanings, the alternate functions of the market as sites of political demands and expression, group identity formation and articulation became increasingly manifest. Put another way, as the market-places lost ground in the conceptual arena of political economy, they gained value as physical places for the public to act out and act within—particularly the smaller markets in the surrounding suburbs and districts of Philadelphia. Indeed, it would be in these humble neighborhood markets, nestled into communities increasingly torn by the tensions of race, class, and religion that the cultural and social functions of market space would actually find their richest expression to date.

II. The Primacy of Place: Mapping Markets as Turfs

The period lasting from the early 1830s through the 1850s proved to be the most violent era in all of Philadelphia's history. Fear raged in the hearts of residents, as did anger, turning neighbor against neighbor, black against white, Irish against Native, and poor against wealthy. Gangs of youths wielding pistols, knives and brick-bats combed the streets, chasing rough members of volunteer fire companies in search of a worthwhile brawl. Columns filled the daily press reporting stabbings, shootings, robberies and murders. And over the course of the twenty years, mob-related burnings of residences, houses of entertainment, and abolitionist and religious institutions severely altered the physical environment of the city. All in all, the violence caused an inestimable amount of destruction and an equally immeasurable loss of the idealistic portrait of the peaceful city of brotherly love.

Scholars have disagreed over the precipitating causes of Philadelphia's bloody epoch in large part because despite the common thread of crowd action, the victims and perpetuators of mob violence ran the gamut of the socio-economic spectrum. The underlying cause of many violent episodes can be traced to a rise in anti-black and anti-abolitionist sentiment. Taken one step further, these events can be imagined as the building blocks of the very construction of the modern idea of race. So too, one need not even scratch the surface of mid-century violence to unearth the overt anti-Irish and anti-immigrant sentiment which precipitated the nativist riots of the 1840s. And still, all of these can be boiled down to the material structures in which both the assailants and victims lived within. Analysis after analysis has painted the same broad strokes: demographic growth, urbanization, job competition, poverty and the rise of ethnic politics created a combustible mix that exploded in the mid-nineteenth century city.[26]

When Philadelphia's violent perpetrators are situated firmly within the physical landscape they occupied, however, another conclusion becomes manifest: in richly complicated ways, rioters were defending space that they perceived as their own territory. Perhaps because of its seeming simplicity, historians have merely tipped their hats to this conclusion. They have incorporated data on occupational, ethnic and racial clustering in order to read collective group identities as a rational base for mob action, yet failed to delve into the cultural attachments to physical spaces in which these mobs operated. Others have created a vast literature on property-rights in early America. Yet ironically, these studies have rarely intersected. The meaning of space has hardly been wrestled out of the realm of

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[26] Sam Bass Warner, *The Private City: Philadelphia in Three Periods of Growth* (University of Pennsylvania, 1968): 125-157; Michael Feldberg, *The Philadelphia Riots of 1844*, (Greenwood Press, 1975), 3-16; Michael Feldberg, "Urbanization as a Cause of Violence: Philadelphia as a Test Case," in Allen F. Davis and Mark H. Haller, eds., *The Peoples of Philadelphia: A History of Ethnic Groups and Lower-Class Life, 1790-1940* (Temple University Press, 1973), 53-69.

elite political ideology and applied to the lives of everyday Americans—to the men and women who took the streets of Philadelphia during its most bloody historical moment.[27]

Philadelphians did not have to own land to feel a connection to the soil in which their lives were rooted. The lack of a written deed to a specific parcel might have enabled common men and women to envision a broader panorama of space as their own. Although occupational clustering was on the rise, the demographic shape of the antebellum city did not consist of homogenous neighborhoods. For one, as Stuart Blumin has detailed, a tremendous amount of geographic mobility characterized the city. Also, because residential alleyways crisscrossed main streets, the city's wards were peppered with merchants, shopkeepers, artisans and unskilled laborers. The poor and property-less were thus thrown together with the elite, forced to share residential space that only their neighboring property-owners could legitimately lay claim to. They had equally little claim to the few public squares and parks within the city, which were typically cast as elite spaces of socialization. Thus, streets, churches, docks, houses of entertainment and the like became the places in which property-less men and women grounded their identities as Americans. The poorer ranks of Philadelphia's free black community for example, largely grew to reject the abstract place of Africa as their homeland and related colonization schemes in large part because their sense of self was grounded in the soil of their city—regardless of whether they owned property deeds. By choosing to remain in Philadelphia,

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[27] The exception here is Bruce Laurie, who does attempt to situate the era's violence in terms of physical territories, although briefly. See Bruce Laurie, "Fire Companies and Gangs in Southwark: The 1840s," in Allen F. Davis and Mark H. Haller, eds., *The Peoples of Philadelphia: A History of Ethnic Groups and Lower-Class Life, 1790-1940* (Temple University Press, 1973): 71-83, and Bruce Laurie, *Working People of Philadelphia, 1800-1850* (Temple University Press, 1980), 53-66.

they not only planted roots, but laid a larger claim to the American landscape which they believed contained a right to be politically acknowledged and respected.[28]

As genuinely public grounds, open to all, market-places helped fill the void of accessible spaces for the poor and working classes, particularly those smaller sites of exchange that were nestled into the sprawling neighborhoods throughout the broad community. Attached market halls and rooms often served as meeting spaces for community groups, secular schools and Sunday schools. As outdoor, public places they were also literally extensions of the street, which the lower classes had come increasingly to occupy in the early nineteenth century. But more so even than streets, markets typically had a standing population, a ready group with which one might socialize. Thus they provided consistent opportunities for self and group identification. Almost always, one could find a "brother" or an "other" under market eaves, another body, another race, another gender with which to define oneself either in opposition or in conjunction. At a moment when Philadelphians seemed anxious to grasp onto membership in particular social groups, the swirling class, racial, ethnic and religious antagonisms thus spread easily into local, neighborhood market-places. The markets soon became private territories, "turfs" to be guarded, struggled over, and defended.[29]

Two inter-related groups of Philadelphians most notably treated the city as a fragmented map of turfs by the mid-nineteenth century—gangs and fire companies.

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[28] Stuart Blumin, "Residential Mobility Within the Nineteenth-Century City," in Allen F. Davis and Mark H. Haller, eds., *The Peoples of Philadelphia: A History of Ethnic Groups and Lower-Class Life, 1790-1940* (Temple University Press, 1973), 37-51; Gary Nash, *Forging Freedom: The Formation of Philadelphia's Black Community, 1720-1840* (Harvard University Press, 1988), 101-108; Julie Winch, *Philadelphia's Black Elite: Activism, Accommodation, and the Struggle for Autonomy, 1787-1848* (Temple University Press, 1988), 26-48.

[29] *Journal of the Select Council*, 33-35, HSP; Minutes, March 21, 1840, Norwich and Callowhill Market Records, HSP. For the working poor's uses of the streets in New York, see Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Urbana: University of Illinois Press, 1987).

Known for their particularly rough brand of youthful masculinity, gangs like the Killers, Rats and Skinners armed themselves with pistols, knives and other weapons and fiercely guarded areas of the city they perceived as their own territory. As historian Bruce Laurie has detailed, the community of Southwark experienced frequent and violent confrontations between the Rats and the Bouncers namely because both gangs understood the area as its "place of nativity."[30]

Gang members often overlapped with or simply attached themselves to the growing list of volunteer fire companies, for whom the notion of space was equally, if not more, significant. Like gangs, the ranks of engine and hose companies were drawn from the white working-classes by mid-century, but were an older grouping dominated by property-less skilled journeymen. Similarly, they were bastions of white, working-class masculinity and often entangled in and borne out of the new brand of ethnic politics that was taking hold of the city. Unlike gangs that marked ambiguous areas or streets as their turf, however, fire companies wedded their social and political identities to specific, physical places. Engine, hose houses and rented meeting spaces grounded firefighters in the landscape and served as spaces of camaraderie and conflict, as well as the formal headquarters for meetings and equipment storage. So critical were these houses, that one contemporary noted that the "engine or hose house is the place where their heart is set upon."[31] In order to cut the lifeline of fire companies, therefore, opposing groups often turned these physical headquarters into seats of violence, smashing windows, cutting hoses, and stealing company regalia. Conflicts also emerged in the companies' designated "territories," which rippled out from these buildings into the nearby streets and

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[30] Quoted in Laurie, "Fire Companies," 78.
[31] Quoted in Ibid, 77.

neighborhoods and were legitimized because each company had particular sections of the city they were responsible for protecting from fires.[32]

Not coincidentally, many of the local fire company headquarters were located in none other than the city's market-places, thus branding specific markets and their surrounding spaces as designated turfs. The history of using the markets as meetings spaces and for equipment storage stretched back to the eighteenth-century when Philadelphia's oldest fire companies kept their engines and ladders in designated market spaces, while meeting in separate taverns and private homes. Other companies met in the markets themselves, like the Delaware Fire Company which used the old court house as its meeting place before acquiring an engine and moving to a new location off High Street. By the late-eighteenth century engine houses were even being built as extensions of new market structures, like that of the Sun Fire Company's which was located at the end of the Jersey Market. The Friendship Fire Company of the Northern Liberties shared space in the Callowhill Market in the Northern Liberties, and the Hibernia Hose Company was locked across the street from the Nanny Goat Market in Kensington. The Second Street Market was home to two fire companies by the opening decades of the nineteenth century, which met in designated sections of the market structure at opposing ends. The Hope Engine House occupied the northern section at Second and Pine while the Southwark Hose Company met at the southern end at Second and South Street. By the antebellum period, fire companies were so commonly associated with market space that the New Market Fire

[32] Ibid, 75-83.

Company even requested a new charter from the State legislature to build its own private market-house.[33]

For both fire companies and gangs, the city's market-places came to serve both as spaces that fostered and shaped group identities and prime pieces of land in a dangerous and violent evolving urban turf war. The Killers, for example, used the Hubbell Market as their headquarters, an open-air stretch of sheds located in the southern district of Moyamensing. Running their brick bats alongside the iron pillars served as a general alarm, calling members to gather under the eaves for collective strategizing sessions. Fights were common and could embroil market clerks and innocent citizens, as well as known "ruffians."[34] In 1846, conflict within the market took a more violent turn when the Killers and Skinners forged an alliance and targeted the Weccacoe Engine Company as a common enemy. By starting a fire in the Hubbell Market, the Killers drew the fire company towards them, waging a full-on assault when they entered the area. Edward Paul from the Weccacoe was stabbed and stripped of the company horn, which was later hung over the market as a trophy until removed later by a local alderman.[35]

It would be a group of striking handloom-weavers, however, that would turn the market from a mere "turf" to an actual fortress—one that expressed a common class identity, but more significantly, a common political identity. Rather than waging a war against other social groups, the largely Irish-born collective of disgruntled weavers engaged in a stand-off with the state. The episode took place in the northern district of Kensington

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[33] Fire Companies of Philadelphia Record Books*, 1742-1872*, Col. 205, HSP; Delaware Fire Company, Minutes, 1813-1815. Fellowship Fire Company kept its ladders in the Jersey Market, which often came up "missing." Fellowship Fire Co. Minutes, 1742-1780. Municipal plans for the new markets west of Broad Street in High Street also contained space for an engine house. See "Proceedings of Councils," *Hazard's Register of Pennsylvania*, October 11, November 22, 1834; Warner, 143.
[34] *The North American and Daily Advertiser*, September 5, 1843; *The North American*, July 6, 1846.
[35] *The North American*, Tuesday, December 1, 1846.

in 1843, and proved to be a climactic moment of a lengthy strike of the weavers, who had turned-out for higher wages. After a long day of parading through the local streets, breaking into homes and smashing looms of fellow weavers who chose to continue working, the strikers gathered in the nearby Nanny Goat Market and turned it into their own personal bunker against attacks or arrests by municipal authorities. The small, open-sided, block-long covered market-house stood at Third and Master Streets in the center of the Third Ward Irish community in Kensington. When approached by the sheriff, William Porter, the weavers severely beat him and attacked his posse with stones, clubs, and bricks, which temporarily forced them to withdraw. The following day, the weavers took full possession of the market, boarding it up with bricks at one end so as to prevent any sneak attacks. When the interruption to market activities encouraged the district's market committee to send a cartman to remove the bricks, he too was beaten and driven away. Only when the wounded sheriff finally called out four volunteer battalions to squelch the rioters, did the strikers abandon the market-place.[36]

If neighborhood market shambles became useful grounds for those looking to express particular political rights and demands, they also became useful for shoring up boundaries between races, ethnicities, and nationalities. Staking claim to market space in the mid-nineteenth century therefore, was as much about expressing the perceived rights of one's own social group, as it was about denying the rights of others. This function of the market-place as a medium to articulate the twin social pillars of exclusion and inclusion was hardly novel. It had long been laced into municipal ordinances, and occasionally had

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[36] Scharf and Westcott, p. 661; January 10-14, *Public Ledger*, 1843. For a full description of this riot see, Warner, 141-143, and Feldberg, *The Philadelphia Riots*, 35-38. For more discussion of the striking weavers, see David Montgomery, "The Shuttle and the Cross: Weavers and Artisans in the Kensington Riots of 1844," *Journal of Social History* 5 (1972), 411-446.

become manifest in particular moments of economic pressure, such as the Revolutionary-era public protests against forestallers, and the butcher's turnouts of the 1820s. Yet as the stakes of political participation rose in antebellum Philadelphia, the markets became increasingly significant spaces in the conversation about inclusivity and exclusivity. They were not merely discussed, however, but used; marked as spaces defined by the very characteristics that the public attached to citizenship—white, American, and Protestant.

The 1830s in fact, with its dawning of anti-black violence and the clear push to eradicate African-Americans from the political and economic spheres, marked the first significant moment when racial distinctions with the market became manifest. Prior to the antebellum era, the subject of race, or indeed of peoples of African descent within the city's markets rarely appeared in printed or manuscript material. Barring a few early colonial exceptions when "negroes" were barred from late-night market socializing, even municipal ordinances remained remarkably void of references to race, a phenomena that might easily lead one to believe that African-Americans were altogether absent from the city's markets. Elements of visual culture, however, not only revealed their market presence, but identified African-Americans as central actors. As discussed previously, juvenile street cry books and paintings by the celebrated artists John Lewis Krimmel and Paul Svinin drew black Philadelphians out of the shadows and into the market fold. Yet surprisingly, the two worlds of print and art rarely collided.

With a trained eye and a familiarity with the contemporary relations of market exchange, one could identify the ways in which race was coded into Philadelphia's market ordinances, however. Travelers accounts tell us something of the typical products that African-Americans retailed: possums, squirrels, herbs, roots, hominy, and pepper-pot soup

for example.[37] These items in turn, can be read in the municipal ordinances, and thanks to the precision with which municipal authorities ordered market space, they can reveal precisely when such vendors were allowed in the market and even the precise location in which they sat. Yet the length with which an analytical mind must stretch to identify African-Americans in Philadelphia's markets is remarkable and the silence begs for interrogation.

In large part, the silence suggests the relative ease with which African-Americans had blended into the long history of the city's market culture—as vendors, consumers and casual loafers. Southern states and a few northern bodies passed specific ordinances requiring slaves and free blacks to carry passes identifying their legitimate privilege of market selling. In Philadelphia on the other hand, no such restrictions had existed, revealing that white legislators had no deep abiding fear that African-Americans in Philadelphia would harness their economic independence from market participation to either challenge or uproot the social or economic order. If whites believed they had created a social structure in which black Philadelphians knew their place in society, then it would appear that they believed that African-Americans knew their place in the market as well.[38]

Yet by the opening decades of the nineteenth century, Philadelphia's black residents had created a formidable presence in the city and were steadily increasing in numbers thanks to a consistent influx of freed people from the surrounding regions. Led by members of a growing black elite like the sailmaker James Forten and ministers Absalom Jones and Richard Allen, African-Americans had built an astonishing portfolio of black institutions throughout the city that included churches, libraries, schools, relief societies,

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[37] Charles Janson, *The Stranger in America: Observations Made During a Long Residence in that Country*, (London, 1807): 179-80.
[38] Warner, 126.

restaurants and businesses. Although many of these leaders had died by the 1830s, they left a critical imprint behind in the development of a black elite, on the physical landscape, and in the spirit of the city's African-American people.[39]

By the 1830s, this visible, independent black presence collided with a boom and bust economy, causing racial tensions not only to surface but boil over. The decade was filled with overt anti-black sentiment that surfaced in visual imagery, the press, the law and in the streets. Edward Clay's notorious sketches of "Life in Philadelphia," for example, lampooned African-Americans who adopted genteel forms of dress as well as those who engaged in the formal political and economic spheres.[40] Black homes and churches were attacked and burnt to the ground along with the Friends Shelter for Colored Orphans, the franchise was stripped from black men by the Pennsylvania Constitutional Convention in 1837, and brick bats, guns and knives were wielded by both blacks and whites in violent street wars. And finally, white Philadelphians not only saw a growing and increasingly independent black community in their midst, but particularly in the hard economic constraints following the panic of 1837, they also envisioned losing their jobs to them as well.[41]

The heightened level of racial tension drew African-Americans out of Philadelphia's market shadows and into the limelight. Instead of blending with ease into

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[39] The accomplishments of black Philadelphians have been described in great detail by a host of scholars. See Gary B. Nash, *Forging Freedom: The Formation of Philadelphia's Black Community. 1720-1840* (Cambridge: Harvard University Press, 1988), Julie Winch, *Philadelphia's Black Elite: Activism, Accommodation, and the Struggle for Autonomy, 1787-1848* (Philadelphia: Temple University Press, 1988), W.E.B. Dubois, *The Philadelphia Negro*, (New York, Oxford University Press, 2007), 10-13.
[40] See Edward W. Clay lithograph series, "Life in Philadelphia," held by the Library Company of Philadelphia.
[41] On the rise of anti-black sentiment and violence, see Emma Jones Lapsansky, " 'Since They Got Those Separate Churches': Afro-Americans and Racism in Jacksonian Philadelphia," *American Quarterly* 32 (Spring, 1980), 54-78; John Runcie, "Hunting the Nigs" in Philadelphia: The Race Riot of August 1834," *Pennsylvania History* 39 (1972), 187–218; Leon Litwack, *North of Slavery: The Negro in the Free State* (Chicago, 1961), 100-112; Theodore Hershberg, "Free Blacks in Antebellum Philadelphia: A Study of Ex-Slaves, Freeborn, and Socioeconomic Decline," *Journal of Social History* 5, (Winter, 1971-1972), 183-209.

everyday market exchanges, they became conspicuous black beings set against a market landscape increasingly identified as a white zone. Suddenly vulnerable in the city's open-air sites of exchange, African-Americans found themselves under attack in songs, images and in everyday interactions that not only challenged their right to vend in the public markets and their role as serious economic actors, but their very presence in the city's market space.

By the early 1830s, the spheres of print and popular culture had begun to critique the movement of black market vendors and consumers in language tainted with overt racism and hostility. The uniquely American form of blackface minstrelsy, wrought from the imagination of Thomas D. Rice, served up caricatures of African-Americans engaged in market transactions that ranged from the comical to the grotesque. As a form of popular culture that appropriated black bodies for white entertainment, men blackened up, took the stage and performed vignettes of what they believed were the everyday nuggets of African-American life. Thus urban streets and markets, as spaces of heightened visibility and everyday sociability, provided the backdrop for countless satirical scenes of northern black life. When T.D. Rice penned the play *Long Island Juba*, for example, he peppered it with memories from his youth when he watched black men engage in challenge dances in New York's prominent Catherine Market. Such scenes likewise emerged in the realm of visual culture, reproduced in the print "Dancing for Eels," which was one of the most popular images of the nineteenth century. Accordingly, these minstrel market scenes have been read by some historians as windows into actual market landscapes, through which black musicality can be read as a common, everyday aspect of market life.[42]

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[42] W. T. Lhamon, Jr., *Raising Cain: Blackface Performance from Jim Crow to Hip Hop* (Cambridge: Harvard University Press, 1998), 1-55; W. T. Lhamon, Jr, *Jump Jim Crow: Lost Plays, Lyrics and Street Prose of the*

Yet these same scenes of visual and popular culture worked to devalue the role of blacks as serious economic actors, turning their market participation into sources of comedic entertainment. Instead of dealing in cash and coin, African-Americans were depicted as using their bodies as comic currency, twisting and turning heel-to-toe for daily provisions. Instead of being serious consumers, they were portrayed exclusively as loafers, fiddlers and dancers. Accordingly, they were removed entirely from the realm of legitimate economic transactions, physically separated from hard coin. Every grotesque gesture performed on stage and sketched onto canvas stripped them of their economic legitimacy, thus crafting an image of African-Americans as "in the market," yet not "of the market."

More complicated treatments of African-American vendors did emerge, but they still worked to undermine their significance to the broader economy. Instead of vending herbs, roots and produce for example, they were depicted as dealing in trivial, luxury goods. Consider the market participation of Sambo, a blackface character created by Rice who sought the affection of Jim Crow's sister, Dinah, in Philadelphia. As a cross-dressing white man in blackface performed the role of Dinah, he sang these verses:

> Sambo is a nice man,
> And dresses so neat,
> You'd take him for a gemman,
> If you meet him in de street.
> (Chorus)[43]
>
> He hab a profession,
> An not like de dandies,
> You can see him in Market Street,
> Selling of de candies.

First Atlantic Popular Culture (Cambridge: Harvard University Press, 2003), 43. For other compelling analyses of blackface minstrelsy that situate the performances within the framework of working-class consciousness, see Eric Lott, *Love and Theft: Blackface Minstrelsy and the American Working Class* (Oxford University Press, 1995) and David Roediger, *The Wages of Whiteness: Race and Making of the American Working Class* (Verso: 1991), 115-127.

[43] The chorus consisted of the following verses: "I wink and smile,/And play O jist so,/And ebery one dat see me,/Admire Miss Crow," Lhamon, *Jump Jim Crow*, 117.

(Chorus)

He's got a little table,
An he sits him on a stump,
And he sells to the boy,
De sweet lasses lump.
(Chorus)

On the one hand, Sambo was set apart from idle men (both black and white) known as "de dandies" because of his profession as a market vendor in High Street. Yet on the other hand, the little table, the stump, and his dealings in candies reduced his market role to one of utter insignificance. The insignificance of that role in turn, further made a mockery of his gentlemanly appearance.[44] An image sketched by T.C. Boyd for the *Sunday Dispatch*, likewise made a similar statement. {Fig. 4.3} Again, a well-dressed African-American retails luxury goods—small cakes, but this time he is completely divorced from the physical market altogether by being depicted as a street vendor.

Back in the realm of everyday life, the vulnerability of the city's open-air markets could not be underestimated, particularly at a moment when white eyes were being trained to identity and capture escaped slaves. Adam Gibson, for example, was a twenty-four year old man who traveled across the Delaware River several days of the week to vend produce in the Second Street Market from his small farm in New Jersey. While standing on a corner within market limits, Gibson was seized by three men, accused of stealing chickens, thrown into a carriage and driven to the State House. A "crowd of all colors," some pleading his innocence, some merely enthralled by the spectacle, followed behind and gathered in the courtyard outside. As the news spread through the city streets, the crowd quickly increased and drew three white men to the aid

[44] Ibid., 117-118.

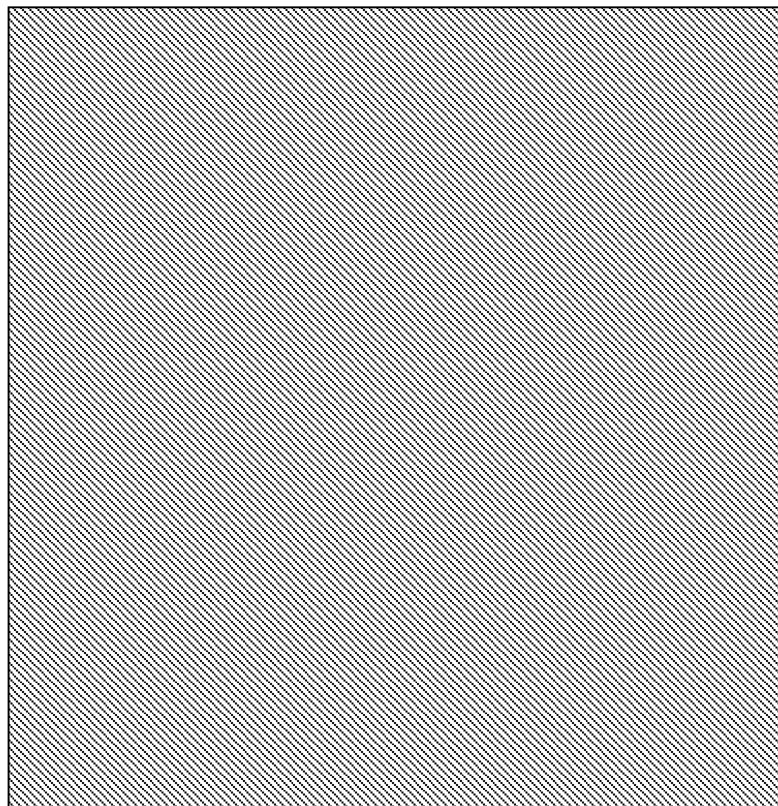

Figure 4.3: "Cake-Seller," *Sunday Dispatch*, October 8, 1848. Copied from the Foodways Project Files, LCP.

of Gibson, including the secretary of the Anti-Slavery Society. Moments later, it was revealed that Gibson had been apprehended as an alleged fugitive slave by the name of Emory Rice and was being detained while a local U.S. Commissioner could hear the case. After hurried testimonies from Gibson's arrestors and two African-Americans that defended his innocence, the "trial" which lasted just over an hour, came to an end and Gibson was found guilty. In a summation as equally brief as the hearing, Gibson's self-appointed attorney struck an emotional chord by stating solemnly that the verdict proved that "no free colored man in Pennsylvania is safe." Particularly in a public space such as

the open-air market, his statement on the vulnerability of African-Americans could not have rung more true.[45]

Guilt by association could also expose whites to the threat of racial hostility in the market-place and revealed the latent tensions within the sites of exchange. Throughout the city, the twin fears of abolition and amalgamation had begun to place spaces of interracial sociability under increased scrutiny, often turning them into targets of mob violence. The Pennsylvania Hall, for example, constructed as a meeting space for abolitionists, burnt undisturbed just days after its official opening in May, 1838 while a crowd of three thousand onlookers and several unsympathetic fire companies stood by. Likewise, particular houses of "ill repute" were violently attacked for condoning and even encouraging platonic and sexual relationships between blacks and whites. In 1849, the "Killers" waged war against the California House, a tavern owned by a mulatto man and a white woman. After a general melee, the tavern was burnt to the ground, thus sparking a scene "of a bloody and most desperate character" in which the district's African-Americans wielded weapons in an attempt to stand their ground.[46] The same drama that resulted from the threat of interracial relationships likewise led a group of white huckster women to turn against one of their own. Accused of being linked romantically to a black man, the white woman was physically driven out of the High Street market.[47]

The desire to drive African-Americans out of market space, however, could take on even more epic and dangerous proportions. On August 1, 1842, a black temperance society

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[45] "Kidnapping in Philadelphia," *The National Era,* January 2, 1851; "The Late Fugitive Slave Case," *Friends' Weekly Intelligencer,* December 28, 1850. A similarly arrest was made in a Harrisburg market in 1859, see *National Era*, April 7, 1859.
[46] "A Bloody Riot in Philadelphia," *The National Era*, October 18, 1849; N. Bleekly Diary, October 10, 1849, Mss. Dept, Octavo vols "B", American Antiquarian Society.
[47] *The Public Ledger*, July 13, 1849.

processional sparked a violent response when they passed through Southwark's Wharton Market. As the group moved through Moyamensing Street on their way to the Schuylkill River in honor of Jamaican Emancipation Day, they drew deeply critical glares from white onlookers. Passing through the center of the market, they carried a banner depicting a black man breaking free from chains and the motto:

> How grand in age, how fair in truth
> Are holy Friendship, Love, and Truth.

The irony of their banner emerged immediately as they paraded through the open market and were assaulted by a shower of fruits and vegetables. Within moments, the assault turned into a full-fledged riot as the crowd broke up the procession, chased the members of the black Young Men's Vigilant Association back towards their nearby homes, set fire to a local Presbyterian Church and cased the streets waiting for new victims. The riot, which continued for several days following the market attack, solidified the city's mounting anti-black sentiment and created refugees out of scores of black Philadelphians.[48] It also crystallized the space of the city's markets and the economic exchanges that occurred within them, as places and activities increasingly and overtly restricted to white Philadelphians only.

The malleability of whiteness however, and the political stakes embedded in that designation in the antebellum city, ensured that market conflicts would continue to emerge.[49] In 1844, attention shifted once more to the Nanny Goat Market in Kensington, where local residents again would become embroiled in a battle that consumed the space.

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[48] In contrast to other public markets, whose shambles stood in the center of the public streets, the Wharton market was actually composed of two rows of market sheds directly across from each other, with Moyamensing Street running through the center. *Public Ledger*, August 2, 1842; Warner, 140-141.

[49] On the construction of whiteness particularly in relation to Irish immigrants, see Roediger, *Wages of Whiteness*; Alexander Saxton, *The Rise and Fall of the White Republic: Class Politics and Mass Culture in Nineteenth-Century America* (New York, 1990); Noel Ignatiev, *How the Irish Became White (*New York: Routledge. 1995).

Yet this time, the stand-off and ensuing riots would envelop the whole of Philadelphia as it became the first and most conspicuous heated conflict between nativists and recent Irish immigrants in the city's history. By the late 1830s, the Nativist party had emerged on the political scene, spawned by a host of fears rooted in the changing political economy and urban demography. Although hostility towards the Irish had been brewing in Philadelphia for some time before actual violence broke out, the massive waves of Irish immigrants in the 1840s unleashed a flurry of violence that overwhelmed the city. By the middle of the decade, Irish immigrants comprised approximately ten percent of the overall population and the number of foreign born male workers had risen from ten to forty percent, with Irish immigrants making up fully two thirds of the total. Such dramatic increases in the Irish population, along with their devotion to Catholicism and emerging political alliances thus struck a dangerous nerve in Nativist circles.[50]

In an effort to organize a local association in Kensington, the heart of the Irish immigrant community, Nativist party members staged an address in the spring of 1844. Yet, they were quickly chased away by an Irish-dominated group of hecklers. Not to be dismayed, the Native Americans called yet another meeting the following Monday, erected a staging area against the fence of the Public School House, and raised the American flag amongst three hearty cheers. Yet as the third speaker boarded the platform, a thunderstorm broke out and forced them to take cover under the sheds of the nearby Nanny Goat Market.[51]

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[50] Laurie, *Working People*, 28-29. On the roots of and political contours of nativism in the 1840s, see Leonard Tabachnik, "Origins of the Know-Nothing Party: A Study of the Native American Party in Philadelphia, 1844-1852" (PhD dissertation, Columbia University, 1973); Feldberg, *The Philadelphia Riots*, 41-73.

[51] *Public Ledger*, May 3, May 7, 1844. For extended overview of the riots, see Feldberg, *The Philadelphia Riots*, 99-116; and Montgomery, "The Shuttle and the Cross," 411-46.

Once they entered the market-place however, the tension between Irish onlookers and rallying nativists grew unbearable. Heated words between two Irish and nativist men resulted in a general melee, in which sticks, clubs, and stones quickly became the weapons of choice. Soon enough, according to contemporary reports, a cry rang out amongst the brawling men: "Keep the damned natives out of our market house; this ground don't belong to them—this is ours!"[52] The nativists did eventually leave the market-house, but only to engage in days of burnings, riots, and mob violence throughout Philadelphia. Amongst the burned homes, buildings, and Catholic churches, the Nanny Goat Market also lay in ashes at an estimated loss of three or four thousand dollars.[53]

As the riots stretched on through the Fourth of July, they wound their way across the city and into the turbulent district of Southwark, where the Wharton market again played a prominent role. In the aftermath of the earlier riots, the fugitive group of nativists used the market as a space of collective strategizing, but ironically, just like the Irish weavers only a year before, they also turned the space into a fortress. After confiscating a canon from earlier in the day, they turned it toward approaching volunteer militia companies, clearly marking the space of the Wharton market as their own protected territory.[54]

Overall, by the mid-nineteenth century, market-places had become familiar stages of violence in which self-selected groups could freely manufacture, organize and act out

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[52] *The North American and Daily Advertiser*, Philadelphia, September 20, 1844.
[53] John B. Perry, *A Full and Complete Account of the Late Awful Riots in Philadelphia* (Philadelphia: John B. Perry, 1844), 59. For other contemporary accounts of the riots, see John Hancock Lee, *The Origin and Progress of the American Party in Politics* (Philadelphia: Elliott & Gihon, 1855); E.H. Chapin, *Discourse Preached in the Universalist Church, Charlestown, in References to the Recent Riots in Philadelphia* (Boston: A. Tompkins, 1844); *Address of the Catholic lay citizens, of the city and county of Philadelphia, to their fellow-citizens in reply to the presentment of the grand jury of the Court of Quarter Sessions of May Term 1844, in regard to the causes of the late riots in Philadelphia* (Philadelphia: M. Fithian, 1844).
[54] Scharf and Westcott, 672.

their political and economic grievances, racial and ethnic prejudices, and conflicts with the state. For fire companies, striking weavers, gangs of white youths, Irish immigrants and Nativists, laying claim to market-places thus equated to staking claim to a piece of the city itself—to its political, economic and social parameters, as well as to its physical landscape.

III. Manufacturing a New Market Aesthetic

The intense outbreaks of mob violence that pervaded the city's market-places were supplemented by an increasingly notorious pattern of everyday crime that was reported in the local press. Sensational stories of robberies, stabbings and even murders fed a growing public fascination with gore and violence in the mid-nineteenth century, but more significantly, they worked in tandem with the pronouncements of municipal leaders to alter the perception of markets in the public mind. By the late 1840s, the glowing descriptions of cleanliness and abundance that had characterized market reports of the early nineteenth century had all but disappeared. Even news of a prize showing of beef or fine calves rarely surfaced. Instead, markets became branded as spaces of disorder, danger, and illicit behavior, home to the lewd, the idle, the intemperate, and the criminal.[55] Similar denouncements were offered by a new class of private entrepreneurs who believed their new business ventures in private market houses would offer a more desirable alternative to the city's municipal open-air street markets. Yet persuading the larger public of the accuracy of these new negative market brandings would prove to be more difficult than many expected.

Judging from news coverage, thieves, counterfeiters and confidence men and women turned markets into turfs of their own, swindling and cheating both vendors and

[55] *The North American*, November 17, 1846; *The North American and Daily Advertiser*, March 3, 1842.

consumers. Counterfeit notes made a regular appearance in markets across the city, falling into and passed on through the hands of hucksters, farmers and butchers, all of whom became involved in a trail of conspiracy scandals.[56] Market robberies, too, became ordinary events. Despite the beats of watchmen, thieves broke locks on market stalls, snatched purses from the arms of women, and picked the pockets of vendors while their backs were turned.[57] Indeed, the linkage between thefts and market-places became so obvious by the late 1840s, that an editor could flippantly write that "petty thieves prowl such places" without raising the public brow.[58]

More dangerous market crimes, however, did capture the attention of the public and the press. Although arguments, fistfights and occasional stabbings had been a common aspect of market-place culture throughout the city's history, they had begun to increase in frequency and assume a more violent nature that characterized the whole of the city.[59] Because of the new propensity towards wielding knives and weapons, playful market accidents between young boys easily became gruesome tales. In the Hubbell Market, a boy was wounded in the thigh after being accidentally stabbed by his playmate, while another boy was gouged and hung on a butcher's hook after trying to jump from a stall to escape the night watch.[60] So, too, petty crimes took on life-threatening potential, as in the case of Joseph Quicksall who sold a bowl of bean soup to Felix Burns in Southwark's Washington Market. After confronting Burns who attempted to leave without paying for his soup,

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[56] *The North American and Daily Advertiser*, August 26, 1840; *North American and United States Gazette*, March 27, 1848.
[57] *Pennsylvania Inquirer and Daily Courier*, April 17, 1841; *North American and United States Gazette,* December 16, 1848.
[58] *The North American*, April 16, 1847.
[59] *The North American and Daily Advertiser*, September 5, 1843.
[60] *The North American*, July 6, 1846; *North American and United States Gazette*, July 12, 1855.

Quicksall narrowly escaped a stabbing when the former pulled a knife out of his pocket.[61] Others were not so lucky. James McNulty was stabbed in the arm in the same market during another conflict, while a drover was pulled from his cart, robbed, stabbed and nearly beaten to death in the Wharton Market.[62]

The frequency of violence in the southern districts' markets in fact played a significant role in the failures of two sites of exchange. In 1843, the Southwark Commissioners reported that only two stalls and two stands had been rented during the course of the year at the Wharton Market. The total revenue was a mere twenty dollars, a drastic decrease from an already minimal income of $284 from the previous year.[63] The commissioners continued to operate their market-place, but their counterparts in neighboring Moyamensing decided to demolish the infamous headquarters of the Killers, the Hubbell Market in 1849, drawing the praise of the local press.

Most other urban markets continued to operate successfully, but few escaped the violence that seemed to saturate the city as a whole. The rebuilt High Street Market for example, which remained remarkably free of the stain of crime, wound up being the space of one of the most dramatic homicides of the period. In February 1844, the Philadelphia press reported the murder of an eighteen-year old candy seller in the High Street Market as "the most shocking and painful occurrence we have ever been called upon to record."[64] The victim, Peter Doescher, apparently believed he had ended a physical quarrel with thirteen-year-old Gottlieb Williams, the son of a wealthy, established butcher in the market by striking Williams across the face. Moments later, however, Williams, who was manning

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[61] *North American and United States Gazette*, November 7, 1850.
[62] Ibid., March 19, 1850, April 17, 1850; *The North American and Daily Advertiser*, June 9, 1845.
[63] *The North American and Daily Advertiser*, December 30, 1843.
[64] *Ibid.*, February 21, 1844.

his father's stall by himself, returned to Doescher's stall and stabbed him through the side with a butcher's knife. Only moments after being carried to a nearby druggist by several other butchers, Doescher, a recent immigrant from Hanover, died from the wound. Both the age of the assailant and the shock of death turned the trial into a regional sensation and news of the murder wound its way into the papers of New York and Washington, D.C.[65] Several years later, another market murder caused a similar sensation in the press, although for entirely different reasons. In this case, James Kelly, who had been robbed of his gold watch after falling asleep on a stall in the Washington Market, took the law into his own hands. The night following the robbery, Kelly again entered the market at night, armed with a pistol and another watch, and pretended to fall asleep to lure his assailant. When James Thorne approached him, Kelly opened fire twice, wounding him in both his chest and back, and later causing his death at the Pennsylvania Hospital.[66]

If such sensational news stories worked to paint the antebellum markets as dangerous spaces, so too did the visual imagery of the period. Paintings and lithographs took a decided turn away from the polite portraits of market-places drawn by Birch at the turn of the nineteenth-century. Two drawings of the Philadelphia fish market pointedly reveal this shift in the cultural representations of market space. The first, sketched by David Kennedy in 1837 portrays the grounds of the market space by the Delaware River as clean and orderly, complete with respectable-looking consumers and vendors. {Fig. 4.4}

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[65] For coverage of the murder, see *The New York Herald*, February 22, 1844; *The North American and Daily Advertiser*, February 22, 1844; *Daily National Intelligencer*, February 23, 1844; *The North American and Daily Advertiser*, March 28, 1844. Gottlieb Williams was eventually pardoned by the governor. *The North American and Daily Advertiser*, November 8, 1844; *The New York Herald*, November 9, 1844.
[66] *North American and United States Gazette*, September 8, 1849, December 29, 1849.

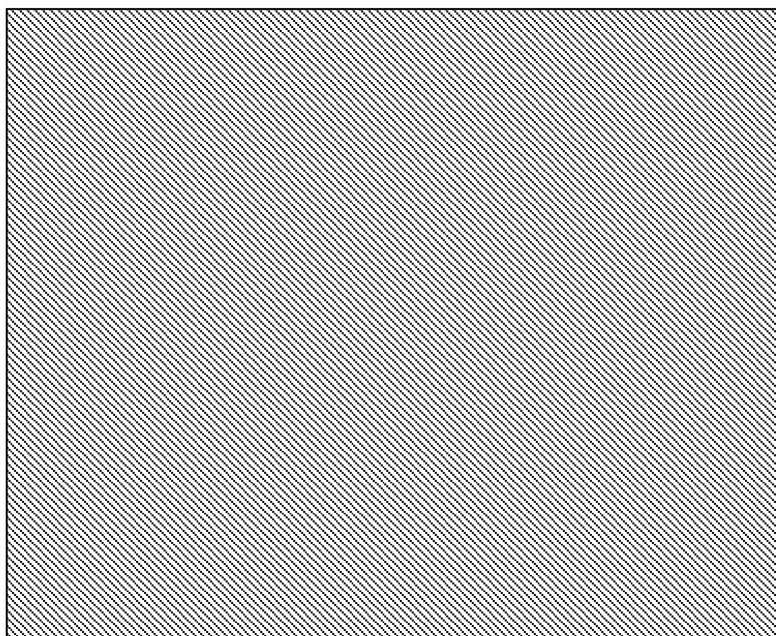

Figure 4.4: David J. Kennedy, Old Fish Market, 1837, Historical Society of Pennsylvania

The same image, redrawn for Gleason's Pictorial just twenty years later, however, presents an entirely different scene. {Fig. 4.5} Loafing dandies, a fiery-tempered woman chasing a stray dog with a rod in the air, and throngs of bodies create a much more chaotic and casual scene. Everywhere, gossip and idle chit-chat seem to be the primary activities occurring within the space. Even the huckster women who are engaged in actual economic exchanges appear casual and disinterested, leaning back from their customers, squatting on overturned tubs.

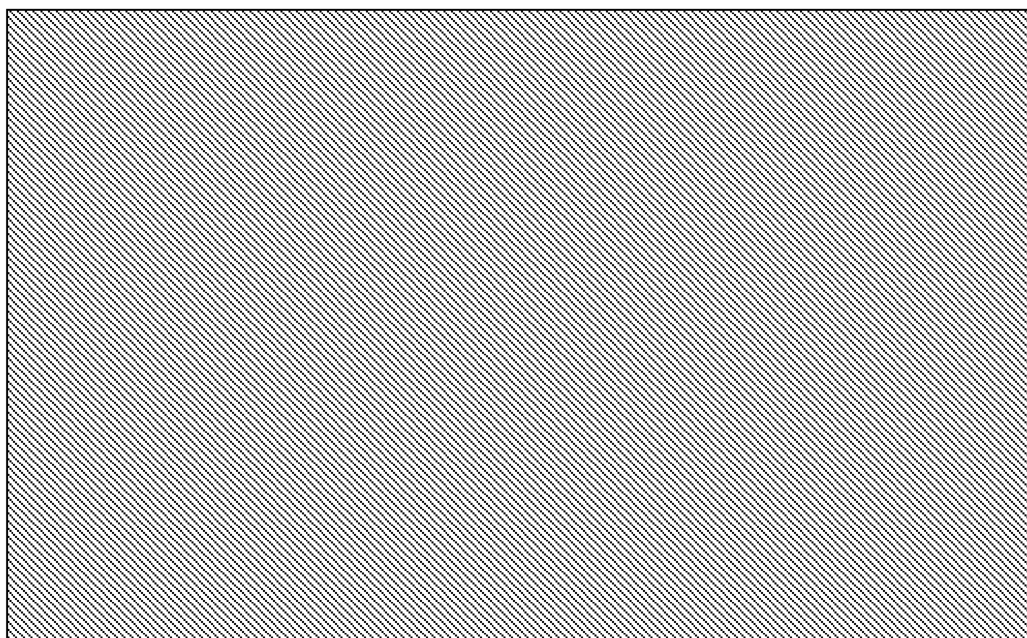

Figure 4.5: *Gleason's Pictorial*, 1852, Library Company of Philadelphia

Another market scene set in Philadelphia draws attention not only to the chaos of the space, but also to a new, pointed separation in class sensibilities. In a watercolor painted in 1850, an unidentified artist presents a scene in the Jersey Market in which the central figure is none other than a runaway pig. {Fig. 4.6} Comical and light-hearted, the image mocks the most respectable human figures in the watercolor as the victims of the pig's errant behavior and they emerge as oddly out of place in the dangerous environment. While they lay, knocked onto the ground, less genteel individuals provide the staid backdrop. Huckster women, butchers and African-Americans engaged in market

transactions look onward, their gaze likewise seemingly fastened on both the runaway pig and the oddly out-of-place gentlemen and women.

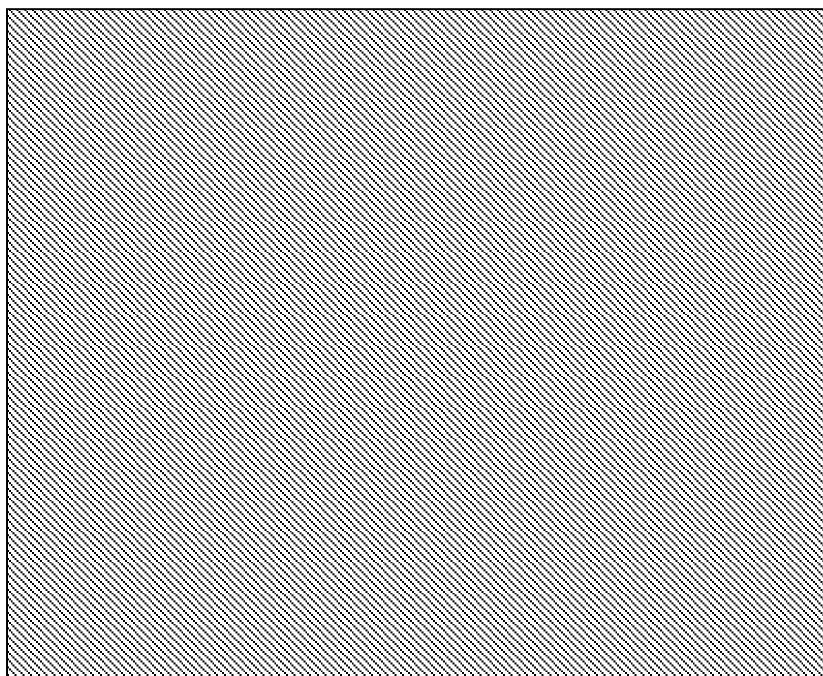

Figure 4.6: Runaway Pig, Unidentified Artist, 1850, Library Company of Philadelphia

The artistic renderings of Philadelphia's markets as spaces in which the upper and middling-classes were displaced reflected a genuine sentiment that was steadily gaining power in the antebellum city. Complaints began surfacing that the markets catered only to the lower classes of society—not only in their rude and brazen atmospheres, but even in the basic area of comestibles. Unlike New York, Philadelphia had no "cheap eating-house system" as George Foster noted in his series "Philadelphia in Slices." Instead, the public

markets filled the void.[67] According to the complaints of established market vendors, an increasing number of new dealers were turning their stalls into "eating booths" and "cookshops."[68] Soups, oysters, fried sausages, cake, gingerbread, cheese, coffee, and spruce beer, often composed the New Market offerings for example, which targeted "errand boys and heavy clerks."[69] So popular were these booths that some vendors could even finance advertisements, like Mr. W. Burbeck whose sausage cakes apparently received high recommendations from the public.[70] Overall then, the city's open-air markets seemed to be increasingly ignoring the interests of middling families and housekeepers by offering new foodstuffs geared exclusively towards single men and the working classes.

Just as this shift in the perception of the city's public markets was occurring, new groups of money-minded men began to introduce a radical alternative—the private market company. Both structurally and operationally, their vision differed drastically from any previous market-place construction in the city's history. Instead of open-air structures built into widened streets, they crafted blueprints of massive, multiple-story off-street enclosed houses that more closely resembled Grecian temples than traditional market-houses. And instead of being operated by municipal authorities or district commissioners, ownership and direction would fall in the hands of a chartered board of business-minded elites. The companies were part and parcel of a larger movement to transfer public works into the hands of private individuals and similar charters and structures had already begun to appear throughout the state and the nation.[71] The first of these companies to emerge in

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[67] George Rogers Taylor, "'Philadelphia in Slices' by George G. Foster," *Pennsylvania Magazine of History and Biography* 93 (January 1969), 49.
[68] *The North American*, April 26, 1850.
[69] Cited in Helen Tangires, *Public Markets and Civic Culture in Nineteenth-Century America* (Johns Hopkins, 2003), 121-122.
[70] *Pennsylvania Inquirer and National Gazette*, December 1, 1843.
[71] Tangires, 118-148.

Philadelphia, the William Penn Market Company, received its charter in 1837. At least two more followed later in the era—the Franklin Market House and the Car Market.

The creation of these new companies at the precise historical moment when a larger aesthetic shift was transpiring in the perceptions of open-air street markets, was not a mere coincidence, however. Rather, the boards of these private businesses played a critical role in changing that aesthetic by serving hard critiques of the current market system in order to win approval for their own new enterprises. An advocate for the William Penn Market Company, for example, condemned the state of the old markets, arguing that "The man who would dare to subject the keeping even of an animal to the bleak and exposed condition of such market-houses as are common to this city exclusively, would not escape the censure of his fellow citizens."[72] Other financiers likewise drew sharp contrasts between open-air markets and their own new buildings by explicitly detailing the structural functionality, orderliness, and beauty that their enclosed houses would offer the city. The Car Market, a novel building that blended the Columbia railroad with a market-place, promised an innovative alternative to open-air street markets. The stone structure would allow rails to pass directly through the ground story of the market, making it a meaningful improvement in the business of supplying the city with provisions—which advertisers noted had not been significantly advanced since before the Revolution.[73] The self-appointed historian of the new Franklin Market House, built in 1844, chose to highlight the physical grandeur of the new edifice, suggesting that it "would surpass the temples of

[72] "The William Penn Market," *Philadelphia Public Ledger,* January 18, 1837; quoted in Barshinger, 78.
[73] Advertisement cited in Barshinger, 179-180.

Minerva and Delphia," thereby rendering Philadelphia "the very personification of splendor and magnificence."[74]

In addition to providing orderly, innovative, and picturesque alternatives to open-air exchanges, the trustees of the William Penn Market Company even argued that their new market house would cleanse the broader urban landscape of disorder and vice. Essentially they proposed to raze a small troubled neighborhood and build a new market in its place. In their request for a charter from the state legislature, they explicitly describe their motives:

> The space which has been mentioned, includes three small streets, with small alleys diverging from them, and the whole place, with but one exception, is closely built upon. A very large proportion of the buildings are miserable frame hovels, which, wretched as they are, have been generally found inhabited by several families. This, together with the narrowness of the streets, their unclean state, and the immoral character of a portion of the population, require an entire and absolute change.—All exertions which have been made to keep this spot clean and orderly, and these exertions have been strenuous and increasing, have proved ineffectual. It continually presents a mass of uncleanness, which in case of pestilence would be extremely dangerous; and all individual attempts to root out disorderly houses have been abortive. Your Memorialists are convinced, that it is only by the entire renovation of the place as a whole, that the evil can be remedied, and that is due to the character of the City, to the safety of the public health and the preservation of morals, that the remedy should be immediately applied.[75]

Such language thus placed the market house and its managers in direct opposition to the lower classes of Philadelphia. The enclosed market would be a social remedy, a bastion of order and morality that reflected the sensibilities of the elite and middling classes. This then, was the ultimate advantage of new market structures. They would provide polite

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[74] One Wot Knows, *A History of the Franklin Market House*, (Philadelphia: Printed at the Franklin Press, 1844).
[75] "Proceedings of Councils," *Hazard's Register of Pennsylvania,* February 24, 1836.

spatial alternatives—not only to the chaotic and unkempt open-air markets, but to the corrupt and depraved landscape of the city itself and its basest classes.

The market company alternative did in fact woo many of the city's municipal authorities and members of the commercial classes. The Committee on City Property lauded the development of the William Penn Market Company not only as a meaningful solution to ridding the proposed space of the "many miserable buildings" that were "inhabited by a wretched population," but also as the most viable solution to ultimately ridding High Street of its market stalls.[76] Likewise, the opening of the Car Market in 1843 met with praise from the editor of the *Public Ledger*, who seemed pleased that the building was quickly filling up with vendors and wholesale dealers.[77]

These first market companies, however, ultimately failed to win over the support of the broad community. On the contrary, they drew heated criticism from various classes, who saw the private enterprises as similar to railroad schemes and other speculative ventures. Referring to the William Penn Market Company, opponents referred to the proposed building as "unnecessary" and charged that if the new charter would be granted, the poor would become "the legitimate sacrifice to the rich, and the property which they have honestly and laboriously acquired, will be, in opposition to every principle of justice, appropriated to the benefit and convenience of others."[78] Similar arguments emerged during the planning of the Franklin Market House, yet took on an even sharper tone and were clearly divided along lines of both class and color. According to the unabashedly biased "One Wot Knows," "All was chaos and confusion, children cried, men spouted,

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[76] February 18, 1836, *Journal of the Select and Common Council*, 1835-36, HSP.
[77] Cited in Barshinger, 182. For positive reactions to the William Penn Market Company, see *New-York Spectator*, May 12, 1836; *Pennsylvania Inquirer and Daily Courier*, April 6, 1838.
[78] January 16, 1837, Petitions in McAllister Collection, LCP.

dogs barked, and that respectable class of husbandless men sent in remonstrances as profuse as abolition petitions against the invasion of their natural rights.[79]" While the precise location of the market house remains unclear, the continued references to race that pepper the pamphlet of One Wot Knows, suggests that the market was situated in a predominantly African-American area of the city.

The opposition to the Franklin Market and the other private market ventures however, proved to be stronger than One Wot Knows, other financiers, news editors and municipal authorities imagined. The three private companies failed quickly, revealing the deep and long-standing attachment Philadelphians had to the city's open-air market-places. The Car Market disappeared from city directories only a few short years after opening its doors, while the William Penn and Franklin Markets appear never to have even been built. "Market company mania" as Helen Tangires has referred to it, would in fact take hold of the city, but not until Philadelphians were forced into accepting the private market houses. Only after a host of court struggles and large-scale resistant efforts transpired, only when the market-place had been literally displaced, would urban residents ultimately warm to the radical idea of off-street, enclosed private market companies. And then—it would be a luke-warm reception at best.

[79] One Wot Knows, 4.

CHAPTER 5:

"Another Great Municipal Revolution": The Fall of the High Street Market and the Splintering of Market Space

Above all, movement defined the character of Philadelphia in the 1850s. Railways loaded with passengers and freight crisscrossed avenues of the city. A new breed of "shoppers" leisurely sauntered down polite streets like Chestnut, peering into store windows, stopping for an occasional purchase or for ice cream at a small confectionary. Men chipped and carted away the bricks and lumber of old frame buildings while new retail stores, groceries, and warehouses seemed to spring up overnight in their stead. "Improvement" became the catch-phrase of the day, often garnering a spot in the local press as a regular column. Even juvenile books such as *City Sights for Country Eyes* emphasized the spectacle of activity, characterizing urban space in one simple phrase for its young readers: "BUSY—busy is the world in which we live." Mobile draymen, itinerant bakers, steam engines, market wagons, cattle driven from as far as Ohio and Michigan, active wharves and gliding vessels—this was the soul of Philadelphia, according to the American Sunday School publishers. It was a soul in constant flux, defined by a perpetual state of motion and one to be admired. After all, the small book warned, "an idle man's brain is mischief's workshop."[1]

Rather than being a staid space of unbroken custom and ritual, the market-place had stretched in profound ways to adapt to and reflect the spirit of change and innovation that characterized the whole of the city. In order to meet the needs of an increasing and sprawling urban population, more open-air sites of exchange had been erected throughout

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[1] *City Sights for Country Eyes* (Philadelphia: American Sunday School Union, 1854).

the city and by the mid-1850s, thirteen municipal markets catered to a population of roughly 460,000 people. The pool of market vendors had grown as well, in both quantity and composition. Three identifiable groups of farmers, butchers and hucksters shared equal market space by mid-century as a result of the lax municipal ordinances that favored a laissez-faire style of management and sought to maximize municipal revenue.[2] Food offerings, too, had changed to embrace new culinary innovations as well as the unique needs of an economy structured around market capitalism. Cheap eats that catered to the working-class and its new rhythms of labor, such as ice cream, coffee, doughnuts, clam soup and taffy, made their home next to the traditional market staples of pork, beef, and butter.[3] In all these ways, the markets had been steady reflections of urban change in Philadelphia. Like elastic bands, they had stretched to encompass shifts in political ideology, demography, the economy, the labor market, and the shape of the local government.

By the mid-nineteenth century, however, the market-place seemed incapable of stretching any further in the eyes of an increasingly vocal conglomerate of commercial-minded men and civic leaders. As these men of means turned strongly and unflinchingly against the city's public market system, the High Street Market in particular became the target of heated criticism. In what can only be described as a monumental shift in public thought, what had once been unadulterated pride in the long stretch of market sheds had turned first into annoyance in the 1830s, and by mid-century, into absolute disgust and a demand that they be demolished immediately. This new disdain for the High Street Market stemmed from a host of developments: a nearly panicked desire to compete and surpass the

[2] *North American and United States Gazette*, April 7, 1851.
[3] "That Pestiferous Nuisance," *North American and United States Gazette*, July 30, 1858.

economic and architectural innovations of other cities, a strong advocacy of private enterprise, and the rise of a new bourgeois sensibility that perceived the built environment in a novel way. But behind them all lay a radical new vision for the future shape and structure of Philadelphia—one based not on practical or material experience, but one tied to an invisible, speculative sphere of progressive ideals that encompassed the whole of the city's social, economic, political and cultural structure.

Other Philadelphians, however, rose to challenge this new vision and passionately defended the market-place. Out of a medley of motives, interested citizens would charge municipal and business leaders with irresponsibility, corruption and even imbecility for threatening to demolish a space so deeply grounded in the physical and cultural landscape of the city. Although men and women from all ranks and sectors of the community joined the chorus against the destruction of the High Street Market, it would be farmers and small-scale vendors in particular whose voices of opposition would resonate the loudest. As they organized in defense of the market-place, they would articulate a bold and transparent understanding of the meaning of market space in their own lives and minds. Indeed, for the first time in one hundred and fifty years, they would fully express their understanding of the market as their own property, a space imbued with particular political rights and privileges that stemmed from their role as economic actors and providers.

By the late 1850s, these debates over the High Street Market proved so significant that they consumed the whole city, amounting to an argument so intense that it rivaled debates about the Kansas question according to one local news source.[4] At stake in the conversation over the demolition of the market-place were the immediate considerations of feeding the estimated 70,000 people dependent on the High Street Market and the

[4] "The Removal of the Market Houses," *Public Ledger*, April 23, 1859.

livelihoods of hundreds of vendors who sold within its boundaries. Also at stake was the very future of Philadelphia, however, for the destruction of the market would lead to a radical alteration of the city's landscape of exchange that would forever change the lives of both vendors and consumers. The potential razing of the High Street stalls would genuinely be, as one contemporary claimed, "another great municipal revolution."[5]

I. Envisioning a New Metropolis

The disparate, yet overlapping collective of men who controlled the shape of mid-century Philadelphia shared one thing in common—the drive to make their city a model, and modern metropolis. Promise lay all around them, they claimed, simmering in the new manufacturing enterprises, the series of railroads, bridges, canals and other internal improvements, the newly constructed elegant retail shops and residential homes, and in the increased pace of domestic and international trade. Yet considering the disappointing economic turns and outbreaks of social violence in recent years, they still saw much more to accomplish. If Philadelphia was going to regain its position as the leading commercial epicenter of the Union and its reputation as the orderly city of brotherly love, far-reaching changes would have to transform key aspects of the built environment, the spheres of trade and industry, and the urban political structure. The city was on the very cusp of such a breakthrough, civic and commercial leaders believed. Indeed, they saw the 1850s as a moment that contained the ripest possibility of moving from a provincial town into a truly

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[5] "The Signs of Our Progress," *North American and United States Gazette*, February 22, 1853.

modern metropolis and accordingly they set out to craft a unified vision of an immaculate, prosperous, polite cityscape.[6]

Dominated by Whig party members, municipal leaders shared a common vision of economic prosperity with the city's commercial elite, hoping that when combined with a series of internal improvements and political reconfigurations, Philadelphia would emerge as a well-ordered, progressive model of urban society. The bed-rock of the mid-century municipal government's new vision lay in its plan of urban reorganization known as the Consolidation Act. Eager to restore social and political order to the city in the wake of the preceding decades of violence, local authorities merged the independent districts of Philadelphia County and the city proper under one municipal umbrella in 1854. The uniformity in political leadership and structure, they hoped, would also eliminate the bickering and confusion between segregated districts and ultimately help resurrect the city's disciplined self-image. And finally, the symbolic capstone would be a newly uniformed police force that would patrol all urban areas. Everywhere, peace and progress would be triumphant.[7]

The commercial classes added more flesh to the municipal vision by painting even bolder strokes that intertwined the physical landscape and economic infrastructure of the city. Passionate about progress and modernization and driven by the desire to be seen as the leading center of commercial activity, businessmen thrust their every morsel of energy into conjuring up an elaborate scheme of a bustling urban core that would surpass all

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[6] City Improvements *North American and United States Gazette*, May 11, 1853; "What Market Street Might Be," *North American and United States Gazette*, October 01, 1858.
[7] Howard Gillette, Jr., "The Emergence of the Modern Metropolis: Philadelphia in the Age of Its Consolidation," in William B. Cutler, III and Howard Gillette, Jr., eds., *The Divided Metropolis: Social and Spatial Dimensions of Philadelphia, 1800-1975* (Westport: 1980): 3-25. For a divergent viewpoint that sees Consolidation as conservative, see Sam Bass Warner, *The Private City: Philadelphia in Three Periods of Its Growth*, (Philadelphia: University of Pennsylvania Press, 1968), 152-156.

others. New steam railroads, passenger railways and depots would eliminate crowded sidewalks and wagon traffic, thereby streamlining the movement of bodies and goods into and out of the city. New political buildings, hotels, wharf improvements and bridges would further aid the intercourse of financial exchange. And finally, main avenues lined with grand two-to-three story retail and mercantile businesses would establish the proper aesthetic façade of a major commercial epicenter.

In crafting their vision of the material shape of Philadelphia, the city's commercial leaders further drew on and refined an emerging bourgeois aesthetic that increasingly delineated specific urban spaces, structures and patterns of sociability as "respectable" and "tasteful," while at the same time marking others as lewd and lower-class. Chestnut Street, for example, became identified as Philadelphia's parallel to New York's Broadway. Enacting specific rituals of sociability as one fashionably promenaded down the avenue (at the proper hour) marked one as a member of the civic elite.[8] Just one block south however, High Street (which was the former promenade ground of the early nineteenth century), became identified as a dangerous, disturbing thoroughfare due to the commotion of both the railroad and the market-place.[9] In terms of physical structures, the era witnessed the birth of novel, refined townhomes, banks and luxury hotels that scholars have also identified as styles spawned by a middle-class aesthetic. The elegant architectural frameworks and marble facings of many of these buildings served as a visual marker of the respectable

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[8] David Scobey, "Anatomy of the Promenade: The Politics of Bourgeois Sociability in Nineteenth-Century New York," *Social History*, 17 (1992), 203-227; Catherine E. Kelly, "'Well Bred Country People': Sociability, Social Networks, and the Creation of a Provincial Middle Class, 1820-1860,"*Journal of the Early Republic* 19 (Fall 1999), 451-479.

[9] Frank Colligner, "Recollections of the Past," *Sunday Dispatch*, October 16, 23 1859, Poulson Scrapbooks, 94, LCP.

classes inside, thus welcoming members with similar elite backgrounds and warning off all others.[10]

Such aesthetic ideals thus blended with the civic elites' designs for the political, social and economic framework of their city to create a modernist vision of a new metropolis that would ultimately break with the static customs of the past and write a new chapter in Philadelphia's history. Leading newspapers echoed these sentiments and resonated with the theme of change, crafting the moment of the 1850s as one of tremendous historical importance. Stories filled the press that juxtaposed the landscape of the previous century with that of the present and the potential of the future. Small dilapidated shops, the press reported, were slowly giving way to grander stores of trade. "Palace-like" mansions were emerging in places that had long been deserted. Centers for art and education, such as the Academy of Music, were beginning to flourish. Everywhere, Philadelphia was on the very cusp of radical change, the press suggested.[11]

Yet, as the same articles so often opined, the great mass of Quaker city residents were stubbornly laced into patterns of traditionalist thought. That resistance to change seemed embedded in the very culture of the citizenry according to commercial leaders, but it also likely stemmed from the city's recent and therefore vivid history of failures. The 1830s and 40s had brought a chaotic wave of social violence that splintered any fragile semblance of community into overtly antagonistic ethnic, racial and religious groupings. In addition, the boom and bust economy of the period had fostered a deep and abiding distrust

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[10] Carolyn Brucken, "In the Public Eye: Women and the American Luxury Hotel," *Winterthur Portfolio* 31, (Winter, 1996), 203-220. Also see Stuart M. Blumin, *The Emergence of the Middle Class: Social Experience in the American City, 1760-1900 (*New York: Cambridge University Press, 1989) and Richard L. Bushman, *Refinement of America*: *Persons, Houses, Cities* (New York: Knopf, 1992).

[11] Frank Colligner, "Recollections of the Past," *Sunday Dispatch*, October 16, 23, 1859, Poulson Scrapbooks, 94, LCP; "City Improvements," *North American and United States Gazette*, May 11, 1853; "Progress in Philadelphia," November 27, 1858, Poulson's Scrapbooks, 70, LCP; "An Indication," *North American and United States Gazette*, December 4, 1858.

of all things speculative, from state-sponsored railroads to private ventures. Buying into any new vision of a polite, progressive and prosperous cityscape thus required a tremendous level of confidence, one powerful enough to detach residents from traditionalist thinking and erase the tangible negative experiences of the recent past.

Accordingly, civic leaders had to perform the role of confidence men.[12] Editors and contributors to local newspapers saturated the pages with statements that encouraged a liberal spirit and discouraged those with a traditionalist outlook. "H," for example tried to persuade such traditionalists to see themselves in a different light—as fanciful rather than conservative, unpractical rather than reasonable. "They imagine the world has been standing still for a quarter or a half a century," he wrote. [13] Another letter echoed his theme: "Philadelphia is a great and flourishing metropolis, and it is impossible for her to stand still. She must respond to the spirit of the age…" Harnessing that spirit equated to nothing less than a clean and absolute break with the past and a full embrace of the new metropolitan vision. "Philadelphia," the column further charged, "must not hesitate to act in a bold as well as in a liberal spirit, when such a course becomes necessary to her lofty character and advancing prosperity."[14] Ultimately, the time had come, the elite classes argued, when demographic growth, trade, and manufacturing demanded sweeping urban change and a new historical moment. If the "commercial destiny" of the city was ever to be realized, then, the mass of primitive-thinking Philadelphians would have to accept and support the new dream of Philadelphia.

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[12] On the need for confidence that emerged from the rise of urban America, see Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle-Class Culture in America, 1830-1870* (New Haven: Yale University Press, 1982).
[13] "The Signs of Our Progress," *North American and United States Gazette*, February 22, 1853.
[14] "Progress in Philadelphia," November 27, 1858, Poulson Scrapbooks, 70, LCP.

It was within this particular historical moment, when urban residents and leaders were wrestling in the purgatory between the past and the future that the controversy about the High Street Market suddenly reemerged. For nearly twenty years, any substantial discussion about the market-place had laid dormant in Philadelphia. After the controversy hit its peak in the 1830s and resulted in the split use of the thoroughfare for a railway and market-place, civic leaders simply turned their attention to other matters. Yet as the most visible structure in the city that connected the past with the present, the High Street Market became an iconographic symbol in the controversy over the future shape and direction of Philadelphia. Despite its renovations in the 1830s and its new iron setting, the market stood as visual bridge to the colonial city when it was first erected in 1709. It was still governed by municipal authorities while most other exchanges like dry goods had been completely turned over to private enterprise. And despite the changes that occurred in the type of vendors and the goods retailed within the market, it still embodied a style of face-to-face exchange that was ideologically tied to pre-capitalist economies. For all these reasons, it thus became a powerful symbol in the war over whether to maintain the tangible traditions of the past or embrace the speculative, modernist vision of the future spawned by the commercial and civic elite.

II. Rendering High Street Hideous

The rumblings that emerged in the early 1850s over the destruction of the High Street Market mainly grew out of the city's commercial classes. Yet when the issue first resumed, commercial leaders as a whole were neither unified in their opposition to the High Street Market, nor universally opposed to open-air marketing as a system of exchange.

Rather, just as in years earlier, a specific collective of men with vested interests in the main thoroughfare targeted the High Street Market as one singular nuisance. Property owners who had invested their lives and fortunes in their warehouses and wholesale stores along the avenue joined with railroad investors who collectively saw the market-place as a physical obstruction to the future prospects of commercial enterprise. As these men began to agitate for market demolition, however, they were quickly joined by a larger cadre of business-minded elites and aided by the commercial press who saw the long stretch of market stalls as the ultimate hindrance to their broader vision of the new metropolis. Collectively they capitalized on the fervor of change and the modernist thrust of the moment to craft the most elaborate campaign yet for the demolition of the century and a half old market-place. Harnessing a wide-range of arguments that ranged from the aesthetic to the physical to the economic, commercial leaders set out to aggressively persuade municipal leaders and the broader community that the time had finally come to rid High Street and Philadelphia of its most "pestiferous nuisance."

Although the commercial elite was deeply connected to and often overlapped with the ranks of the municipal government, their interests were still dissimilar enough to require business leaders to launch a series of direct appeals to the city councilmen. In fact, these two groups were growing increasingly dissimilar by the mid-nineteenth century, for the period witnessed both the rise of the professional businessman as well as the rise of the professional politician with their own distinct agendas.[15] Accordingly, members of the commercial classes often envisioned themselves as embroiled in a contentious battle for control and power over Philadelphia with municipal authorities. In the particular case of

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[15] Warner, *Private City*, 86-91; Harry C. Silcox, *Philadelphia Politics from the Bottom Up: The Life of Irishman William McMullen, 1824-1901* (Philadelphia, 1989).

the High Street Market, that battle took on epic proportions at times as commercial elites reserved some of their most hostile language and sentiments for municipal authorities. As an article in the city's leading commercial press, *The North American* charged, High Street was encumbered and "rendered hideous" as the direct result of allowing "the petty arts of low demagogues to regulate our municipal affairs," who "discard all comprehensive regard for the great and overshadowing interests of that trade and commerce upon which the entire city has been built."[16]

Despite such strong sentiments, the campaign to sway municipal leaders towards market demolition actually began quite rationally with a clear focus on the location of the High Street Market, which the commercial community argued hindered the growth of existent adjacent businesses. For just as the street had long been the central avenue for provision marketing, so too it had long been the locus of the wholesale trade. Historically lined with many of the city's most successful commercial businesses, merchants had extended the range of warehouses and stores all the way through the main avenue, spanning the distance between the Schuylkill and Delaware Rivers by mid-century. The two "markets" had quite peacefully co-existed throughout much of the city's history and were even understood as bound up in each other. Yet with their sights set on the new vision of a modern, progressive metropolis, commercial leaders began to assert that more improvements and new stores could emerge only if the market-place would be demolished. A contributor to the *North American*, for example, penned a visionary piece entitled "What Market Street Might Be." "Only let the merchants and property owners along that street see the nuisances disappear," he claimed, "and they will build you up such a metropolitan

[16] "Removal of the Market Sheds," *North American and United States Gazette*, September 20, 1858.

avenue as will put all the advocates of peanuts and gingerbread to the blush for their short-sightedness."[17]

As the campaign progressed, more elaborate arguments emerged that criticized the High Street Market as not only a physical impediment to the growth of commercial pursuits, but a hindrance to the very spirit of enterprise among the city's most industrious and ambitious men. A key case in point, commercial leaders contended, was the fact that mid-century Philadelphia had very few of the private provision stores and groceries that had begun to dot the landscape of the city's European competitors. Instead, the city's public market system had stifled the enterprising spirit of such small store owners because they could hardly compete with the large open-air market-places. Even wealthier entrepreneurs, like John Rice who had constructed the elaborate market house at the intersection of Race and Broad Streets in the early 1850s had fallen victim to competition with the High Street Market according to critics.[18] Likewise, they also claimed that the operation of the market muted the spirit of common stallholders. According to some opponents, the municipal government's policy of granting cheap stands and free curbstone spaces had essentially created a group of dependent market men and women with no vision and no desire to invest in new entrepreneurial endeavors. So comfortable were these small-scale farmers and hucksters, that none bothered to explore the broader possibilities of market capitalism in the form of retail stores and industries.[19]

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[17] "What Market Street Might Be." *North American and United States Gazette*, October 01, 1858; "The Signs of Our Progress," *North American and United States Gazette*, February 22, 1853.
[18] "City Affairs," *North American and United States Gazette*, February 26, 1858; "The Provision Business," *North American and United States Gazette,* July 9, 1859; "The Curb-Stone Monopoly," March 6, 1859, Poulson Scrapbooks, 52, LCP.
[19] "The New Market Houses," *North American and United States Gazette*, July 02, 1859.

Importantly, these arguments concerning the stifling effects of the High Street Market were not so much political attacks on all government-driven enterprises, as they were attempts to convince municipal leaders and the public to specifically embrace the possibilities of private market companies. Despite the overall financial failing of Rice's market house, for example, news stories abounded that touted the building's architectural beauty and its potential for success. Similar celebratory pieces also lavished praise on the enclosed market houses of London and Paris. To the commercial elite, such enterprises stood as the best prospect for the future of provision marketing, one that meshed with their overall vision of the new metropolis and would place the city on par with both its European and American competitors.

In fact, it was by literally juxtaposing the design and physical experience of the new market houses against that of open-air market-places that the commercial press attempted to sway the public as a whole towards demolition. Repeatedly, the *North American* heralded enclosed market houses as bastions of cleanliness and health, while open-air market places were painted as unhealthy, distasteful, and even disgraceful. The paper even crafted an entirely new standardized discourse in which market "stalls" became transformed into miserable, shabby "hovels" and "shanties." Grease and grime became defining physical features in their descriptions, as well as dust and offensive odors. Even market vendors were discussed as disturbing spectacles, with their piercing voices and unsightly appearances. Unfeminine "bulky woman" retailed vegetables alongside loud, red-faced victuallers, while curbstone dealers lined the sidewalks leaving them littered with the offal of meat and vegetables and stale eggs.[20]

[20] "Street Markets," *North American and United States Gazette*, July 15, 1858.

The North American made such negative descriptions particularly meaningful by drawing clear contrasts with the tenets of the new bourgeois aesthetic. In article after article, the market was painted as the absolute antithesis to the framework of the new middle-class culture and one of the most serious assaults on elite sensibilities in the city. In addition to the offensive odors, sights and sounds of the market-place, for example, the crowds of bodies that converged in the market violated rules of middle-class sociability and lent a particular vulgarity to the spaces. As an editorial claimed, no leisurely stroll through High Street was possible. Instead, there could only be a "torturous progression" as the jostling of people and goods stirred the author's anxiety about the potential of physical collisions. His own market journey did in fact lead to such a mishap when after muscling through the crowd of consumers he was "dumped unceremoniously into a tray of squashes." [21]

Such articles in Philadelphia's commercial press intersected with the broader sphere of print culture to construct the public space of the open-air market as a particular threat to the sensibilities of middle-class women. The filth, crowds, and repugnant smells stood in diametric opposition to the environment of the polite spaces increasingly identified as the proper woman's domain such as the parlor and the retail shop. So distinct were the two spheres that markets were at times depicted as places that bourgeois women should avoid altogether and instead send their servants or male relatives who were seen as better equipped to handle the market's vulgar atmosphere. As managers of the new domestic economy, however, bourgeois women received an equal amount of pressure to brave the

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[21] "Life in the Market Sheds," *North American and United States Gazette*, February 07, 1854; "City Affairs," *North American and United States Gazette*, May 06, 1859; "City Affairs," *North American and United States Gazette*, June 24, 1859; Life in the Market Sheds," *North American and United States Gazette*, February 07, 1854.

foul marketing atmosphere in order to maintain control over their household budget and meals.[22]

In order to reconcile the dilemma between domestic roles and sensibilities, the leading women's magazine, *Godey's Lady's Book*, encouraged women to don a particular style of dress in preparation for a market excursion. Because the task of marketing was depicted as the penetration of a coarse atmosphere of lower-class virtues of exchange, women were advised to disguise themselves as members of the poorer sort in order to blend in. Dressing down would enable bourgeois women to maintain their conservative household budget as well as protect their physical body and more valuable clothing. As the magazine advised, "Dress poorly when you go to market. It is *cheaper* to dress poorly in two respects: you save in clothes, and you save paying aristocratic prices."[23] A full story that ran in *Godey's Lady's Book* elaborated on the economic necessity of taking the proper dress precautions, while also introducing a moral rationale. In what sounded similar to chopping a path through the wilderness, the author of "Marketing in a Silk Dress," detailed the journey of the well-dressed Mrs. Welfol through the narrow avenues of the market. The boots of passersby tripped over the folds of her dress, baskets tore through the fabric on her arms, and in what proved to be the "most serious mishap" of all, the tail of a large fish hanging out of a butcher's boy basket left a greasy trail down the back of her gown. The story's accompanying image further drove the lesson home. {Fig. 5.1} Standing in her full silk dress, naively being smeared with fish slime by a chuckling butcher apprentice, Mrs. Welfol appears not only markedly out of place in the market environment, but ridiculous.

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[22] "Private vs. Government Enterprise," *The Kansas Herald of Freedom*, June 11, 1859. In Philadelphia, women had traditionally shared the responsibility of marketing for their household, yet by mid-century more apparently did begin to delegate the chore to their male relatives, a phenomena that at least one contemporary attributed to the repulsive physical conditions of open-air market-places.

[23] "Godey's Arm-Chair," *Godey's Lady's Book*, July 1857.

Yet in the background, Mrs. Welfol's "little negro girl," stands ready and comfortable in her surroundings, perhaps because she is wearing the calico material her mistress should have worn.[24] Perhaps if Mrs. Welfol had chosen to dress down for marketing, as the story continued, she and her husband would not have later found themselves in financial ruin.

If Godey's magazine offered a recipe for reconciling the new bourgeois sensibilities with the open-air market, however, Philadelphia's commercial elite did not. Rather, they moved forward on an increasingly aggressive course to convince the broader public that the open-air market was antithetical to elite culture both in terms of its physical environment and its food offerings. Repeatedly, when describing market exchanges for example, columns in the *North American* emphasized the sales of "trivial" items that were inappropriate for the tables of middle class families.[25] Clam soup, ice cream, doughnuts, crockery ware, Johnny-jump-jump-ups and "a great variety of other highly important commodities," made up the typical market offerings according to one source. Yet another article worked to drive the point home. *The North American* surveyed one hundred fifty stalls in a three block range of the High Street Market. They reported "thirty-three are used by huckster poultry, &c.—four for the sale of baskets, one for the sale of China ware, one for horse-radish, three for fish, twenty-five for truck, nineteen for coffee and cakes, and but twenty-one of the whole for beef."[26]

By detailing the dominance of such "cheap eats," the commercial press also sought to reduce the exchanges and the vendors within the High Street Market to utter insignificance and even illegitimacy. Particularly when juxtaposed against the vision of private market enterprises, descriptions of the "colored ladies who deal in sugar balls and

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[24] C.T. Hinckley, "Marketing in a Silk Dress," *Godey's Lady's Book*, March 1856.
[25] "That Pestiferous Nuisance," *North American and United States Gazette*, July 30, 1858.
[26] "The Market Houses in High Street," *North American and United States Gazette*, February 11, 1853.

taffy," for example, served to depict the market-place as a sphere of both base transactions and base human beings. In effect, as the number of butchers and farmers diminished, so too did the legitimacy of the market-place. And in the end, despite its physical centrality, the market had become as marginal as the beings that occupied it according to the commercial elite.[27]

Even bolder arguments constructed the market-place as nothing less than a primitive relic of the past, completely out of place in the contemporary moment. Like caves that were carved into the river banks at the city's founding, as one news piece surmised, they were ancient vestiges of history.[28] "They would be splendid institutions for the Sandwich Islands, or Santa Fe," another article claimed, "or some such place, where society is organized on a different basis." The same column even went so far as to explicitly tie the cultural and economic functions of the market-place to colonialism—not in the United States, but in Mexico. By evoking the central market of Tenochtitlan, as well as the Spanish invasion and conquest of the Aztec capital city, the article explicitly sought to denigrate any standing value attached to the High Street Market and indeed, of all open-air markets.[29] More than simply marking the market-place as petty and primitive, then, the Aztec, Santa Fe and Sandwich Islands references employed negative racial connotations to craft the market as savage, un-American and even non-white.

Overall, then, the mid-century commercial elite had launched an extraordinary effort to remake the cultural meaning of the High Street Market and convince Philadelphians of the need for demolition. Rather than seeing the stalls as an object of pride and a space of exchange to boast about, they had challenged municipal leaders and

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[27] "That Pestiferous Nuisance," *North American and United States Gazette*, July 30, 1858.
[28] "Market Sheds," *North American and United States Gazette*, May 6, 1852.
[29] "That Pestiferous Nuisance," *North American and United States Gazette*, July 30, 1858.

the broader public to see them as not only obstructions to commercial enterprise and spirit, but as filthy, vulgar, petty and even savage spaces whose particular moment had long passed. The market had served its early purposes, many argued, but its utility had simply expired and the long series of sheds had come to cast a shameful shadow on the city's greatest thoroughfare.[30] Even Philadelphia's founder would be ashamed that the sheds had continued so long, as the following excerpt from a lengthy poem entitled "Our State, Our City, Our Market Street," claimed:

> The wide, capacious street, which might
> Of ev'ry man the boast be made,
> Is given up to hucksters' stalls,
> The popped corn and the peanut trade.
>
> The man who on such folly looks,
> Should most abjectly hang his head,
> And, gazing on the sheds, be moved
> Some tears of humbled pride to shed.
>
> Perhaps our City Fathers think—
> We surely would not blame them then—
> That we should have a row of styes,
> Suggestive of the name of Penn.
>
> But well we know, if Penn were here,
> He'd find some way to get his meat,
> And back the efforts of our pen
> Against the stalls on Market street.

Accordingly, as the poem concluded, the time had finally arrived for the city as a whole to rally together for the market's demolition:

> Wake! Philadelphia city, wake!
> The voice of duty sternly calls,
> And, with improvement's earnest hand,
> Clear Market street of hucksters' stalls.[31]

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[30] "What Market Street Might Be," *North American and United States Gazette*, October 1, 1858.

[31] "Our State, Our City, Our Market Street," *North American and United States Gazette*, November 4, 1858.

In the end, the commercial elites' underlying motives for the long campaign to rid High Street of its market-place had been transformed from simply wanting to improve specific enterprises along the thoroughfare to a larger goal of breaking with the past and embracing the tenets of modernization. Business leaders had come to believe that the market was incompatible with their own historical moment, and its demolition would signal an entirely new era for Philadelphia. So ingrained was their vision for the future metropolis that the segment of the community that favored the demolition of the markets simply could not comprehend the propensity to cling to a space they identified as a dirty, dilapidated remnant of the past. The very thought that the market would be left standing in the 1850s provoked one contemporary to simply surmise: "All is vanity and vexation of spirit."[32] Whether or not the city's municipal leaders, residents and market vendors would come to see the same obvious need for demolition, however, would be another matter entirely.

III. Weighing Municipal Interests

As administrations changed hands and shape over the course of the 1850s, it would take nearly eight years and a host of intense debates before municipal leaders would arrive at a concrete decision over the fate of the High Street Market. Although their vision of the new metropolis overlapped with that of the commercial elite, their plans for urban growth were decidedly more conservative than those of the latter. As an elected body, they necessarily had to weigh commercial interests and public opinion, as well as financial constraints before any concrete decision could be made. Yet the heated arguments that broke out in council chambers over the market question and the accusations of corruption

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[32] "Street Markets," *North American and United States Gazette*, July 15, 1858; "That Pestiferous Nuisance," *North American and United States Gazette*, July 30, 1858.

and bribery that followed did not result simply from the balancing of interests or the practical course of creating a modern cityscape. Rather, the demolition of the High Street Market became such a contentious issue because, for the first time in Philadelphia's history, municipal leaders were forced to wrestle with their own long-standing role as guardians of the urban food supply. Private investors, eager to build and charter new market companies were biting at the heels of the municipal government and backed by the wealthy and influential commercial elite.

In 1851, when the conversation about the High Street Market first resumed in the municipal legislature, the subject actually met with little discord among council members although it caused a sensation within the larger community. The city government was dominated by Whigs who were largely drawn from the commercial and professional classes and who shared a common orientation towards internal improvements, modernization, economic progress, and a strong central government. Accordingly, few challenged the precedent set by the previous administration which had forged a temporary compromise by constructing a branch of the City Railroad through High Street and a new, narrower range of market stalls. Like municipal leaders before them, the majority saw both the encouragement of commercial enterprise and the ownership of public market-places as critical roles of the local government. They had even followed suit in building new markets and tightening municipal control over them in the form of an ever increasing staff of authorities charged with their oversight. And finally, also like previous administrations, when the High Street Market issue reemerged, they charged the Committee on City Property with the responsibility to reflect on both public opinion and private interests and prepare a formal report to the councils.

After a lengthy period of giving the subject "a calm and impartial consideration," however, the Committee, which consisted of a cross-section of influential citizens, emerged deeply conflicted. While deliberating, they had solicited opinions from the public, from the press, from private market investors, and from municipal leaders in other U.S. cities. In addition, they had also considered the public marketing systems of London and Paris and had weighed the advantages and disadvantages of transitioning to enclosed, municipally-owned market houses. And finally, they had tallied all possible costs of the various market changes. In the end, the tremendous amount of information had left them so torn that they refused to make any concrete recommendations for the future of the High Street Market. Financially, they reported that any changes would create an enormous strain on the municipal budget. According to their estimates, the destruction of the market stalls would equate to an annual loss in revenue of $25,000. Following the lead of European cities and erecting new enclosed market houses, they also reported, would cost approximately $500,000 to $750,000. Equally if not more significant, they suggested, would be the social and political strain on the community that would be sparked by the market demolition. The cacophony of newspaper columns, letters, formal petitions, and every day conversations had proven so overwhelming to the Committee that they ultimately concluded their report with a recommendation that the market question should ultimately be decided not by the local government, but by a public vote in the Fall election.[33]

Members of the Common Council in particular, however, did not receive the Committee's report warmly. For one, the very notion of inviting the public to vote on urban improvements was radical and antithetical to the traditional system of private petitioning in the mid-nineteenth century. Secondly, given the background of most

[33] "Proceedings of Councils," *North American and United States Gazette*, May 13, 1853.

members of the municipal legislature, they expectedly leaned more towards commercial interests over broadly construed “public” interests. Accordingly, members of the Common Council immediately rejected the recommendation of a public vote and instead established a special joint committee of the two legislative branches to decide the market’s fate. Within only a few months, the designated group had charted a clear course towards the ultimate demolition of the market houses by December of 1853.

If most Councilmen had been persuaded by commercial interests that the market stalls in High Street should be demolished, however, the majority of councilmen had not followed suit in agreeing that private individuals should control the municipal food supply. Rather, most continued to believe that the regulation and oversight of local provisions should rest in the hands of government although the markets should removed from the public space of the streets. Accordingly, the Select and Common Councils charged the Committee on City Property with the responsibility of selecting potential sites for new, enclosed, off-street market houses that would ultimately replace the stalls in High Street. After sifting through fifteen communications from corporations and individuals, the committee settled on six different lots strategically located throughout the city. Included in this roster was the already constructed market house owned by John Rice, which had failed under his leadership.

While supplying new market houses may have evoked eighteenth and early nineteenth-century tenets of a moral economy, the contemporary legislature’s rationale had little to with the government’s protection of its citizenry and everything to do with the protection of the municipal pocketbook. During the various council meetings, both elected officials and members of the Committee on City Property repeatedly stressed the matter as

one of economic interests. The city's fourteen public markets generated over thirty-thousand dollars in 1853, while the High Street Market alone earned the city roughly twenty-five thousand.[34] To allow private enterprise to take charge of the markets would be to lose a significant source of municipal revenue. Based almost exclusively on such financial stakes, the municipal government hurriedly passed an ordinance which appropriated funds for the purchase of the four lots on the eve of consolidation with their sights set on the permanent destruction of the High Street Market.

As the administration shifted in the wake of consolidation and settled into its new structure, the market issue lay dormant, however, for the next three years. No steps were taken on either the demolition of the High Street Market or on building new enclosed houses on the city's designated sites. Only after recovering from the Panic of 1857, and bidding farewell to the city's first and only Democratic Mayor, the Councils again revisited the market question, largely as a result of the renewed demands of the commercial elite. Yet this time around, the strategic course mapped by the earlier administration proved far from settled as the larger body of new municipal leaders introduced a host of new and newly contentious considerations.

If the topic of market demolition sparked novel disagreements among the city's councilmen, it was because the Consolidation Act of 1854 shifted more than the political boundaries of Philadelphia; it also shifted the political make-up of the municipal legislature. Although the new government was still dominated by Whigs who had long held power in the city proper, a viable contingent of Jacksonian Democrats from the city's outlying districts began to make their presence known. Although neither group's political

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[34] The revenue from the public markets in the outlying districts of Philadelphia County, such as Spring Garden and Moyamensing, generated an additional $36,000 which was paid to their respective local governing bodies. "Our Market Houses," December 2, 1854, Poulson Scrapbooks, 135, LCP.

ideologies offered a clear recipe for managing domestic market-places, their differing frameworks and visions for the economic, social and political shape of the city introduced a host of newly volatile arguments about the impending market demolition and its consequences. The Democratic councilmen brought a particular sensitivity to class distinctions to bear on the market discussion, as well as a strong antipathy towards the commercial elite and a favoring of tradition over progressive, speculative ventures. The addition of these new voices consequently altered the market discussion and forced the municipal legislature as a whole to seriously confront the political and social stakes involved in the impending market demolition, as well as their overall role as guardians of the urban food supply.

By November 1858, the controversy hit its sharpest chord amongst Council Members and the tensions boiled over into boisterous arguments and sensational accusations. Siding openly with the commercial elite, those in favor of the demolition began to argue that a full application of the laissez-faire doctrine be applied to provision markets. Not only should the High Street Market be removed for the sake of commercial growth, they argued, but the city should cease erecting any new market houses. Councilman Mascher, for example, echoed the perspective of market opponents who saw the sites of exchange as useless spaces of petty exchange, filled only with the trivial sales of stockings, cakes and oysters. Accordingly, he urged his fellow authorities to withdraw from market ownership and turn the entirety of business over to private individuals who already began to charter new market companies.[35] His colleague, Councilman Hacker shared his opinion that provision marketing should rest in the domain of private enterprise,

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[35] "Local Affairs," *Public Ledger*, November 5, 1858.

claiming that there was no more reason why the city should build depots for those who dealt in tripe, than for those who dealt in cross-cut saws.[36]

An equally vocal collective of councilmen weighed in on the discussion, however, who stringently opposed the market demolition based on their penchant for tradition, as well as on their staunch distaste for the wide-spread influence of the commercial classes. Councilman Kelly, for example, stubbornly refused to support any ordinance to remove the High Street Market based on his belief that no one but the railroad corporation would be benefited by the change. Others saw an even more menacing division of interests at play. As Councilman Handy, the self-avowed "old fogy," put it, the market controversy was "nothing but a battle between the moneyed power and the mechanic and the laboring man." With biting sarcasm, he further added his hope that "there was sufficient courage in the Councils to say that the poor man should succumb to this power, which claimed to have all the respectability in this city." Just moments later, Councilman Krider introduced key evidence that further challenged the respectability attached to both the commercial elite and the municipal government when he claimed to have been offered a bribe for his vote for market demolition. As cries of "Name him, name him!" emerged around the table, the conversation devolved into a tense shouting match.[37]

The changing shape of the city's municipal legislature thus forced the latent issues of class interest into the main of the market discussion, as well as the issue of the government's role of ownership and oversight. In the end, however, the issues proved so thorny that the conversations largely amounted to a stalemate. In a vote of forty-nine to twenty-eight, the councils followed their original course and passed an ordinance for the

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[36] *North American and United States Gazette*, January 6, 1859.
[37] *Public Ledger*, November 26, 1858.

market demolition in December, 1858, while also adding a section that provided for the materials of the High Street Market to be salvaged for the building of a new market-place in South Eleventh Street. Soon after, the Mayor added his signature which authorized the removal of the market houses to begin in April of the following year and any meaningful discussion over the future shape of municipal markets in Philadelphia ceased. Overall, the local government had chosen to sidestep the serious quandaries of public and political economy embedded in the market conversation and instead chosen to focus almost exclusively on the financial considerations of the moment.[38]

IV. Articulating the Politics of Exchange

When the prospect of removing the market sheds in High Street first re-emerged around the tables of the municipal legislature in the early 1850s, public opinion was weighted heavily in opposition. Petitions had flooded in to the Committee on Markets from those who virulently contested the demolition and the shift to enclosed market houses. After tallying the total number of public petitions received over the course of several months in 1853 alone, the committee reported 2635 in favor of the immediate removal and 4831 opposed, leading them to conclude in that they were "very strongly impressed with the belief that a large majority of our citizens are opposed to the removal of the market houses in High street."[39] Although the councilmen did not respond according to the ratio of the public petitions, the men and women who contested the market demolition continued to voice a lengthy list of arguments in defense of the High Street Market that often gave municipal leaders pause. The chorus of voices was deeply varied in motives and served as

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[38] "The Market Houses," *Public Ledger*, December 9, 1858; "Monopoly and Bribery Triumphant," *Sunday Dispatch*, November 28, 1858.
[39] "Proceedings of Councils," *North American and United States Gazette*, May 13, 1853.

a testament to the diversity of people who opposed the market demolition. Some simply appreciated the aesthetic of open-air marketing and opposed the development of enclosed market houses. Others saw the destruction of the markets as not only the loss of one physical place with intrinsic historic value, but the obliteration of tradition itself in favor of a shapeless, wildly speculative vision. And for still others, particularly for market vendors, the potential demolition equated to a loss of perceived rights and privileges embedded in the very structure of the open-air market-place. Rather than standing idly by as the city moved forward on its course, then, the men and women who contested the destruction of the city's largest public market-place would wage their own varied campaigns to protect the meaning and physical place of the High Street Market, as well as their own particular interests that were grounded in that space.

Angered by the lengthy and spirited arguments against the High Street Market that appeared in the commercial press, market advocates launched their own series of printed counter-appeals to defend Philadelphia's oldest site of open-air exchange. While a few supportive letters were printed in the politically balanced *Public Ledger*, the bolder *Sunday Dispatch* became the primary vehicle for expressions of pro-market sentiment. The controversial paper was edited by the city's noted historian, Thompson Westcott. Although Westcott was trained as an attorney and therefore fit into the ranks of the elite in terms of economic and social status, his penchant for tradition and local history often led him to passionately defend the High Street Market.

Despite complaints that open-air markets were primitive relics of the past that fouled the image of modern Philadelphia, pro-market news stories articulated an alternative view of the High Street Market as a continued object of urban pride. By citing the market's

long history of praise from travelers and guests, articles printed in the *Public Ledger* and especially in the *Sunday Dispatch* argued the stalls still stood as visual markers of the abundance and health of the community. Overall, just as the proponents of market demolition could not wrap their minds around arguments for maintaining the High Street Market, so too, those in favor of open-air marketing could not imagine a physical landscape devoid of its presence. It would be, “a species of injustice and folly, amounting almost to madness,” “William Penn” argued, “to think of destroying the markets which have grown up with the city, and are one of its chief attractions; one of its great sources of income, of comfort, and of health.”[40]

Market advocates also countered the argument that the High Street Market had degenerated into a site of petty trade and traders. The hucksters who lined the stalls of the market-place, they argued, were integral to the broader economy of the city and surrounding country-side. According to “One of the People,” the small-scale retailers should not be despised for making an honest living, but praised for serving as an intermediary between regional farmers and urban consumers. Rural families had become utterly dependent on such retailers, he argued, as well as the scores of poor women who served as second-hand vendors. In addition, market advocates further harnessed the oft-cited argument that hucksters were no different than larger-scale merchants. As “One of the People” further claimed, “The merchant who buys his flour in Chicago, and stores it in a warehouse till his customers want it, is just as much of a huckster as the man who buys potatoes and poultry by the quantity from the farmer and retails them again to his customers in the market.” By drawing such analogies, market advocates thus not only sought to

[40] “The High Street Market,” *Public Ledger*, October 28, 1858.

legitimize small-scale huckstering, but also to re-elevate the status of open-air market exchanges to one of centrality in the urban economy.[41]

In a similar fashion, market backers attempted to repaint the physical environment of the open-air market as a portrait of health. The dust, grime and grease so often discussed by adherents to the new bourgeois aesthetic mattered little in their estimation. Rather, it was precisely the open-air arrangement of the stalls that had long contributed to the prosperity and abundance of the sites of exchange. As "William Penn" reasoned in his letter to the *Public Ledger*, the free circulation of air through the market ensured that the panoply of provisions stayed fresh and wholesome. Consequently, he further argued, the open-air arrangement ensured the "superiority of the health of Philadelphia over the other cities, especially New York."[42]

For many Philadelphians, the practice of open-air marketing was so deeply embedded in the physical and cultural landscape of the city that they simply could not imagine any need to transfer exchanges indoors. Throughout the early 1850s, the vast majority of vendors and consumers alike had scoffed at the very idea of enclosed market houses, either through public statements or by choosing not to patronize the newly constructed private market establishments. All the healthy advantages of open ventilation would be lost, as one contemporary argued, if the exchanges moved into enclosed shops, houses or cellars. Vegetables would decay, meats would spoil, and in turn, the health of the city as a whole would suffer.[43] The *Sunday Dispatch* succinctly summed up the mindset of market advocates when a column boldly stated that whatever benefits to be derived by the citizens by building new enclosed houses "only exist in the imagination." Open-air markets

[41] "Removal of the Market Houses," *Public Ledger*, November 3, 1858.
[42] "The High Street Market," *Public Ledger*, October 28, 1858.
[43] Ibid.

on the other hand had proven to be so successful over the course of the city's history that residents continued to advocate for the erection of new street stalls. Through petitions and public meetings, they thus stood firmly in their favor of the tradition of open-air marketing.[44]

More often than not however, the most adamant opposition to the construction of enclosed market houses stemmed not from a deep attachment to open-air exchanges, but from a fear of privatization of market space. For one, the physical enclosing of exchange and the transfer of authority from municipal to private hands signaled exclusion to some critics and equated to the very negation of the definition of a public market and of public space in general. Despite the fact the markets had always been structured according to specific privileges defined by race, class and gender, they had long existed as the most "public" of public spaces in the city. At the very least, they offered universal access in terms of buying, if not in terms of vending. To raise walls around the market then, raised the possibility of limiting this common access based on the whims of stockholders and seemed strikingly similar to unpopular political label of a "monopoly" to some critics. Furthermore, to allow businessmen to control the sites of exchange would be to obliterate any vestige of the authority of the public over the market-place and situate control firmly in the hands of an unelected, unabashedly interested group of "stock-jobbers."[45]

Stock-holders, entrepreneurs and market house builders, in fact, received the brunt of criticism from High Street Market proponents, for if the mid-nineteenth century witnessed the rise of the professional "businessman," it also witnessed the development of a

[44] "Markets and Market Houses," *Sunday Dispatch*, November 21, 1858.
[45] "Monopoly and Bribery Triumphant," *Sunday Dispatch*, November 28, 1858.

deep antipathy towards him.[46] The *Sunday Dispatch*, for example, echoed such sentiments when it accused all those in favor of dismantling the sheds as members of the "greedy, stingy, mean, and snobbish commercial classes of Philadelphia."[47] Although such "stock-jobbers" shared similar occupations as the older mercantile classes that had long dominated the city, they seemed radically different from the previous generations of gentlemen merchants in the eyes of the paper's editor, Thompson Westcott. Rather than blending interests in the welfare of the community as a whole with their desire for gain, the new breed of businessmen, he argued, only thought of their own private interests. Accordingly, the man responsible for building the largest market house in the city, John Rice, was repeatedly chided in the press and his name quickly became synonymous not only with market houses, but with greed, elitism and privatization in general.[48]

Still other critics of market demolition attacked the municipal legislature, who they openly accused of corruption. Like the particular councilmen whom they elected, some criticized the overall municipal body for siding with the interests of potential market house investors and the commercial classes. For others, the quick passage of the new market ordinance on the eve of consolidation raised their skeptical brows. In particular, angered residents from the outlying districts argued that the councilmen had made such a quick decision in order to ensure that the newly incorporated districts would wind up paying for the new market houses—houses that were far removed from their own homes and thus, utterly useless to them.[49]

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[46] On the rise of the "business man," see Helen Tangires, *Public Markets and Civic Culture in Nineteenth-Century America* (Baltimore: John Hopkins University Press, 2003), 110-112.
[47] *Sunday Dispatch*, November 28, 1858.
[48] "Monopoly and Bribery Triumph," *Sunday Dispatch*, November, 1858.
[49] "Markets and Market Houses," *Sunday Dispatch*, November 21, 1858.

Although market vendors surely shared in these broad sentiments that emerged from the press, they also crafted their own arguments and unique forms of resistance to the potential High Street Market demolition. Vendors had grown increasingly dissimilar due to the lax policies of the municipal legislature over the previous two decades in terms of their socio-economic standing and influence, however. And accordingly, their strategies proved to be deeply varied and even conflicting at times. Butchers, farmers, hucksters and other small-scale retailers each developed specific responses to the impending market destruction that problematized each other's arguments as well as the city's course of action.

The most complicated response of market vendors emerged from the ranks of the High Street butchers, who proved to be deeply divided over the proper course of action even among themselves. When the issue first re-emerged, agitation quickly spread through the victualler community and most stood in strong opposition. Organized meetings took place at the Western Exchange where many of the city's most prosperous butchers came together to discuss a unified response to the subject of demolition. Along with farmers, some victuallers had rounded out the base of a Market Protection League to defend the stalls from destruction.[50] Yet by the late 1850s, several clearly divergent paths had emerged that revealed multiple communities of butchers, each with their own political and economic ideologies based on their geographic location along High Street. Those who leased stalls in the eastern portion of the market from Broad to Front Street formed one collective and firmly stood their ground against the impending demolition. The victuallers who did not lease stalls and instead occupied curbstone stands and sold meat out of wagons formed another ideologically distinct group who also resisted the destruction. The butchers

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[50] J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884*, (Philadelphia: L.H. Everts & Co., 1884), II:246.

who rented shambles in the western section of High Street, however, chose a radical course of action that intertwined both resistance and accommodation.

Despite their differences, the city's resident butchers all pursued courses of action that had little to do with the welfare of the community or any intrinsic sentimental value they attached to open-air marketing. Rather, they adopted positions that would either maintain or advance their own financial interests and social standing. Although contemporary victuallers still put forth an image of themselves as providers for the hungry, they had largely abandoned any meaningful articulation of their cultural and social responsibilities to commonweal over the course of the early nineteenth century. By the 1850s, many had become engaged and influential in local political affairs, accrued large sums of wealth, and become far removed the category of humble market men. Instead, they operated more as enterprising businessmen increasingly out of place in a market environment dominated by poorer rural vendors and urban hucksters.

Led by Philip Lowry, the butchers who held stalls west of Broad Street thus capitalized on the moment of market controversy to advance their own economic agendas. Long irritated by the "shinners" that retailed meats from wagon carts in the streets and door-to-door, the western butchers struck an informal bargain with municipal authorities. They would quietly abandon the High Street Market and invest in a new, private market house if the city would agree to pass an ordinance prohibiting curbstone vendors. Although no formal agreement was ever recorded between municipal leaders and the victuallers, the negotiation was publicly claimed as a success by the local press. On November 16, 1858, the curbstone was laid for the Western Market Company among rowdy cheers, and

followed with rousing speeches by Lowry and Mayor Alexander Henry.[51] As Lowry's oration revealed, however, the relationship between the city and the Butcher's Association was fragile at best. By building the new market house and acquiescing to the demolition of their old sheds, he claimed, the butchers had "yielded what were considered time-honored rights" to market space.[52]

Other urban victuallers stubbornly refused to surrender their stalls however, thereby causing a deep rift with the owners of the new Western Market. The men who lined the eight-block stretch of shambles east of Broad Street repeatedly complained that their interests, rights and voices had been completely overlooked by the western victuallers and the city. Even more poignantly, they suggested that the western butchers had betrayed the larger interests of the fraternity by abandoning them in favor of erecting their own private company. The response of the western market victuallers, however, only concretized their ill-feeling. As Philip Lowry opined, if the eastern butchers faced a dismal future due to the demolition of the High Street Market, it was their own fault. Every butcher should protect his own interests, and if the eastern victuallers wanted to secure their own financial futures, they had best look into building their own new market house. Reluctantly, only one month before the scheduled demolition, the eastern butchers of High Street Market did precisely that and a new Eastern Market House was incorporated in February, 1859.[53]

Regional farmers followed a similar trajectory of resistance and forced acquiescence, yet in the process they would wage the most vocal and sweeping campaign against the market demolition. As one news source claimed, from holding indignation

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[51] "Meeting of the Butchers," December 16, 1858, *Poulsons Scrapbooks*, 1:36, LCP; "Laying of the Corner Stone of the New Market House," November 17, 1858, Poulson's Scrapbooks, 10:66, LCP.
[52] "The New Market House," November 16, 1858, Poulsons Scrapbooks, 87, LCP.
[53] Tangires, 114-115.

meetings to being the frontrunners of the Market Protection League, area farmers "resolved and blustered as well as they knew how" to prevent the stall destruction. [54] What the press chided as mere blustering, however, was in actuality a string of formal legal attacks against municipal efforts and a serious articulation of the cultural and political meaning of the market-place for small-scale regional farmers. Laced into their arguments was a clear and immutable understanding of the rights and privileges attached to public markets, as well as a fierce articulation about the dangers of breaking with the past and losing a space long defined by tradition.

In early 1854, within only two few weeks following the city's public announcement that they would demolish the High Street market sheds, two groups of complainants led by regional farmers filed suits against the city in the Supreme Court of Pennsylvania. In both cases, the plaintiffs directly challenged the municipal government's definition of the markets as property of the city that had evolved in the early nineteenth century, and instead sought to define the state's relationship to public markets as one of a mere trusteeship. As opposed to the city owing the markets as municipal property subject to their exclusive control, Thomas Pratt, Edward Wartman and the other plaintiffs argued instead that the municipal government had no other right of property in the markets than to maintain and regulate them for the benefit and use of vendors and consumers. In essence, they understood the city's role as one of guardians—a traditional understanding that stemmed from the previous century of market governance.[55]

In both court cases, the plaintiffs further clarified their own understanding of their rights to market space—rights that not only stretched back through the late eighteenth

[54] "The New Market," *North American and United States Gazette*, September 3, 1859.
[55] For further details surrounding the two suits, see Tangires, 102-104.

century, but, as they claimed, had more substance, more grounding, and more meaning than anything held by the municipal government. In their own estimation, farmers were not simply interested persons who maintained certain privileges as stall lessees. Rather, they were joint property owners who had a "vested right" to market space. Accordingly, the city could not make decisions about the shape or placement of the market without their consent, nor could they deprive them of their right to vend in those established market-places. In marshalling their case, the complainants harnessed state acts of assembly that designated the High Street Market as a space to "remain free forever for country people."[56]

In the end, however, despite their legal attempts to challenge the city's decision, regional farmers were forced to surrender their perceived rights to market space. The Supreme Court denied the injunction against the purchase of new, enclosed market houses, but only by distinguishing their decision as one based on power, not morality. According to law, municipal authorities possessed the right to shift the markets from place to place. The manner in which they did so, however poorly administered, made no difference according to the Court. More significantly, the Supreme Court's opinion explicitly stripped the farmers and all market vendors of any privileges or rights to market space. As Chief Justice Jeremiah Sullivan Black surmised, "It is true, that the persons who bring provisions to the market have also a sort of interest in it, but not such an interest as entitles them to a voice in its regulation."[57] In the aftermath of the court's decision, the most ambitious and prosperous farmers would follow in the footsteps of resident butchers in chartering a new market company. By 1859, the new Farmers' Market, complete with a Venetian

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[56] Act of March 22, 1786 (12 St. L. 3, Ch. 1217), *The Statutes at Large of Pennsylvania*, 203-206.
[57] "Wartman et. al vs. The City of Philadelphia et al," *Pennsylvania State Reports, Comprising Cases Adjudged in the Supreme Court of Pennsylvania*, ed. by Joseph Casey (Philadelphia: Kay & Brother, 1859), 33: 209.

Renaissance inspired façade and a marble relief carving of the farmer's coat of arms, had been erected just three blocks from the victuallers' Western Market on High Street

While regional farmers and area butchers had the means both to politically challenge the destruction of the High Street Market and finance new private operations, the vast majority of men and women who made their living through daily sales in the market did not. Increasingly construed as petty, illegitimate traders, the black women who sold soups, herbs, taffy and candies, the aging white women who retailed a variety of vegetables, and the various men who sustained themselves off the sales of gingerbread and other confections were largely cut off from any meaningful representation in print culture. Instead, as marginalized political beings in the new "democratic" culture of mid-century Philadelphia, they were left to the only political device they possessed—using their bodies to occupy market space. When the Fish Market, which sat at the end of High Street was judged to be a health hazard in 1853 and consequently torn down, for example, huckster women only managed to stand their ground until shad season was over, despite pleading with the municipal government for the market's retention.[58] Similarly, despite threatening a "general rising of hucksterdom," through their vocal protests against being removed from the sidewalks near Second Street in 1855, a group of huckster women were ultimately forced to not only vacate the premises, but pay fines into the municipal treasury as well.[59]

A sarcastic skit published four years before the municipal government's final authorization of the market demolition, however, revealed just how strongly such small-scale vendors felt about the potential loss of market space, as well as how clearly they had articulated those thoughts in the everyday moments of urban life. In "Scene From a

[58] "Market Street Hill," *North American and United States Gazette*, May 28, 1853.
[59] *North American and United States Gazette*, December 10, 1855.

Forthcoming Drama," printed in the *North American*, a "masculine vender of pies and oysters" engages Mrs. Betsy Gummit, a "dumpsy" ice cream vendor about the Councils' decision to demolish the High Street Market. Turning red with anger, Mrs. Gummit responds to the news of the impending demolition by arguing that "These 'ere markets have been there ever since Amerikey was discovered. They belongs to the people, and they shan't be tored down…" Chastising fish hucksters, butchers and farmers for not having enough spunk or spirit to fully resist the market destruction, Mrs. Gummit further proclaims: "Let 'em dare to take these houses down. Whey they move my stand they'll have to move me; and if I don't give some of 'em a cold bath o' cream, then my name's not Betsy Gummit." Shaking his head, keenly aware of the power dynamics at play, the pie vendor responds coolly. "I'm afeard that won't have any more effect than the fish. Down they've got to come, now." Although the skit's primary motive was to mock such small-scale vendors, however, it thus also acknowledged the significance of the market-place for them. To lose the market was also to lose a space that they had fought to legitimately occupy with their own brand of "spirit" that rivaled that of the commercial elite. And perhaps most poignantly, it was to lose a space that the entirety of their livelihood was dependent upon. As "PIES," last mournful utterance described, the butchers and farmers would survive through new market companies, "but we're busted up when these ere houses is gone."[60]

V. Sealing the Market Fate

Despite the outrage from market vendors and members of the broad public, the municipal government stood firmly by its decision to demolish the High Street Market. Yet

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[60] *North American and United States Gazette*, April 7, 1854.

after passing an ordinance for the removal of the stalls in December, 1858, that course proved to be far more unsteady than anyone might have first imagined. Market men and women continued to resist the changes, while cries emerged from all sectors of the community over the pace and shape of such a dramatic transformation. Panic set in as tens of thousands of common Philadelphians began to buzz over how and where they would procure their basic necessities in the wake of the market loss. Internally as well, the city's own municipal bodies continued to experience meaningful conflict as urban leaders waded through the practical considerations of enacting such radical legislation. In the end, councilmen would come to realize that razing the markets was far easier in theory than in practice.

Although local legislators had ordered that the entire length of the High Street Market be demolished in April, 1859 and the curbstone stands emptied, they quickly met with resounding opposition from a broad cross-section of the community who charged that even if the markets had to come down, the city was too hasty in its course. According to a host of complaints in the press, neither the public nor the vendors were prepared for such a drastic change. Demolishing the markets all at once would be "arbitrary and impolitic," a letter to the *Public Ledger* argued, "an outrage to both the buyer and the seller."[61] Instead, as similar complainants suggested, the stalls should be removed by degrees in order to protect and accommodate the thousands who were dependent upon them. Mayor Alexander Henry concurred with public opinion and at precisely the moment when the market stalls were to be removed, he vetoed the ordinance.[62] Accordingly, the time for market demolition came and went, and the markets still stood as well as the curbstone

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[61] "Removal of the Market Houses," *Public Ledger*, November 3, 1858.
[62] "Local Affairs," *Public Ledger*, April 22, 26, 1859.

dealers.[63] Out of necessity, city councilmen thus revised the earlier ordinances and staggered the market demolition. Although they would proceed with the destruction of the stalls West of Broad Street, they would forge a compromise by allowing the market structures and curbstone dealers to remain in the eastern section of the street from Front to Eighth for an additional seven months.[64]

Resistance among market vendors in the eastern section, however, continued and created a meaningful amount of distress for municipal leaders. Rather than renting spaces in the new, private enclosed market houses, small-scale retailers and curbstone dealers clung to their market spaces until the last possible moment. As one newspaper reported only one month before the impending demolition, the High Street Market stalls had been left exclusively to the vendors of ice cream, stewed oysters, tape and bobbin, doughnuts and gingerbread. "In a short time even these will be obliged to vacate," the column celebrated, "and the sheds themselves disappear before the march of improvement!"[65]

In the end, after nearly twenty years of controversy, the long series of High Street Market stalls met their demise in 1859. In a not-so-ironic twist, the last of the stalls were auctioned off, piece by piece, in the very place that symbolized the soul of Philadelphia's market capitalism—the Merchant's Exchange. The pavement bricks sold for $40, the copper-covered dome at Front Street for $15, the woodwork also for $15, and the curbing at 9 cents a foot, earning a total profit of $602.50. The most valuable portions of the markets—the iron work—was left to the city to re-use elsewhere. Some bystanders

[63] "The Market Houses," *Public Ledger*, April 22, 1859; The remaining curbstone dealers particularly agitated the Western Market butchers who felt that their early bargain had been betrayed by the lax ordinances of the city.
[64] "The Removal of the Market Houses," *Public Ledger,* April 23, 1859. For more details of the market demolition, see Barshinger, 59-62.
[65] "The New Market," *North American and United States Gazette*, September 03, 1859.

relished the moment, looking on with "great satisfaction" that the dilapidated sheds would finally be removed from the city's main business thoroughfare. Others, however, still stood in doubt, clinging to the belief that the markets would never actually be uprooted from the city's landscape.[66] Yet among the cheers of the city's commercial classes, councilmen, and new market builders and stockholders, the High Street Market was indeed razed in December 1859. "All the rats have been hunted out," the North American rejoiced, "and the hucksters have fled."[67] Only a pile of rubble remained.

VI. The New Landscape of Exchange

The destruction of the High Street Market marked a pivotal moment in the history of Philadelphia as any contemporary would have acknowledged. Not only did the demolition represent one of the most dramatic breaks with provincial traditions the city had ever known, but it also ushered in a radically novel political, cultural and physical landscape of exchange. Despite the strong influence of the city's capitalist commercial classes in razing the stalls, the future of provision marketing did not follow a linear, predictable course of being turned over exclusively to the hands of private investors and their market companies. Rather, in the wake of the destruction, the shape of food marketing would split into several, overlapping and complicated dichotomies that defined not only the physical structure, operation, and social and political uses of individual markets, but the lives of the men, women and children who both sold and bought within their boundaries. Public and private, formal and informal, and open and enclosed, all became important and distinguishing markers of the city's new landscape of market

[66] "Local Affairs," *Public Ledger*, November 2, 1859.
[67] *North American and United States Gazette*, December 30, 1859.

exchange, and all continued to be represented throughout the late nineteenth century. Finally, street exchanges of provisions would not disappear with the demolition of the High Street Market and its curbstone vendors and small-scale hucksters, but would morph into a more dispersed, informal network of trade that occupied street corners, sidewalks and avenues throughout Philadelphia. Thus, overall, the destruction of the High Street Market proved to be revolutionary not because it signaled the end of open-air public marketing, but because it spawned a radical splintering of the city's landscape of exchange.

In the wake of the market demolition, the vendors and environments of the new series of private market houses would be heralded as bastions of health and enterprise. As the New York butcher and passionate market advocate, Thomas DeVoe recorded after a visit to the city in 1862, Philadelphia had become overwhelmed by such establishments. A genuine "market company mania" had been unleashed, he claimed, as at least twenty different charters for private market houses were granted by the State legislature by 1861. In addition to the massive structures erected by the butchers and farmers in 1859, new elegant market houses also began to emerge throughout the city, all described as "ornaments" to their surrounding neighborhoods by the commercial press.[68] Despite claims that these new market houses would benefit the broad public, the new enclosed sites of exchange were specifically marked as bourgeois environments. From their imposing, elaborate exteriors to the marble-covered butcher's stalls and the patterns of social exchange inside, the spaces were branded as specifically middle and upper class zones. {Fig. 5.2} The opening of the butcher's Western Market, for example, was celebrated with a banquet gala of nearly four thousand elite Philadelphians, complete with the musical accompaniment of Beck's Philadelphia Brass Band. "Quite a number of fair ones, in

[68] "A Splendid Market House," March 24, 1859, Poulson's Scrapbooks, 57, LCP.

dimity and crinoline," promenaded through the avenues of the enclosed market, enacting rituals of sociability particular to their class status. [69]

As the new market houses welcomed bourgeois consumers and thus excluded the great mass of Philadelphians, they also excluded the High Street Market's former small-scale vendors. Drawn largely from the ranks of the working classes, such vendors could scarcely afford space in the new market houses. At the first auction held for stalls in the new 10th Street Market House, some sold for as high as six hundred dollars, and still there was rent to pay at the cost of one-hundred dollars per year.[70] The ability of stockholders to craft their own charters which detailed the rules and regulations for new vendors further restricted the spaces to specifically favored vendors. The end result, in fact, was a situation in which even the ranks of everyday butchers and farmers could not afford the new market rents and instead the houses became filled with a new breed of wealthy produce and commission merchants. As one contemporary noted, the new market houses had introduced the ultimate "reign of middle-men."[71]

Other wealthy dealers turned their attention to building new provision stores throughout the city that not only supplied families, but hotels and taverns as well.[72] While a few fledgling businesses had already existed in the hands of small-scale vendors and hucksters, the retail trade in fresh provisions increasingly became a standard mercantile pursuit. Likewise, wholesale provision establishments also grew in number and began to tap into the network of produce luxuries of the southern market. Thomas H. Elliot, for

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[69] "The Western Market House," April 16, 1859, Poulson's Scrapbooks, 54, LCP.
[70] "Summary of Events," *The Friend*, September 3, 1859.
[71] Strahan, Edward, pseudo. Earl Shinn, *A Century After: Picturesque Glimpses of Philadelphia and Pennsylvania* (Philadelphia: Allen, Lane, and Scott and J.W. Lauderbach, 1875), 157.
[72] By the 1890s, W.E.B. DuBois saw a particular niche available for African-American women in the provision store industry, specifically by supplying canned jams and other prepared foods to wealthy shops. See *The Philadelphia Negro*: *A Social Study* (New York: Schocken, 1967), 516.

example, a resident of Georgia, used his southern contacts to supply his new provision store on Market and Eleventh Streets.[73]

Although the High Street Market demolition spawned the growth of these new enterprises, it did not send signal the ultimate end of all municipal open-air markets, however. Despite the stringent campaign of the commercial elite and the city's ultimate decision to destroy the stalls in High Street, municipally-owned open-air markets continued to operate throughout Philadelphia well into the late nineteenth century and beyond. In the case of the city's second oldest site of exchange, the Second Street Market, public sentiment ensured its survival. During the mid-century controversy over High Street, a simultaneous discussion had arisen over the fate of the nearby open-air stalls in Second Street. Yet the market emerged unscathed thanks to a strong backing by Second Street business owners who argued that the market wagon traffic comprised a critical base of their income. In other cases, the municipal revenue generated by open-air markets provided the needed shelter from demolition. In 1870 the city's open-air markets were still thriving and earned the municipal government an estimated $75,000. [74]

As in days past, the markets also continued to be used as spaces of civic celebration and political expression. The butchers of Shippen Street Market in Southwark led an annual processional in honor of George Washington's birthday while the popular Irish Democrat councilman, known as "Squire McMullen" hosted his largest political gatherings

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[73] March 24, 1859, Poulson Scrapbooks, 57, LCP; "The Provision Business," *North American and United States Gazette*, July 9, 1859, March 22, 1860.

[74] Most municipal open-air markets met their demise around the turn of the twentieth century, although the Second Street Market survives to this day as the result of a strong neighborhood backing. See "Old Southwark Landmark May Soon Be Torn Down," April 15, 1901, Perkins Scrapbooks, vol. 14 (Fifth St.), LCP Foodways Files; Barshinger, 62. For extensive documentation of the twentieth century history of the Second Street Market, see the Second Street files located at the Philadelphia Historical Commission.

within the market.[75] Yet overall, the negative discourse surrounding open-air markets that permeated the commercial press had fundamentally altered the cultural perceptions of the sites of exchange. Indeed, if the expansion of the High Street Market in the 1780s marked the great rise of open-air marketing, the events of the 1850s marked its fall. No longer described as bastions of peace, order and prosperity, the city's public markets had come to be understood as dingy and dirty at best, and chaotic, petty and primitive at worst. Accordingly, they became culturally defined as sites of informal trade and associated almost exclusively with the city's working poor, who served as their primary clientele.[76]

The remaining municipal market-places also housed the city's poorest and most socially marginalized vendors. Although pushed out of the High Street Market, both black and white women stood their ground in other public open-air markets throughout the city. Elderly and young African-American women had carved out a deep niche in the sales of prepared foods and continued to serve a ready clientele under market eaves. Blending the artificial distinctions between the public and private aspects of their lives, they also brought their children and grandchildren along with them. Coddling babies on their laps as they retailed hot soups, candies, and boiled corn, these women thus crafted the open-air market into a shape that would fit the contours of their everyday lives as working market women.[77]

Like the sheds they sat beneath, however, such vendors were increasingly looked upon as quaint remnants of the past as "dilapidated" as the stalls themselves. Market-place vendors as whole were likewise branded with similarly negative labels as the century wore on. The butchers and farmers who still rented city stalls were stripped of their

[75] "Old Southwark Landmark May Soon Be Torn Down," April 15, 1901, Perkins Scrapbooks, vol. 14 (Fifth St.), LCP Foodways Files.
[76] Strahan, 157.
[77] Ibid, 158-159.

representations as "just providers" and instead seen as simple, petty victuallers. White huckster women were often characterized as harsh, unfeminine figures as a sketch printed in the juvenile book, *City Characters*, revealed. Importantly, however, the same iconography of huckster women and of all market women that was created as the century unfolded, also worked simultaneously to mark them as legitimate market vendors. For even as such women were described as overweight and dilapidated, they were likewise represented as shrewd and staid businesswomen. Although the "fat old lady" in *City Characters* had a poor appearance, for example, she still remained at her stall through rain or shine, "lining her pockets with pennies and silver pieces from her very profitable business" {Fig. 5.3}.[78] Thus although the men and women who still sold provisions and prepared foods with the market-place became increasingly contrasted with market house retailers and cast as informal vendors, they still managed to cling to their legitimacy as economic actors in the new landscape of exchange.

A large number of poor men and women who did not find shelter under the city's remaining market eaves did not fare as well, however. Indeed, one of the most visible changes that transpired in the wake of the High Street Market's demolition was the rise of a vast new network of street vendors who acted as physical extensions of the market. Despite the few small chapbooks that had appeared in the early nineteenth-century that characterized the city as saturated with the cries of itinerant vendors, Philadelphia had historically been markedly void of the food peddlers that wandered through the avenues of other metropolitan areas.[79] With the closing of the largest public market-place in the city, however, and the shift to expensive, private market houses, the true birth of a Philadelphia

[78] *City Characters*, (Philadelphia: George S. Appleton, 1850), 55-6.
[79] "Street Cries," April 10, 1847, Poulson Scrapbooks, LCP.

street vendor culture emerged. The city's poorest residents, male and female, black and white, and young and old took to the corners and the sidewalks to earn a living. They were in turn joined by new waves of European immigrants, and collectively they created a highly visible population of street vendors, marked by their behavior and appearance as among the most destitute residents of the late-nineteenth century city.[80] {Figs. 5.4, 5.5}

Within only a few years after the High Street Market Demolition, the physical and cultural landscape of exchange in Philadelphia was thus decidedly different from anything it had been in its history. Despite particular neighborhood distinctions and even the contentious bouts of violence that had transpired within particular market-places, the open-air public marketing system as a whole had served to stitch the community together for over one hundred and fifty years. From the lower-classes to the elite, from black to white, from adult to child, and male to female, all had been forced to rub elbows under the eaves of the municipal markets. Yet piece by piece, the system of obligations that had glued together the city, the public, and market vendors had completely atrophied. And finally, for the first time in the city's history, the forces unleashed by the High Street Market demolition gave Philadelphians meaningful options for imposed and self-segregation as consumers and vendors. Enclosed market houses were branded largely as bourgeois spaces. New provision grocery stores catered to small cross-sections of specific neighborhoods. And both the growing sphere of street sales and remaining municipal markets catered to the working classes and poor. Like the mid-century city as a whole, then,

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[80] Fictional stories that stressed the poverty, youth and immigrant background of urban street vendors exploded onto the literary landscape in the mid-nineteenth century. For one example, see *Maria Cheeseman, or the Candy-Girl* (Philadelphia: 1855). In addition to the increase of food vendors, the streets of Philadelphia also experienced an increase in other "street merchants" who retailed seemingly everything from images to porcelain busts to oils that promised to cure blindness. See for example, "Street Merchants," July 31, 1856, Poulson Scrapbooks, 43, LCP; "Street Image Venders," June 2, 1856, Poulson Scrapbooks, 32, LCP.

the new marketing system became spatially divided and marked by particular class, gendered, and racial attributes. In the end, if the late eighteenth century had witnessed the splintering of the system of mutual obligations within the market-place, the political and social events that defined the next century of life in Philadelphia had witnessed the gradual spatial splintering of the market-place itself.

The fragmentation of the market-place equated to more than the mere physical separation of Philadelphians, however. It also equated to the loss of a universal space that had long been used and defined as a political arena. Precisely because the market had always drawn such disparate beings together, it enabled the everyday contestation of civic, political and social ideals. In addition, because the markets were operated by the municipal government, it offered both vendors and consumers an opportunity to claim specific political rights that were grounded in the space of the market. Accordingly, the fragmentation of the market ultimately meant that Philadelphians—particularly the poor and working classes—would have to find other stages and other spaces to enact their particular expressions of political identity.

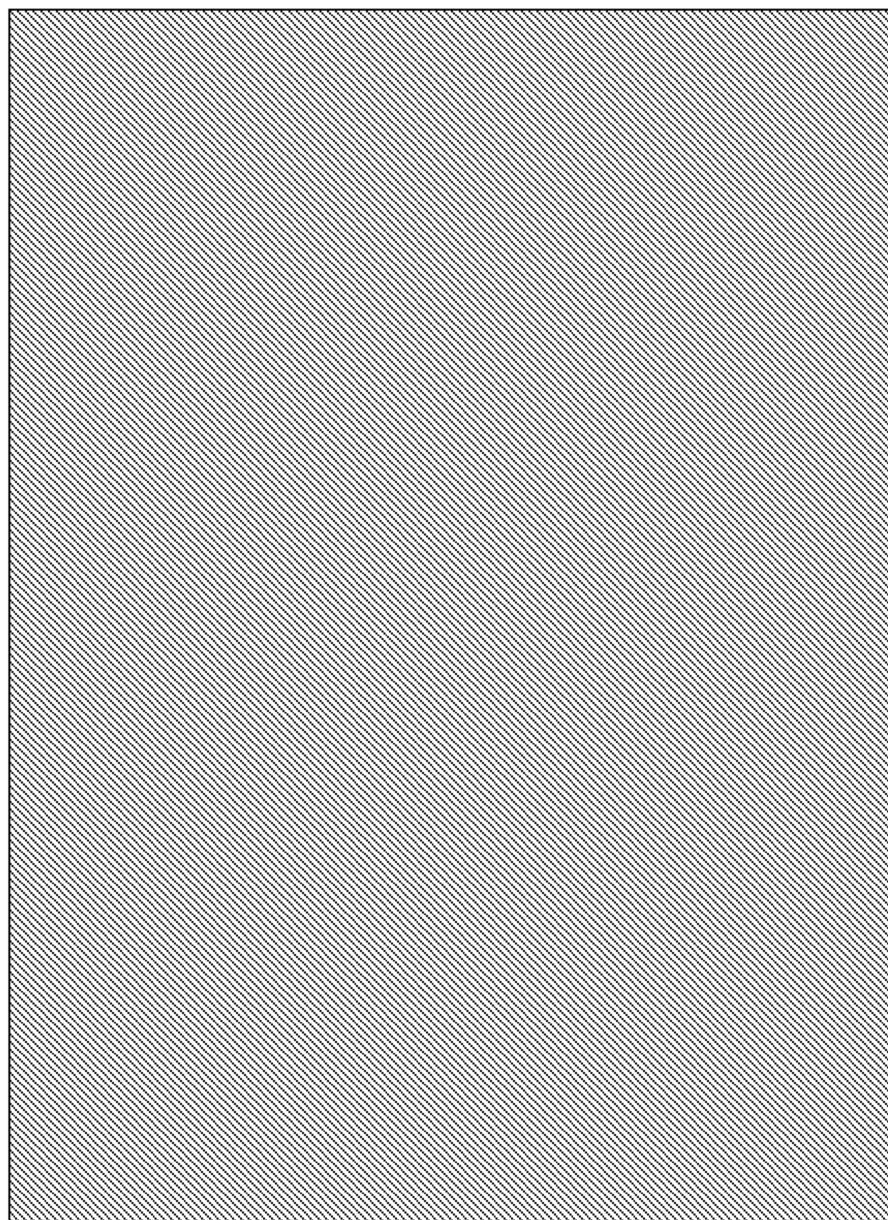

Figure 5.1. *Godey's Lady's Book*, March 1856.

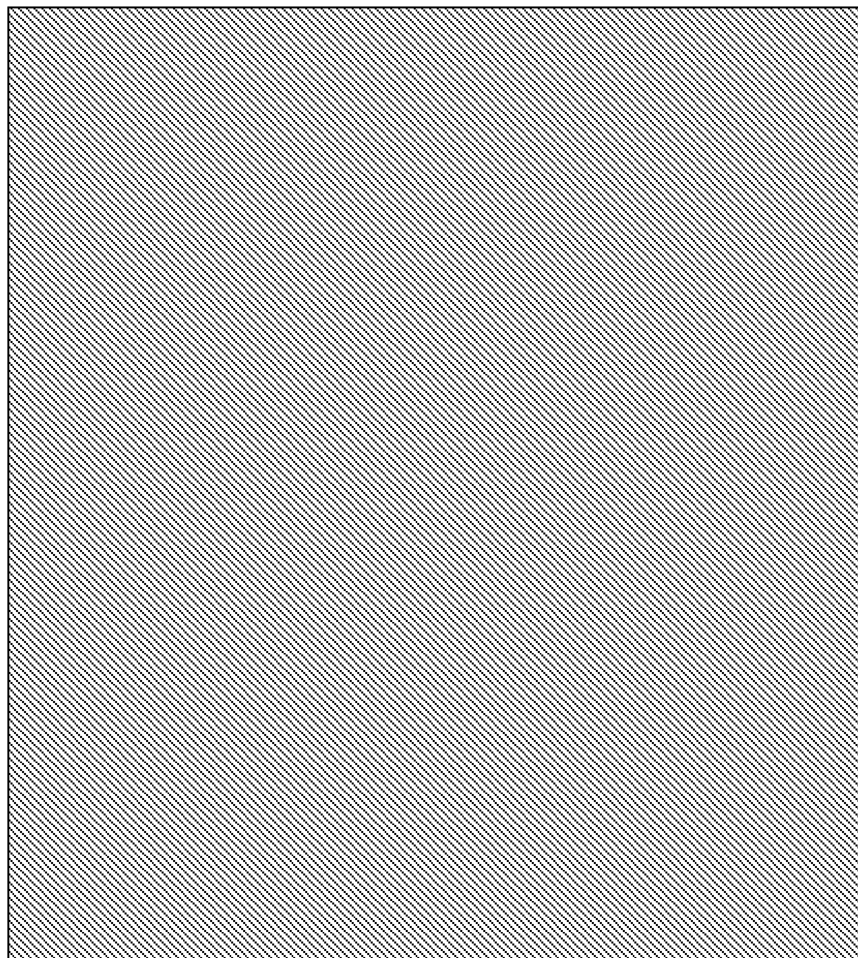

Figure 5.2: Western Market House, 15th & Market Streets, 1858.

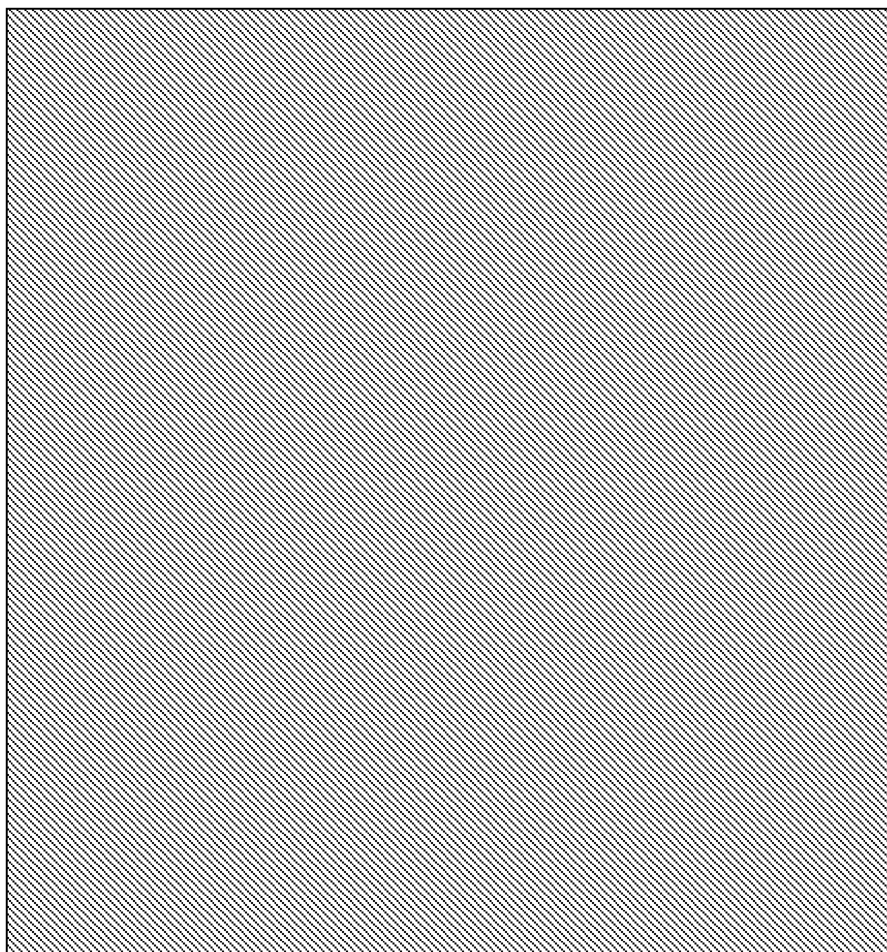

Figure 5.3: *City Characters* (Philadelphia: George S. Appleton, 1850), 55.

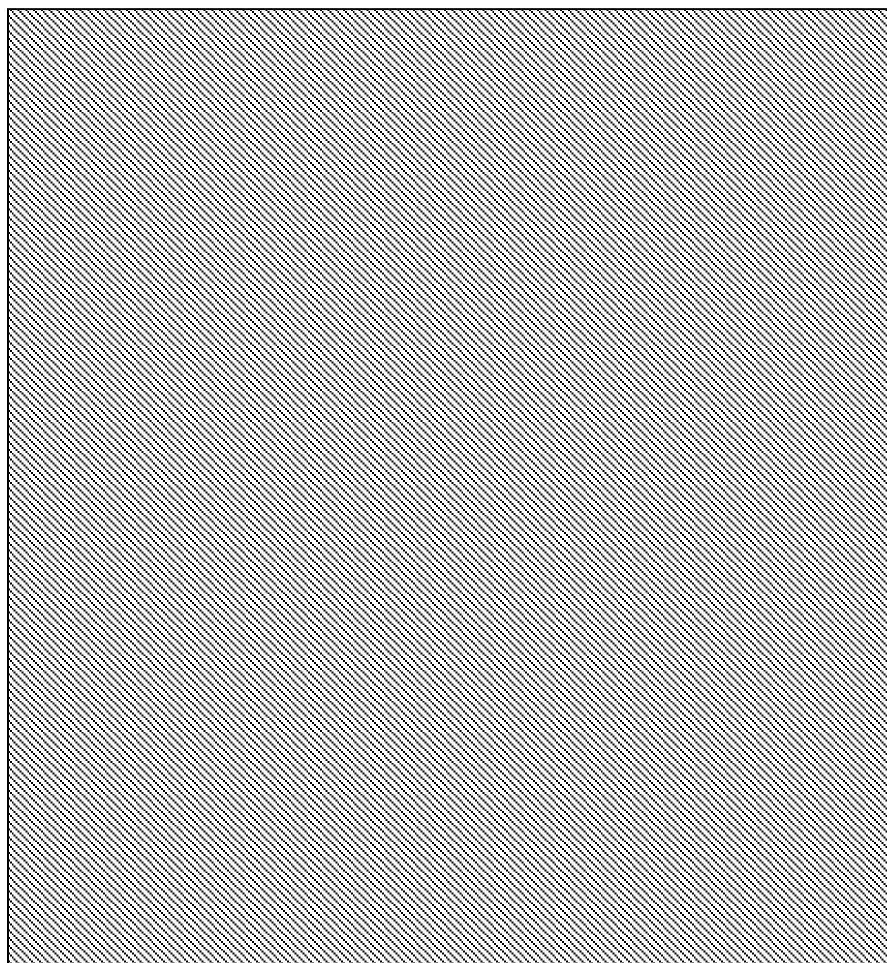

Figure 5.4: “Philadelphia Street Characters,” *Harper’s Weekly*, April 18, 1876.

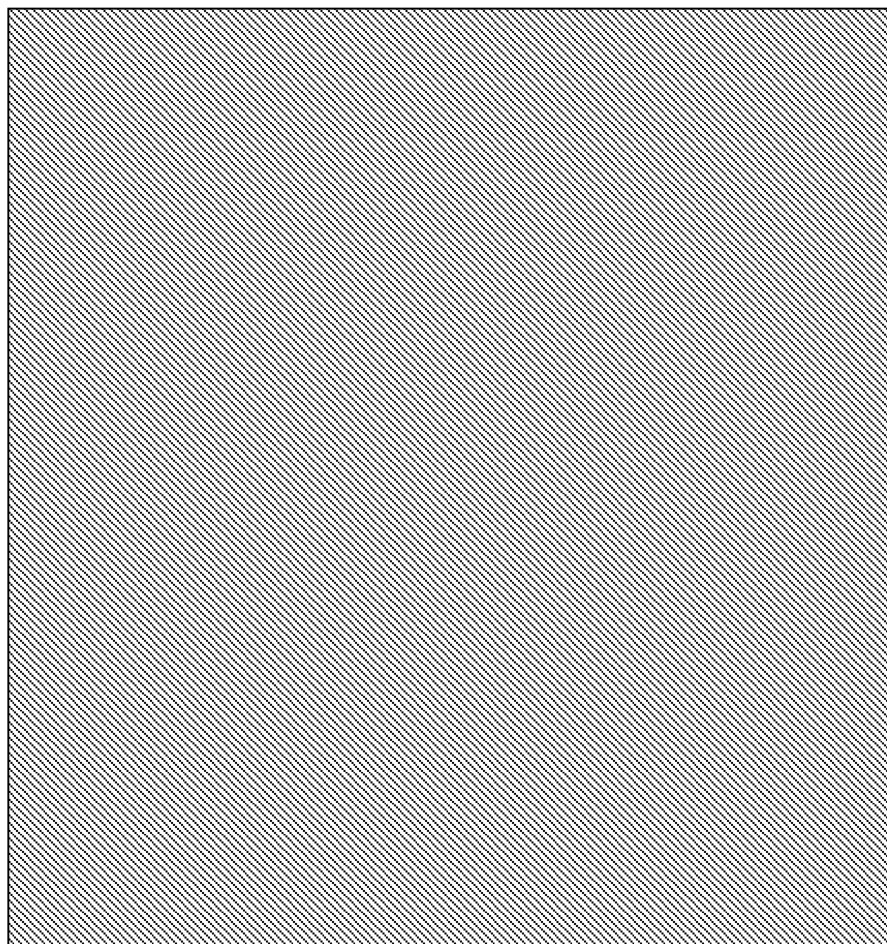

Figure 5.5: "Hungry. Random Street Sketches in Philadelphia," *Harpers Weekly*, March 31, 1877.

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