

**“A Jack of All Spaces: The Public Market in Revolutionary Philadelphia”**

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Writing about the wheels of commerce in the early modern world, Fernand Braudel observed that the “clamor of the market-place has no difficulty in reaching our ears.”<sup>1</sup> Nor, one could add, have the sensational portraits of mutton legs swinging from hooks, plump fish hucksters and rough-housing butchers, failed to capture our vision. Even the smells of freshly baked rolls and ripe summer berries have competed for our olfactory attention. Yet by and large, this sensual bombardment of market experiences has escaped the attention of early American historians. Only in the past decade have architectural historians begun to redirect our vision to North American market-places as serious sites of scholarly inquiry, but the broader field of U.S. historians continues to lag behind. Because of the attention devoted to the growth of capitalism and the reach of Adam Smith’s invisible market hand, a thorough analysis of the market as a physical *place* that complimented, sparked, and resisted these forces in early America has yet to be written.<sup>2</sup> In consequence, we still know very little about the “market” that mattered most to the vast majority of early Americans.<sup>3</sup>

When the bulk of late eighteenth century Philadelphians imagined and spoke of a “market,” they had a physical place in mind—one that stretched two blocks through the center of the city’s principal thoroughfare, High Street. Composed of roughly textured brick columns, a gabled roof and stone walkways, the public market served as the city’s most prominent and versatile public space. Viewed in its purest form, the market served as a central site of local economic exchange. Yet even a cursory glance at the mode of eighteenth-century exchange reveals just how complicated those transactions could be. The economic transactions that transpired in the market-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

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<sup>1</sup> Fernand Braudel, *The Wheels of Commerce*, v. II (New York: 1982), 25.

<sup>2</sup> The great exception here is Helen Tangires’ recent monograph, *Public Markets and Civic Culture in Nineteenth-Century America*. (Baltimore, 2003). Unlike Tangires who reads market-places almost purely as vestiges of the “moral economy,” however, I read them as more complicated places that both contributed to and challenged the growth of a market economy.

<sup>3</sup> Other recent studies include Bryan Clark Green, “The Structure of Civic Exchange: Market Houses in Early Virginia,” *Perspectives in Vernacular Architecture*, v. 6, Shaping Communities, (1997), 189-203; James M. Mayo, “The American Public Market,” *Journal of Architectural Education*, v. 45, no.1 (Nov. 1991), 41-57; Jay R. Barshinger, “Provisions for Trade: The Market House in Southeastern Pennsylvania” PhD. Dissertation, 1994, The Pennsylvania State University. The literature on the rise of capitalism is, of course, too extensive to list here. See Michael Merrill, “Putting “Capitalism” in Its Place: A Review of Recent Literature,” *The William and Mary Quarterly*, 3<sup>rd</sup>. Ser., v. 52, no. 2 (1995), 315-326.

countryside.<sup>4</sup> Furthermore, economic transactions formed only one layer of exchange that occurred in the High Street market. As a centrally located public space, the market often morphed into a communal stage. On any given market day, performances ranged from political proclamations, to public whippings, to fist fights between old and new enemies. By night, a different scene unfolded—one more visibly defined by race and class. An evening stroll might reveal interracial gatherings of slaves and servants drumming up music on milk pails, illicit women propositioning farmers at their wagons and intoxicated vagrants sleeping off a night of strong drink on a market stall. The market, then, truly was a jack of all spaces, subject to a cross-section of political, economic, cultural and social forces.<sup>5</sup>

Because it drew together a broad body of individuals, Philadelphia's public market naturally existed as a tense physical environment, subject to multiple forms of social disruption. Still, throughout much of the colonial era only isolated disturbances emerged. Beginning in the early 1770s, however, new disputes within and about the public market began to radiate throughout the city streets and presses. A small constituency of Quaker-led residents launched cries of the "The people's liberties are in danger...!" not in response to British policies, but to a proposed market-place extension. In the midst of war, the Continental army intercepted country marketers in route to feed the British-occupied city, whipped and branded them with the initials "GH," and sent them onward toward Philadelphia to meet the personage of their loyalty, General Howe. And in the immediate aftermath of war, "ill-designing" residents spawned a fear of insurrection by harassing and intimidating rural vendors.<sup>6</sup>

Collectively, these increasing conflicts over and within the public market-place in Revolutionary Philadelphia spelled the breakdown of the "market peace"—a fragile system of mutual obligations between the state, vendors, and the public that worked to subject private

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<sup>4</sup> 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, Economics 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, 1964), Chs. 4, 5.

<sup>5</sup> J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884*, v. I (1884), 186, 208, John F. Watson, *Annals of Philadelphia and Pennsylvania*, (Philadelphia, 1856), v. I, 62.

<sup>6</sup> *The Pennsylvania Packet*, April 5, 1772; *Pennsylvania Chronicle*, September 4, 1773; *In Council*, Broadside, Philadelphia July 8, 1779.

interests to the public good. As the forthcoming pages argue, the conditions that sustained the “market peace” shattered during this era because all three of the key ingredients that sustained it—a stable municipal corporation, a collective of vendors that relied upon a system of “just prices,” and a deferential public willing to submit its private interests for the public good—broke down. In part, these changes resulted from political theories that some historians have argued sparked the War of Independence, such as strengthened claims to Lockean notions of private property. More significantly, the breakdown of the market peace resulted from the economic and material strains of war that disrupted the day-to-day functions of the market-place and turned it into a political, economic and social battleground. As the city emerged from British occupation only to step into the throes of war-time inflation, the veneer of “public good” that had sustained the market during the colonial era had been torn away. In its place, lay a bevy of differing ideals, private interests and political loyalties of men and women that the market-place both reflected and exacerbated.

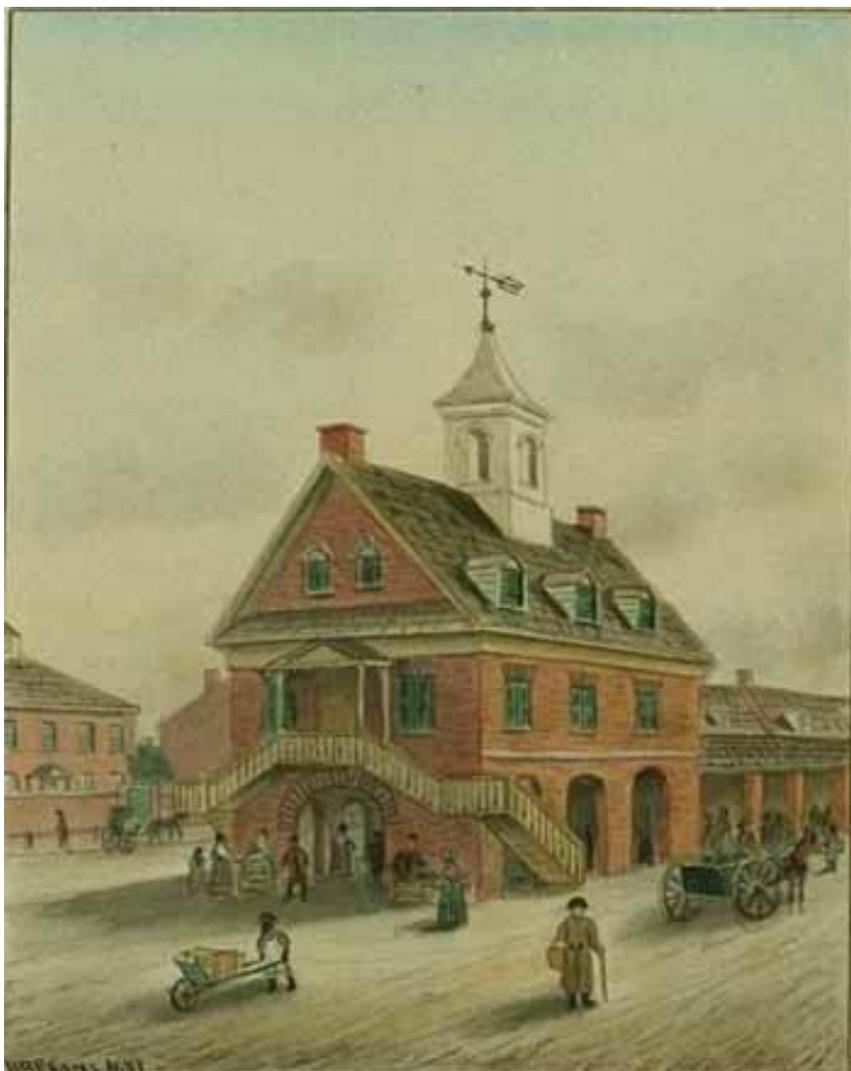
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One only had to conjure up memories of life back across the English Atlantic to find the architectural inspiration for the High Street market. Built in the midst of a 100-foot wide thoroughfare, the market might have easily been plucked from the streets of Whitby or Edinburgh.<sup>7</sup> (fig. 1) Like its English models, the early market-place was layered just beneath the town hall, adjacent to the stocks, pillory, whipping post and jail and had physically served as the center of public life in Philadelphia since its erection in 1709.<sup>8</sup> (fig. 2) By the 1770s, new market additions had been built from Front to Third Street. The eastern end toward the Delaware, known as the “Jersey Market,” was a permanent roofed structure, placed upon brick pillars and reserved for the use of farmers and country vendors traveling across the river. Continuing after the intersection of Second Street, a new series of arched brick sheds abutted the older structure

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<sup>7</sup> James Schmiechen and Kenneth Carls, *The British Market Hall: A Social and Architectural History*, (New Haven, 1999) 3-19; Barshinger, “Provisions,” 20-21.

<sup>8</sup> The colonial market essentially served as communal meeting space for a broad range of individuals and activities. George Whitefield had preached from the court house balcony with a voice rumored to be so boisterous that it stretched across the banks of the Delaware. Men filed up the steps to cast ballots for elected officials, and until the erection of the new State House in 1735, the General Assembly set laws and established policies directly above the battering and haggling of market men and women.



**Figure 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

that combined the town hall and market. Licensed butchers occupied these new “shambles” as they were commonly referred to, in exchange for small rents paid into the municipal treasury.<sup>9</sup>

<sup>9</sup> With the erection of the State House in 1735, the town hall became commonly known as the Court House. On market structures and changes during the colonial period, see Agnes Addison Gilchrist, “Market Houses in High Street,” *Transactions of the American Philosophical Society*, v. 43, no. 1 (1953), 304-312; *Minutes of the Common Council 1704-1776*, (Philadelphia, 1847), 52, 58, 64, 180, 184, 187, 566, 644. Just five blocks to the south, the “New Market,” erected in the center of Second Street below Pine in response to the growing population in 1745, shared the same brick, arcaded features of the High Street Market, but during its eighteenth century history functioned mainly as a provisional market-place. The headhouse was not added until 1803. See Margaret B. Tinkcom, “The New Market in Second Street,” *Pennsylvania Magazine of History and Biography*, 82 (1955): 379-396.

The abundance of the High Street Market drew admiration from visitors as close as Boston and as far as Sweden. To many who walked through and around it, the impressive display of foodstuffs, and the orderliness and the cleanliness of the market space stood in stark contrast to any market they had previously experienced. Some visitors like Thomas Caspina, a British agent writing back across the Atlantic, found the placement of the market ill-conceived, but still marveled that the abundance of provisions presented “such a scene of plenty” that it could scarcely “be equaled by any single market in Europe.”<sup>10</sup>

Local residents also fixated on the High Street Market, but not only as an idyllic symbol of prosperity. Rather, they saw the market as an important, tangible public site of economic exchange, civic engagement and social interaction that needed to be well-ordered. Because the whole of the city and pockets of the hinterland relied upon the public market, the preservation of the “market peace” equated to ensuring the peace and order of the town and relationships with the country. The term “market peace,” typically used by the state legislature or municipal corporation, invoked a medieval concept of order that encompassed the entire collective of social, economic, and cultural exchanges that transpired within the market-place. The instability of economic exchange, the breadth of interested parties and the multiple uses of market space, however, equated to a peace constantly in danger of being torn asunder.<sup>11</sup>

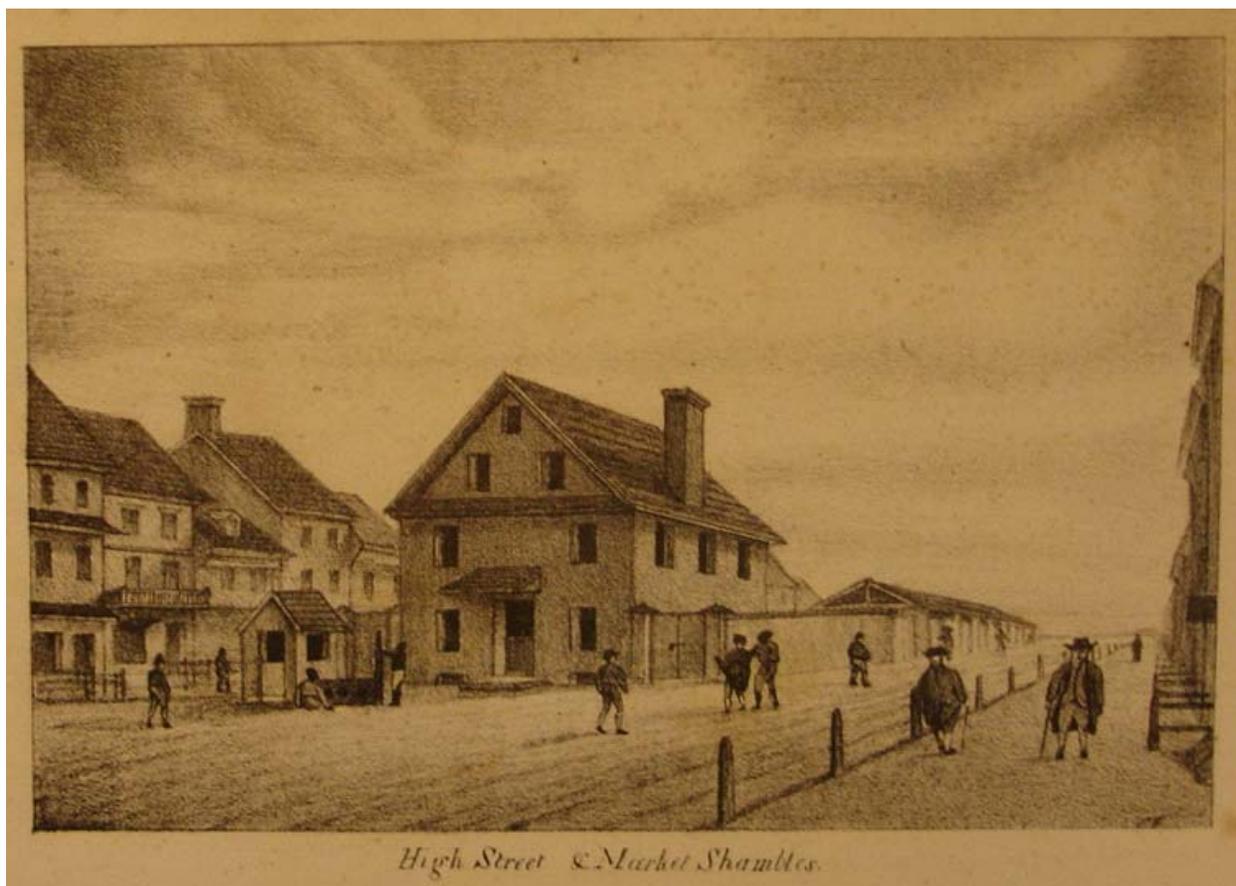
According to the city charter, the responsibility of ensuring the market peace fell to the municipal corporation who held the reigns of control in the interest of the public welfare. Yet one could easily argue that the municipal corporation on the verge of the Revolution neither shared the interest of 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 the late colonial period. These “inbred oligarchs” as Jon Teaford has referred to them, may indeed have only gone “through the motions

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<sup>10</sup> Josiah Quincy, Jr., “Journal of Josiah Quincy, Jr. 1773,” in *Massachusetts Historical Society Proceedings*, (June, 1916), 475-478; “To the Right Honourable the Lord Viscount”. *Pennsylvania Packet*, March 16, 1772; Mrs. Conway Robinson Howard, “Extracts from the Diary of Daniel Fisher, 1755” *Pennsylvania Magazine of History and Biography* (1877-1906), 1893, 17, 3.

<sup>11</sup> On the distrust and fear embedded in market exchanges, see Jean-Christophe Agnew, *The Market and the Theater in Anglo-American Thought, 1550-1750*, (London, 1986), Ch. 2.

of governing, indifferent to the needs or interests of the people.”<sup>12</sup> In terms of the market, those motions served important functions. The municipal corporation regulating the assize of bread, maintained proper weights and measures, and financed market extensions.



**Figure 2.** 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 3<sup>rd</sup> 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.

<sup>12</sup> 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.

The market clerk, appointed by the mayor, bore almost all responsibility for maintaining order within and around the High Street market. Strolling from stall to stall during market hours, he weighed bread, checked scales, inspected fresh meat and examined other provisions. He also 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. Because market activities rarely ended at the proper hours, night watchmen responsible for patrolling the city streets, picked up where the clerk 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.<sup>13</sup>

Considering the diversity of people, interests and agendas that converged within the market, the clerk and the municipal corporation had remarkably little disorder to contend with in the immediate years preceding the war. Such peace did not result merely from the efforts of the corporation or the market clerk, however. With a “vast concourse of People, Buyers, as well as sellers” moving passing through the market, the task of preserving market order was far too onerous for the one appointed clerk charged with supervision. Just beneath the facing of municipal control, lay an elaborate and unwritten system of customs and obligations that intertwined the municipality, market vendors, customers and the broad public in the maintenance of the market peace. The smooth operation of the market depended upon the subjugation of everyone’s private interests to the “public good,” whether those consisted of profit, property, socialization or consumption.<sup>14</sup>

The popularity of a laissez-faire economy had increased in the countryside as well as in the city by the 1770s, but such theories had little affect on the yeomen farmers that supplied the city’s local markets with meats, dairy products and produce. Most continued to vend according to a “just price”.<sup>15</sup> As opposed to commercial farmers who had more direct contact with merchants than the urban public, the men and women who carried butter, eggs, and vegetables into the High Street market were intimately bound up the system of obligations that sustained the market peace. In exchange for their adherence to just prices, they 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,” as an “Aged

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<sup>13</sup> John T. Faris, *The Romance of Old Philadelphia*, (Philadelphia:1918).

<sup>14</sup> Howard, “Extracts,” 266.

<sup>15</sup> On the persistence of the “just price” in popular thought and law, see J. E. Crowley, *This Sheba, Self*.

Farmer” explained. In addition, they also took advantage of trips into the city to purchase provisions of their own from local stores and groceries. Local residents, particularly butchers who sold in the market were even more intertwined in the system of mutual obligations that set just prices. Not only did they live in the community, but they also paid stall rentals, giving them a financial stake in the market-place. Occasionally, complaints surfaced concerning the price of market foodstuffs, but these typically focused not on country market vendors, but on hucksters, forestallers, and engrossers who intercepted goods on the way to the market and resold them at higher costs or withheld goods in order to create an artificial scarcity.<sup>16</sup>

When members of the public did experience “injury” at the hands of market vendors, their actions bore witness to the deferential role they played in the operation of the market-place. Philadelphians channeled their complaints over provisions into traditional, legal forms of protest. Rather than taking to the streets, they took to the petition or to the press.<sup>17</sup> Overall, the city’s clean record of market-place crowd activity suggests just how comfortably the public accepted its role in market matters. Philadelphians encouraged earlier market-place extensions and in fact, solicited more. Individuals like a “a shoemaker” not only fully supported a new Leather Act to control the quality of shoes produced, but even suggested that an additional municipal officer be appointed to inspect the shoes, just like the clerk of the market who had “ever been a sufficient Security for the City’s having good Bread.”<sup>18</sup> Obligation, ease, and trust then, seems to have defined the relationship between the municipal corporation, the public, and the vendors of colonial Philadelphia and held together the market peace.<sup>19</sup>

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In the late colonial period, the private interests that had previously been submerged in the name of the public good boiled to the surface as a small collective of residents led the city into a violent dispute over a proposed extension of the public market. Led by a small constituency of

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<sup>16</sup> “To the Printer of the Pennsylvania Packet,” *Pennsylvania Packet*, May 4, 1772; 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.

<sup>17</sup> *Pennsylvania Packet*, May 4, 1772; Watson, *Annals*, 61; Exceptions are of course, political crowd activities. See Gary Nash, *The Urban Crucible: Northern Seaports and the Origins of the American Revolution*, (Cambridge: 1986); 94-96; 145, 168, 194-6.

<sup>18</sup> *Pennsylvania Gazette*, October 28, 1772.

<sup>19</sup> For a petition from Germantown residents, see *Votes*, January 12, 1773, 426; Watson, *Annals*, 65.

Quaker property-owners on High Street, the group articulated a set of demands that had little to do with market exchanges and everything to do with the public space in which the market rested. As they challenged the municipal corporation over the placement of the market, they echoed John Locke's philosophy about private property and supplanted the rhetoric of the public good with the language of rights and liberties.

By the 1770s, 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.<sup>20</sup>

Although the continued stream of immigrants flowing into the rural hinterland led to increased competition for farmsteads, great numbers of colonists had managed to carve out physical space for themselves in the surrounding countryside. Late colonial Pennsylvania, for example, may not have seemed "the best poor man's country" to all its 300,000 inhabitants (perhaps most notably, the approximately 11,000 African slaves within its borders), but the relative abundance and cheapness of land, coupled with low taxes had made land ownership possible for many white yeomen farmers. Within Philadelphia, property ownership still existed as a murky dream for most, but those who did manage to secure private residences and businesses had created a markedly strong, entrenched and powerful stratum of urban society.<sup>21</sup>

As both the rural and urban population thickened, Philadelphia's public markets drew in increasing numbers of vendors and consumers. With only a small space of about twenty stalls

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<sup>20</sup> Carl and Jessica Bridenbaugh, *Rebels and Gentlemen: Philadelphia in the Age of Franklin*, New York: 1942, p. 3-4; John B. Frantz and William Pencak, "Introduction: Pennsylvania and Its Three Revolutions," in J. Frantz and W. Pencak, *Beyond Philadelphia: The American Revolution in the Pennsylvania Hinterland*, University Park, 1998, ix-xxv.

<sup>21</sup> Frantz and Pencak, xi-xii; James T. Lemon, *The Best Poor Man's Country: A Geographical Study of Early Southeastern Pennsylvania*, (Baltimore, 1972), xxi; Bridenbaugh, *Rebels and Gentlemen*, passim.

reserved for the use of “country people”—the Jersey Market—and the rest of the shambles rented to town butchers, residents from the surrounding counties petitioned the colonial legislature for the erection of new market stalls in October 1772. 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.<sup>22</sup>

As soon as the committee’s decision wove its way into earshot of the public, however, a small body of Philadelphians began organizing to prevent the construction of the new sheds. 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 with easily recognizable names, an extremely firm grasp of the law, and property situated in High Street surrounding the proposed market extension. Owen Jones, the provincial treasurer, appears to have led the organizational efforts, while William Goddard, the printer of the *Pennsylvania Chronicle* lent his editorial and printing 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, his father-in-law John Read, and his son-in-law Richard Bache.<sup>23</sup>

In keeping with the custom of deference, the opposition first voiced their complaints through a written petition to the Mayor that focused not on the market itself, but on the use of public space. Arguing initially that any continuation of the market sheds would only encumber the already crowded public highway, the “real friends” that signed the petition attempted to persuade municipal leaders that the construction would only deprive inhabitants of the

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<sup>22</sup> Pennsylvania. General Assembly. House of Representatives, *Votes and Proceedings of the House of Representatives of the Province of Pennsylvania*, Philadelphia, 1773, 419, 432-434; *Pennsylvania Chronicle*, February 1, 1773.

<sup>23</sup> 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.

“remarkable regularity” of the urban landscape. Essentially, the Council’s effort to remedy one public grievance would only create another, they argued.<sup>24</sup> Carriages, carts, horses, draymen, porters, farmers, butchers, hucksters and customers did crowd the street so densely during market days that many a person like Susanna Frapes probably found themselves in a “terrible piggie” after trying to cross the street. Yet the petitioners who opposed the market extension seemed to have little concern that someone like Frapes might dirty her “kalliko gownd” again. Far more disconcerting was that the placement of the new market stalls would threaten the value of the property they paid “an extraordinary price” for, and block their own enjoyment of the wide breadth of the street fronting their lots.<sup>25</sup>

As the mayor continued to ignore the remonstrance of the petitioners, their opposition grew more rigorous and they quickly entered into a much larger contest over the rights of the individual versus the interest of the public. Although “sensible that in some cases, particular interests give way to public benefits,” they stated, this surely was not one of them. 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 backbone for the opposition’s argument against the market extension.<sup>26</sup> 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.<sup>27</sup>

While such appeals fell on the deaf ears of the corporation, William Goddard, writing 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 on all attack on the municipal body. The ephemera that circulated through the

<sup>24</sup> William Goddard, *Andrew Marvell’s Second Address*, Philadelphia, 1773.

<sup>25</sup> “Philadelphia Markets,” *Devoe Papers*, New York Historical Society.

<sup>26</sup> 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: 1976), 39-40.

<sup>27</sup> Goddard, *No. I. Philadelphia*, Broadside. June 10th, 1773

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.<sup>28</sup>

Mingled among such spirited attacks were more dispassionate strategies to prevent the municipal corporation from erecting the stalls in Third street, as well as 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. “Philadelphus,” however, suggested that the market not be held in a place at all. “[W]ithout Dispute,” he argued, both the city and countryside “would be served equally with Country Produce at the very Doors of its Inhabitants.”<sup>29</sup> Probably very few would agree with “Philadelphus” on this particular point, however. 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—and only because that position infringed on the space surrounding their own property.<sup>30</sup>

Accordingly, most of the activity surrounding the arguments against the building of the new market stalls remained peaceful and continued to follow legal traditions. 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

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<sup>28</sup> Teaford, *Municipal*, 63; *Pennsylvania Chronicle*, August 30, 1773.

<sup>29</sup> *Pennsylvania Gazette*, June 23, 1773.

<sup>30</sup> *Pennsylvania Gazette*, July 14, 1773.

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.<sup>31</sup>

Not all of the opponents managed to remain so patient, however, and 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 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 29<sup>th</sup>, the building ceased.<sup>32</sup>

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

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<sup>31</sup> Goddard, *Andrew*.

<sup>32</sup> *Pennsylvania Chronicle*, Sept. 4, 1773; Goddard, *No. I.*; Goddard, *Andrew*; Watson’s *Annals*, 65; *Minutes of the Common Council 1704-1776*, (Philadelphia, 1847).

a matter of speculation. The city had other matters to deal with as the colonies turned their attention to the relations with the Crown.<sup>33</sup>

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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. All of the components that sustained the fragile order of the market broke apart—from the dissolution of the municipal corporation, to the inflation of prices by enterprising vendors, to the ultimate breakdown of public deference. 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 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 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."<sup>34</sup>

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

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<sup>33</sup> The market was in fact extended in 1786.

<sup>34</sup> *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.

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 8<sup>th</sup>, 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.<sup>35</sup>

By the time British troops entered Philadelphia on September 26<sup>th</sup>, 1777, the High Street market already bore little resemblance to anything in its previous days. In 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.”<sup>36</sup>

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

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<sup>35</sup> George Winthrop Geib, “A History of Philadelphia: 1776-1789,” PhD Dissertation, The University of Wisconsin, 1969, 59-69.

<sup>36</sup> *The Diary of Elizabeth Drinker*, p. 259. November 29, 1777; Watson, *Annals*, v. III, 187; Steven Rossworm, *Arms, Country and Class: The Philadelphia Militia and “Lower Sort” During the American Revolution, 1775-1783*. (Rutgers, 1987), 149.

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.<sup>37</sup>

The military strategies of General Washington not only compounded the problem of hunger in the city, but helped to transform the market-place from a neutral 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.<sup>38</sup> 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.”<sup>39</sup> 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.<sup>40</sup>

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 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

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<sup>37</sup> Alfred Hoyt Bill, *Valley Forge: The Making of an Army*, (New York, 1952), 75-76; Rosswurm, *Arms*, 149; Almshouse records, PCA

<sup>38</sup> 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.

<sup>39</sup> Cited in Richard K. MacMaster, Samuel L. Horst, and Robert F. Ulle, *Conscience in Crisis* (Scottsdale, 1979), 472.

<sup>40</sup> 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.

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 he 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 egnog.” 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.<sup>41</sup>

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 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.”<sup>42</sup> 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.<sup>43</sup> Despite whatever efforts Galloway made to recreate a municipal

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<sup>41</sup> Bodle, *Valley Forge*, 106-107, 138-139, 210-213; “Early History of Bedminster Township. Recollections of William H. Keichline,” 268-269; Bill, *Valley*, 167.

<sup>42</sup> Ireland, “Bucks County,” 24, 40; Geib, 74; Bodle, *Valley Forge*, ; Bill, 176; Doerflinger, “Farmers,” 194-5.

<sup>43</sup> Scharf and Westcott, *History of Philadelphia*, (Philadelphia, 1887), I. 367.

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.<sup>44</sup>

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 casualties 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 Clamorous" because they could afford neither bread nor shoes.<sup>45</sup>

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<sup>44</sup> Cited in Ruth, "Memories of Mennonite Marketing in the Delaware Valley, Part I," *Mennonite Historical Quarterly*, v. 6, n. 2 (2003), 17.

<sup>45</sup> *Pennsylvania Packet*, December 10, 1778; Anne Bezanson, "Inflation and Controls, Pennsylvania, 1774-1779," *The Journal of Economic History*, v 8, Supplement: The Tasks of Economic History (1948), 1-20.

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.<sup>46</sup> 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.<sup>47</sup>

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 “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.<sup>48</sup>

For thousands of other Philadelphians however, the same evening ended by gathering along the Delaware, “clamoring for bread,” and escorting a merchant, a butcher, and a “speculator” to jail. In the face of hunger and poverty, all forms of deference had disintegrated for these thousands of “common people.” The new extra-legal Committee established to regulate

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<sup>46</sup>Rosswurm, “Equality and Justice: Documents from Philadelphia’s Popular Revolution, 1775-1780,” *Pennsylvania History*, LII (1985), 254-268; Foner, *Tom Paine*, 162-163.

<sup>47</sup> Pennsylvania General Assembly, *An Act for the Regulation of the Markets in the City of Philadelphia*, April 1, 1779.

<sup>48</sup> Rosswurm, *Arms*, 177-181; Barbara Clark Smith, “Food Rioters and the American Revolution,” *The William and Mary Quarterly*, 3<sup>rd</sup> Ser. v. 51, no. 1 (1994), 24-25; Foner, 164-168. Also see Rosswurm, “Equality and Justice: Documents from Philadelphia’s Popular Revolution, 1775-1780,” *Pennsylvania History*, LII (1985), 254-268.

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 individuals. With the breakdown of the market peace then, came the breakdown of the “public” itself.<sup>49</sup>

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.”<sup>50</sup> 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.<sup>51</sup>

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 together in rhetoric

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<sup>49</sup> *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.

<sup>50</sup> *In Council*, Broadside. Philadelphia July 8, 1779.

<sup>51</sup> *Laws Enacted in the Third Sitting of the Third General Assembly, of the Common-wealth of Pennsylvania...*, (Philadelphia, 1779).

and in practice. 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.”<sup>52</sup> 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.”<sup>53</sup> 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.<sup>54</sup> 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 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.”<sup>55</sup>

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

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<sup>52</sup> *At a General Meeting of the Citizens of Philadelphia*, May 25, 1779.

<sup>53</sup> *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.

<sup>54</sup> Foner, *Tom Paine*, 168; Smith, “Food Rioters,” 3-38.

<sup>55</sup> December 4, 1779.

solved by punishment. Nor would the problem be completely remedied as the economy recovered in the aftermath of war. Throughout the events of the 1770s, individuals as far ranging as propertied Quakers to wood corders had physically and verbally refused to subject their private interests in the market-place to the public good. The reasons for their refusal also ranged wildly, from broadly defined property rights, to hunger and to profits. At the close of 1779, these interests had fractured the system of mutual obligations that had structured the colonial market. In its place, the Revolutionary era ushered in a new market experience into the city—one that was defined as much by conflict as by cooperation, and one that was ordered more by market clerks than market people. Finally, if the struggles over, within and en route to the market expose a myriad of competing self-interests, they also expose just how deep those interests ran. Clearly, for Revolutionary Philadelphians, the market-place mattered.