THE FOURTEENTH ANNUAL RESEARCH CONFERENCE AT HARRISBURG

The Pennsylvania Historical Association’s annual research conference was cancelled in 1979 due to the Three Mile Island nuclear accident. On the afternoon of 28 March 1980, the Fourteenth Annual Conference convened at the historic John Harris House, 219 South Front Street, the home of the Historical Society of Dauphin County. The conference was sponsored jointly by the Pennsylvania Historical Association and the Pennsylvania Historical and Museum Commission. The Society’s president, Carl B. Stoner, Jr., greeted the conferees, and James P. Rodechko of Wilkes College, the general chairman, opened the conference.


In 1905 the IWW was formed in opposition of the American Federation of Labor (AFL) which seemed to have become a mere dues paying organization controlled by big business. The IWW organized non-skilled, semi-skilled, black, immigrant and female workers, all of whom the AFL ignored. The IWW hoped that solidarity could be built among workers when strikes brought out the strongest hostility toward employers. Eventually they hoped to be strong enough to call a general strike. They dreamed that capitalism would disappear and the control of manufacturing would pass into the hands of workers who would manufacture for the needs of society. However, the IWW was never specific about its ultimate
plans. It relied on inflammatory speakers to attract discontented workers, especially in immigrant communities. As a result, the IWW was condemned by AFL leaders, government officials, community leaders and some clergy. In the eastern states key strikes occurred at McKees Rocks in 1909, at Lawrence, Mass., in 1912, and at Paterson, N.J., in 1913.

Lynch's research has been concentrated on IWW activity in Pittsburgh and the anthracite region. Five thousand workers had struck at McKees Rocks and seven killings took place. The evidence did not, however, link the IWW with the violence. By 1910 Pittsburgh had such a large number of local unions that a Pittsburgh Industrial Council was formed. It lasted only until 1914, however. The most successful strike in Pittsburgh during this period was the IWW led strike of the stogie workers in the Hill District, in 1913. Led largely by Jewish immigrants and socialists, the stogie workers had been denied membership in the AFL in 1912. They joined the IWW the following year and went on strike for eighteen weeks. In the end they received most of their demands, although they did not sign a contract with management because the IWW opposed the use of contractual arrangements between employers and labor.

In the anthracite region the United Mine Workers (UMW) was already organized before the birth of the IWW, and it had been successful during a strike in 1902. Around 1908, however, IWW strength among miners began to be felt by the AFL, and in 1912 the UMW reorganized its rules in order to head off IWW competition. That was the most significant result of IWW activity in the anthracite region.

The hostile actions of the federal government during World War I had much to do with the decline of the IWW. Its ultimate failure in the Pittsburgh area, however, was the result of its inability to organize steel workers.

Pennsylvania communities where IWW activities need to be explored include Reading, Erie and Philadelphia. The task is difficult because important union records were destroyed in 1917 when the IWW was threatened by U.S. government raids.

Harold Aurand of the Hazleton Campus of the Pennsylvania State University discussed the social and economic history of anthracite region mine workers. Much is already known of their lives, including detailed information on such familiar subjects as the Molly McGuire, George F. Baer and Mother Jones. These should
not blind us to the rich potential of the region for further research, however. The economic life of the miner has been considered in terms of ethnic background. Ethnic lines provided internal boundaries within the work force, while the work environment provided the external boundaries. The work fashioned a value system and behavior conformed to it. Behavioral and social scientists have long concluded that the growth of the coal industry victimized the miner. It created in him, they believe, an inferiority complex with little or no sense of rebellion, and it made him a tradition-oriented person, dominated by suspicion and fear. However, most observers also have said that the miner’s behavioral values stressed an unrealistic sense of masculinity with emphasis on physical strength and violence. Aurand finds these conclusions and observations inconsistent. He is certain that miners did not lack a sense of rebellion. In Aurand’s opinion behavioral and social scientists have created an erroneous stereotype by measuring the values of one class against the standards of another.

Although the mining industry of the late nineteenth century seemed very advanced because it involved large capital investments and had a complex corporate structure, the basic labor organization had a strongly pre-industrial characteristic. In that sense mining was very different from factory work. Much skill was needed to perform the basic function of removing the coal from the earth. Not only did the miner have to learn skills in cutting, drilling and blasting, but he had to learn to recognize subtle movements of the earth if he was to survive. An apprenticeship was essential. In fact, there was a four-tiered hierarchy in mine work: store boy, mule driver, laborer and, finally, miner. The miner was much like earlier artisan laborers in pre-industrial manufacturing. He was producing a finished product, he owned his own tools, and he hired and paid his laborers. Therefore, he had a high degree of independence from company management. Furthermore, constant supervision of workers was not feasible in mines as it was in factories. Thus, there was a lack of discipline in the mines and it was accentuated by the sporadic nature of the work, a function, in turn, of the intermittent market demand for anthracite.

Physical entertainment and entertainment that required spectator participation were characteristic of miners’ recreation, especially during the many long periods of unemployment. Typical were Indian shows, circuses, wild west shows, shooting contests, foot
races, cricket, baseball and, during the winter, dancing. Fighting was very much a part of the miner's life. Almost every weekend barroom brawls were reported in the newspapers. There was heavy use of alcohol. In Hazleton, in 1881, for example, one saloon existed for every 71 inhabitants. Miners also had a strong sexual appetite. Their fertility rate was higher than non-miner groups in the same region. Houses of prostitution and streetwalkers were chronic in every mining town. Premarital sex experience is difficult to document, but the number of hasty marriages suggests it and there is the tale of a minister who joked about having married three people instead of two.

Both the physical strain of the work and the pre-industrial atmosphere led to a recreational pattern stressing virility. Free from strict, factory-type industrial discipline, the miner did not internalize restrictive behavioral patterns, with their characteristic self-control and self-denial. Therefore, a counterculture, based on the industrial discipline, arose to oppose drinking, prostitution and gambling. Temperance, abstinence, and other reform movements appeared in organizations in which the leaders were often individualistic miners. But these groups never claimed the loyalty of more than a minority of the mining population. The industrial code of clean conduct was stronger in the larger towns like Hazleton, but even there the community at large rejected the code's high degree of self-control. Immediate gratification appealed to the miners' mentality, although it is not fair to say that they behaved like habitual drunkards. Usually they gave most of their pay to their wives before going out to carouse on pay day. The prevalent custom of having a home garden also attests to their common sense. If not thrifty they must, nevertheless, be characterized as prudent. It is true that most miners were chronically in debt, but that was not because of an extravagant life style. It was a result of the region's wage system. Many of the miners' debts were for modest home furnishings such as curtains, carpets, pianos and furniture. This may be contrasted with purchases motivated by prestige which were the habit of factory workers, men who internalized the industrial ethic of self-improvement. Most long-term debts of miners were for home mortgages which they regarded as capital investments rather than the consumption of luxury items. Despite their debts mine workers had the capacity to save, and the large number of banks in the anthracite region attested to it. When a miner happened to be living in a coal patch or a
temporary work camp he would usually send his pay check to the home he considered to be his true residence.

The artisan tradition of self-reliance forced miners to accept the value of self-sufficiency. The absence of discipline underground gave miners the attitude that they ought to make their own decisions. Below the surface an incorrect decision could lead to accidental death, so they were very serious about any decision-making process. Mine work also tended to emphasize a sense of being one's own boss.

Mine workers were usually willing to move geographically, even outside the anthracite region, but were very reluctant to change occupations. Daniel C. Rogers's examination of worker motivation stresses the factory worker's dream of becoming a small businessman, a dream born of the desire to escape factory discipline, not the belief that he would thereby become wealthy. The miner, however, did not want to change occupations because he already had freedom on the job. Many miners did want to elevate to managerial and even entrepreneurial status, although the number willing to accept the needed self-discipline and self-control was small.

Miners had the normal American drive for economic security, but they rationalized this goal as an effort to avoid early physical decline and the poorhouse. Unionization was clearly a step toward that goal, which explains why unionization of the industry occurred at such an early date. Anthracite mining led the nation in full unionization and its organization was on an industrially inclusive basis, not along craft lines. The uniform manner in which accidents occurred in mines created a sense of fraternity, and it was not in the best interests of artisan miners to preserve their ascendancy over workers in the lower ranks by forming a separate craft union. Also, mine labor operations were highly interdependent; i.e., a walkout by one small group of specialists often meant that the entire mine had to close down. Thus, specialists other than the artisan miners had a high degree of bargaining leverage. A union that co-opted all skills was to the advantage of the artisan because it allowed him to derive advantage from the leverage of the other, non-artisan specialized workers. It was a better strategy for the artisan than provoking confrontations with the other mine workers. Interdependence also existed between management and labor because both were so dependent on the unique characteristics nature had given to their particular mine sites. Unlike a factory, no amount of capital input could change basic features of the work environment. Therefore,
there was a high degree of agreement between labor and management on changes to be made in business organization and in decisions affecting mine sites.

The totally inclusive form of unionization became, ironically, a device for maintaining craft control over the work. The artisan miners were more successful than other crafts in maintaining control over admission to their group. They were very successful in keeping immigrants out. Control was achieved through state legislation such as the Coal Mine Health and Safety Acts of 1870 and 1885, and the Miners' Examining Board Act of 1889. These prevented novices and incompetents from getting the top mine laboring jobs. Aurand concludes that, in general, the pre-industrial atmosphere conditioned the mold of new institutional forms, even though mechanization altered the occupational world.

Aurand feels that the institutional history of mine workers should be examined to determine where and how policy decisions were made. Proletarianization of mine workers is an important area for research. The internal barriers between apparent equals remains unclear. Also, there is much that can be done in the areas of child rearing practices, women's roles, sex mores and religious perspective. A study of the impact of religion might center around the contrast between pietistic religion and ritualistic religion. Oral history is one of the best techniques to research private aspects of coal miners' lives, but such work must be done quickly because the members of the old mining generation are rapidly dying off. Industrial archaeology should also be used. It can tell us how miners handled their tools, how their homes were organized, and can even duplicate a miner's physical motions. Manuscript sources remain to be tapped, too. Coal mine company records are very useful. Wayne State University has been designated the depository for the United Mine Workers (UMW), but it may be years before the transfer of records there is completed. A Coal Miners Research Association was formed in December 1977 and shows promise of doing much to preserve and interpret the history of mining life.

James Sperry praised both speakers for emphasizing the gap between theory and practice. He was especially interested in Lynch's having established that collusion existed between business interests and the AFL when they were threatened by the IWW.

In commending Aurand on his paper, John E. Bodnar, Chief of the Division of History of the Historical and Museum Commission,
questioned whether the geographical mobility of anthracite miners was really a reflection of their search for independence. Agreeing that miners were among the most mobile of industrial workers, Bodnar suggested that the unique features of their labor situation dictated movement. They moved to survive. When a mine site ceased to be economically profitable there was no more work and, furthermore, a special feature of mine employment was blacklisting. Once blacklisted a miner had to move.

In response to another of Bodnar’s comments Aurand explained that there was still a district office of the UMW, in Hazleton, but that it is not hospitable toward historical researchers. The Washington, D.C. headquarters of the union is closed off to researchers. This provoked a general discussion of accessibility problems in studying institutions that are currently highly politicized. Sperry made several comments on the problem and John N. Hoffman of the Smithsonian Institute suggested that the conferees were being too harsh toward the UMW.

Responding to inquiries from several conferees, Lynch said that the 1913 stogie worker leadership was definitely composed of immigrant Jews and that there is reason to believe that the anthracite IWWs were largely Italian. Their UMW opposition was largely made up of workers of Irish descent. Mahlon Hellerich, Archivist of Lehigh County, raised the question whether home gardening was generally characteristic of miner’s domestic life. Several observations were made in response.

Following dinner at the Holiday Inn Downtown, Roger Lane of Haverford College, introduced by the Society’s president, Edwin Bronner, addressed the conference on “Violent Death: The Social Significance of Suicide, Accident, and Murder in nineteenth-century Philadelphia.” He traced his own interest in the subject, from his involvement in the law-and-order arguments of the late 1960s to his publication of Violent Death in the City: Suicide, Accident and Murder in Nineteenth-Century Philadelphia (1979). His statistical study of these three categories of death establishes a connection among the indices of the three. It makes a coherent pattern both in terms of psychology and statistics. Relating this pattern to specific developments in Philadelphia, he believes he has found the true relationship between city growth and violence. All three indices have sharp breaking points at about 1870. At that point accidental death decreased, suicide increased as it was being democratized, and
murder’s already downward course ceased to follow an erratic pattern and became a steady statistical decline.

The Suicide-Murder Ratio (SMR) is one comparative that is very important for Lane’s analysis. SMR is arrived at by dividing the suicide rate for a group by the sum of its suicide rate (again) and its homicide rate. A low SMR applies to a group inclined to prefer homicide to suicide, and vice versa. Lane likes the SMR because it confirms, for Philadelphia’s history, the assumptions of earlier scholars that accident victims tend to come from groups with low suicide rates and high homicide rates. Thus, the characteristic of thoughtless, reflex physical action of so many killers is also typical of accident victims and, conversely, the inward directed and inhibited suicidal avoids accidents because he is habitually cautious.

Two of the most famous studies of violent death, Émile Durkheim’s *Suicide; A Study in Sociology* (1897), and Andrew F. Henry and James F. Short’s *Suicide and Homicide: Some Economic, Sociological and Psychological Aspects of Aggression* (1964), do not provide adequate explanations for the Philadelphia statistical record. A hypothesis that proved more helpful to Lane is that of Martin Gold, presented in “Suicide, Homicide and the Socialization of Aggression,” *American Journal of Sociology*, Vol. 62 (May 1958), pp. 651–666. Durkheim, to be sure, established that people who commit suicide tend to be inward directed, and that killers tend to be outward directed. But only with Gold’s study does it become clear that outward directed conduct is conditioned by the social training an individual receives in his group. Gold’s basic pattern is that homicidals are those whose training does not build controls over direct expression, whereas suicidals tend to come from model students and from children of middle class bureaucrats whose preparation for life emphasizes the idea that economic success requires the development of harmonious social relations, and deplores overt aggression. With its emphasis on the importance of child rearing on psychological development, Gold’s thesis partially explains why two patterns of group SMR differences were more pronounced in nineteenth-century Philadelphia than in the twentieth century: the differences in rates among ethnic groups and the differences between the sexes. Germans had a higher SMR than the Irish, for example, and females had a higher SMR than males. Girls and children of German descent were both subjected to higher levels of control in the nineteenth-century than their twentieth-century counterparts. The Gold thesis
is unsatisfactory, however, because its emphasis on child rearing takes us into an area where few facts are known, because it does not seem to have anything to say about the sharp changes that occurred about 1870, and because it is not sufficiently specific about the nature of the socialization process.

Lane believes that modern historians' hypotheses about environmental influences provide the best explanations for the Philadelphia death data. In accidental deaths, for example, figures for "casualties," i.e., traumatic accidents, can be said to have jumped in the 1880s because of the increase of railroads and factories, whereas drownings dropped sharply in the 1870s because the population seemed to have learned the lesson of avoiding swimming in dangerous areas. Deaths from burns and scaldings rose sharply in the 1890s because there were more kitchen accidents. These arose from the new volatile fuels that replaced the wood and candle culture, augmented by the impractical garments women continued to wear in the kitchen. The introduction of cheap, concealed hand guns in the 1850s explains a sharp rise in homicide, and its subsidence during the following decade may be the result of more effective social control of that new method of killing.

With regard to the rising SMR of the entire population, the modern historians' environmental explanations emphasize the increased frustration that developed from: (1) army training, (2) the replacement of traditional work patterns by highly supervised occupations, and (3) the public school system which placed its first large group of graduates into the labor force about 1870. Lane said that the older, less suicide prone work environment was one that emphasized self-direction, an uneven pace, and performance alone or in small groups. The newer, suicide producing work involved a great deal of close supervision and often had formal education as an occupational requirement.

The remaining conference sessions took place on Saturday in the Search Room of the Archives and History Building. Edwin Bronner of Haverford College was the chairman of a panel of three Philadelphia archival supervisors who discussed research opportunities at their repositories.

Peter J. Parker, Chief of the Manuscripts Department of the Historical Society of Pennsylvania (HSP) began stressing the current plight of manuscript depositories all over the country, the result of budget cuts and inflation. The old assumption that once a document
moved from private hands into a public depository it would always be available for research may no longer be valid. Several prestigious institutions have recently been forced to sell holdings to raise cash. The HSP had to sell a set of manuscripts with signatures of the Declaration of Independence signers, for which it received $180,000. By law, institutions have no choice but to sell valuable collections when threatened with insolvency. Other signs of pressure on manuscript depositories include the lengthy strike of the professional staff at the New-York Historical Society and the departure of CETA funded workers from the Philadelphia City Archives. Funding from foundations and endowments is not a practical solution because there is a general rule that their funds cannot be used to support ongoing operations. Unless some major source of outside funding, presumably federal, appears soon, further sales of valuable collections seem inevitable.

The handling of manuscripts at the HSP has changed over the years. The guide published in 1941 covered two-and-a-half million items and the 1949 guide covered four million items. The guide anticipated for publication in 1981, supported by National Endowment for the Humanities funding, will cover about fifteen million items. Many of the collections, however, have serious limitations for research use because over a period of about fifty years the HSP took in 300 or 400 collections without making notes concerning provenance and other identifying information. With "a nod and a handshake" the items were given to the manuscript supervisor whose other duties prevented her from constructing such notes. The collections policy, too, was weak. The statement of policy published in the Pennsylvania Magazine of History & Biography, in April 1940, has not been helpful. It may be summarized as saying that any document concerned with history that took place in Pennsylvania was eligible for accession. Parker believes that practical considerations dictate that all future accessions be limited to eastern Pennsylvania. But even that is not sufficiently restrictive, in view of the HSP's limited capacity, and he requested that members of the conference advise him of areas in which they feel collection should be emphasized. He also asked history instructors to send recommended students to him to do volunteer work, under his supervision, in arranging some of the many uncatalogued collections at the HSP.

Why do HSP collections appear to have such an elitist profile? Parker attributes this mainly to an overriding principle of survival
of the fittest. In general, "losers leave few records." However, an
additional determinant is the fact that those who might contribute
documents are themselves influenced by erroneous popular impres-
sions of the purpose of the society that maintains the depository. In
other words, popular belief that HSP is an elitist organization
frightens away those who have plebian documents to contribute,
and the reverse is true of depositories supported by institutions that
appear to be very plebian in their outlook.

Several years ago, when surveying one hundred Philadelphia
archival institutions, Parker came to the conclusion that collecting
had been going on for many decades before most institutions had
either a professional manuscripts staff or a meaningful collections
policy. Real progress in these areas came only after World War II.

Making no claim, as his predecessors apparently did, to having a
general understanding of all collections in his department, Parker
nevertheless discussed several areas where he believed historians
ought to direct their efforts. Mostly these are among previously
ignored papers contributed by elite Philadelphia families. Recently
he discovered that there are seven Morris family collections, com-
prising about 30 shelf feet and stretching from the 1680s to the 1970s.
Such collections as those associated with the Wistar family include
family letters, family account books and business account books.
There are payrolls, records of materials bought and sold, and records
of servants and slaves. Because of the flow of business during Phila-
delphia's history, such family collections have many connections with
southern areas as distant as Louisiana, Virginia, Maryland and
South Carolina, but surprisingly few associations with regions north
and east of Philadelphia.

For economic, social and labor history Parker suggests that mean-
ingful scholarship might develop from researching the seventy shelf
feet of the papers of David S. Brown. This nineteenth-century in-
dustrial magnate was primarily involved in the textile and iron
industries, but his interests were so diverse that they may be described
as "an early Philadelphia conglomerate." The collection would be an
excellent source for a study of capital accumulation. Maxwell White-
man of the Union League of Philadelphia later commented further
on the Brown Collection.

Murphy D. Smith of the American Philosophical Society (APS)
discussed the holdings of his institution. He regrets that many
scholars are unaware of the extent of its materials, but explained that
they can glean much from the guides, bibliographies and pamphlets already published or projected for publication. Recent publications include a guide to the works of Thomas Paine, and a list of the works of Charles Willson Peale that are found at the APS. Smith hopes that a guide to the genetic collections will be published. In conjunction with the HSP and the Library Company of Philadelphia, the APS soon hopes to publish bibliographies on philanthropy, agriculture and education. Although the APS is proud of its Benjamin Franklin Papers, which have been there since 1840, Smith has noted that many valuable collections are overlooked by scholars. The papers of Thomas and Richard Penn are examples of this. Some manuscripts have been neglected because they fall within areas of activity that have not yet attracted the interest of historians. For example, there is a collection of correspondence among scientists who were concerned about the implications of the popular irrationality expressed in the flying saucer craze of recent decades. Also, there are many papers dealing with the silk industry in America which await their historian.

Like physics, American Indian linguistics has long been a subject on which the APS has concentrated. The several collections donated by Joel Roberts Poinsett (1779-1851), statesman and diplomat, contain abundant material on Indian and Spanish culture in Latin America. These were given to the APS between 1820 and 1830. A twentieth-century collection dealing with Guatemala, about one thousand microfilm reels, is also held by the APS. These are copies of the holdings of the Archives of the Indies in Castille. The family of Dr. Simon Flexner (1863-1946), founding director of the Rockefeller Institute, contributed a collection made up of his medical papers and those of other pathologists.

Among the papers that the APS does not own but has organized and microfilmed are the archives of Pennsylvania Hospital, up to 1861, and all the Stephen Girard papers—about 665 reels—which were catalogued when John Bach McMaster wrote his biography of Girard. Also, the APS has published several microfilm series which are sold publicly: Richard Henry Lee Papers, Arthur Lee Papers, and Nathanael Greene Papers.

The Charles Darwin Papers (originals and facsimiles) are among the collections of scientific interest at the APS, as are several collections from organizations that studied genetics. The papers of the American Statistical Association are also important, as are the several collections dealing with physics. The APS directly participated in one
scientific project that has left its papers there, the Joint Committee on the History of Theoretical Physics in the Twentieth Century.

Among topics that Smith would like scholars to approach is the history of the APS itself. The papers of Edward Grant Conklin, secretary and later president of the APS, would be very important for such a study and they are available for research. Philosophy, of course, had roughly the same meaning as science in the eighteenth century, and that is why the APS has had a concentration on science throughout its history. It has engaged in publication since 1771. When it acquired large endowed funds in the 1930s its activities were considerably enlarged.

Frederic Miller of the Urban Archives Center of Temple University (UAC) was the last panelist. UAC has funding problems, too, and it is rapidly running out of storage space. Although it has been able to obtain money from some funding institutions, that is not a sound basis for long-term operations. These conditions dictate that the collections policy be narrow. Two research guides have been issued, one on the Housing Association of Philadelphia Collection and one on social service collections. UAC has only about one hundred collections, but the average size of each collection, like most twentieth-century collections, is larger than the average collection of such an organization as the HSP which includes colonial materials. Colonial period collections are seldom very large. The average size of a collection at UAC is 25 cubic feet.

UAC was founded in 1967, a time when expanding university enrollment made money available, and when there was a special interest in urban history because of the waves of urban riots. A basic reason for the founding of this and other urban archives is simply the professional shift away from conventional history (diplomatic, political and military) to social history.

Although anxious to limit its concern strictly to Philadelphia, UAC has had to concentrate some of its attention on institutions that function in the adjacent metropolitan region, such as the Delaware Valley Planning Commission. If an agency functions exclusively within another county UAC does not seek its papers. A rough time point for beginning collections is 1850, although some collections start at an earlier date because it is essential to keep certain series of documents intact. Thus, the social welfare collections go back to the early nineteenth century, the period when the welfare agencies were founded. Although UAC collections are essentially
private records, they are mostly institutional private papers. Very few personal papers are involved. This, incidentally, has an advantage in terms of security from theft; autograph letters from well-known figures are seldom found in the UAC.

UAC obtains public papers only under two circumstances. (1) If the institutional source of the papers falls under conflicting jurisdictions so that it is not clear which government archives may take them. The Delaware Valley Planning Commission papers are an example of this, since the commission’s area takes in seven counties and two states. Depositing them at UAC was an intelligent compromise. (2) If Philadelphia City Archives is unwilling to accept a worthwhile collection. Thus, by strictly defining what constitutes a department of city government, City Archives has been able to reject many public papers. Recently this happened with school district records and, as a result, UAC took them in.

The final phrase of the UAC collections policy has caused many problems: “to document the lives, attitudes and environment” of the ordinary citizens. It has led UAC to concentrate on housing, social services, urban planning, education, the legal system, immigrants and blacks. However, it does not, Miller insists, mean that UAC is supposed to document the lives of the majority of people who have lived in Philadelphia. A typical collection is the Protestant Episcopal City Mission Collection which is very detailed and contains hundreds of thousands of children’s cases. School district roll books, which UAC has from about 1850 until about 1920, can take the researcher into working class homes. Although many ethnic groups can be studied from UAC collections, it is not UAC’s goal to emphasize ethnic documents because that is the basic function of Philadelphia’s Balch Institute. Another area in which the UAC has not deliberately collected is that of economic decision-making and corporate management. It could be argued that its collections policy obligates UAC to become involved there because such records, though impersonal, are closely connected with the lives of ordinary citizens.

Research opportunities in court records was the topic of the second morning session. Robert J. Plowman of the Federal Archives and Records Center, Philadelphia (FARCP) served as chairman. He explained that his agency has the court records for the three federal district courts in Pennsylvania, as well as the comparable courts of Maryland, Virginia, West Virginia and Delaware. David R. Kepley, also of FARCP, spoke at length concerning federal district courts in
Pennsylvania. Records of these courts document a broad area of activity from 1789 to the present. Until recently they were in poor order and lacked finding-aids, although by the fall of 1978 FARCP had completed their arrangement through 1952, and had prepared finding-aids. Complex legal jargon has intimidated historians not trained in the law. Therefore, said Kepley, history is being written without reference to these primary sources. As an example, he mentioned Gail S. Rowe's article, “Prologue to Impeachment: The Case of Don Joseph Cabrera,” in *Pennsylvania Magazine of History & Biography*, Vol. 102 (1978), pp. 224-242, which includes statements about Cabrera's appeal to the U.S. Circuit Court of the Eastern District of Pennsylvania. There is no indication that Rowe consulted Cabrera's case file. If he had done so he would have found a subpoena, orders from the keeper of the debtors' prison, and a letter from the governor of Pennsylvania.

In 1789, Pennsylvania's first district court was established, in Philadelphia. In 1818, a district court for western Pennsylvania was permanently established. In 1900, these eastern and western districts were subdivided to create the Middle District of Pennsylvania, which has its seat in Scranton. This is essential information for locating court records. One must also know that court records are arranged first by court, then by type of case—criminal, bankruptcy, equity, etc.—and, finally, by type of record. Dockets and case files are the most essential series, often accompanied by supplements such as judges' dockets, order books, and minutes. Dockets are crucial finding-aids, with thumbnail sketches of the legal action. Case files are the heart of any body of court records. They are a unique, unpublished record of each case, including the complaint, petitions, motions, affidavits, depositions, interrogatory decrees, orders, verdicts, sentences and a variety of other possible documents. Using *Black's Law Dictionary* Kepley can penetrate the obscurity of Latin and legalese.

One need only understand the kinds of cases handled by federal courts before proceeding further. Before 1900 Congress carefully circumscribed the jurisdiction of federal district courts to the following: bankruptcy, naturalization, and admiralty which included criminal and property damage on the high seas. After 1851 the admiralty jurisdiction extended to navigable internal waterways. Criminal cases, too, were circumscribed. At first jurisdiction extended only to treason, counterfeiting, mail fraud and obstruction of federal property. The common law jurisdiction of the federal district courts
was largely limited to cases involving infringement of property rights and patents, the issuing of injunctions, suits between citizens of different states, and suits between U.S. citizens and aliens.

With the arrival of the twentieth century the federal courts were given a larger role, consistent with the general expansion of the federal government in American society. New duties include the regulation of some aspects of the economy, enforcement of the draft laws, and prohibition cases. But some major elements of the law—torts, contracts, property, probate, divorce and incorporation—remained the domain of local courts.

Kepley lamented that legal historians, obsessed with the history of the Supreme Court, had overlooked the lower federal courts. The history of Pennsylvania's federal courts could be written, just as Mary Tachau has done in *Federal Courts in the Early Republic: Kentucky 1789-1816* (1978). Also, the whole question of the extent to which lower courts influenced the development of legal doctrine has not been considered. Especially aggravating to Kepley are studies by legal historians which cover the lower courts without using their original records. For example, a recent biography of Learned Hand, a district judge in New York, traces Hand's legal philosophy without ever examining the case files he generated. On a selective basis, however, some good work has been done. For example, Kansas federal records have been found to illuminate the life of Wild Bill Hickok who was a U.S. marshal. Also, habeas corpus files have been found to shed light on the treatment of Chinese immigrants in California. A Nazi-oriented camp in New York has been discovered through federal court records and labor unrest in the 1930s has been studied from New Jersey equity files generated by violations of the Wagner Act. Other topics that have been studied from court records include Fries's Rebellion, the Whiskey Rebellion, the Fugitive Slave Act of 1850, World War I espionage, and subversive activities of the McCarthy era.

J. Willard Hurst succeeded in shifting legal historians away from their emphasis on the development of the law to the use of legal documents as reflections of deep changes in society. Among the scholars who followed Hurst are Morton Horwitz, Douglass Greenberg, Lawrence Freedman and William Nelson. Horwitz has shown that between 1780 and 1860 certain groups of capitalists consciously fashioned those laws relating to economic growth—property, contracts, incorporation law—into tools for their own advantage. Also, legal
historians have spilled over into economic, cultural and social history. For example, Greenberg’s study of colonial New York uncovered new information about New York’s ethnic groups by using court records. These groups were surprisingly disrespectful of authority in the period prior to the Revolution. Such work reinforces arguments that have already been made by Bernard Bailyn and Gordon S. Wood. Areas of the law that seem to have a potential for producing significant new conclusions include copyright, patents and bankruptcy. To what extent were changes in the law for those three areas reflections of social and economic changes within American society? The first bankruptcy statute, passed in 1800, applied only to merchants and it could be invoked only by the creditors, not by the bankrupt person himself. Later laws were more lenient. The Act of 1898, which is still current, allowed either the debtor or the creditor to begin the proceedings and called for involuntary bankruptcy to be adjudged against anyone except wage earners, farmers and certain corporations. A study of such changes in the law, taken in the social context of the times, might reveal a lot about the attitude of Americans toward indebtedness. Also, the raw economic data contained in bankruptcy case files could be used in an aggregate fashion. Typically these files include inventories of assets and debts of the bankrupt, claims of his creditors, records of creditors’ meetings and the final division of the bankrupt’s assets. Groups of such files could be tabulated and might reveal to historians the anatomy of a depression in a given locale, as well as the identity of the social groups that went under first, who held their debts, and whether or not the creditors also fell prey to the depression.

Historians of technology can benefit from patent case files. Edison and other inventors spent years trying to obtain legal protection for their patents. A typical patent case is L. A. Thompson Scenic Railway Company versus Chestnut Hill Casino Company, Ltd. and James Griffin, decided in 1899. The Thompson Company, from New Jersey, claimed that it had invented the “elevated gravity” mechanism for cable car railroads. During litigation photographs, blueprints and other technical data became part of the court record and all these have potential for historical study. Some curious items often appear as exhibits in equity cases. Kepley has seen a box of marbles, a man’s suit, samples of trade mark labels, a famous dark brown tin box claimed to be the unique symbol of the Hershey Chocolate Company, and a suitcase. In copyright cases the record usually includes the entire literary creation that is at issue.
Kepley believes that the government's role in regulating the economy can be traced from records made by companies who appealed ICC rulings to the Supreme Court. The depth of information found in such a case file is illustrated in the suit of Manufacturers Association of York against Pennsylvania Railroad et al. which occurred in 1922. Because of the complex matter of arguing that railroad rates for the city of York discriminated against rural York County, a large case record was built up. It is an excellent record of how the transportation system in York worked.

Two other topics that Kepley thinks might be profitably researched through court records are the question of prohibition's impact at the local level, and a study of those citizens who did not pay internal revenue taxes during the Civil War.

Ward J. Childs of Philadelphia City Archives discussed the Philadelphia court system from the viewpoint of his institution's holdings. Despite its name, the City Archives is responsible for court records of both the city and the county. Before the reorganization of courts in 1969 Philadelphia County had the three basic courts common to all Pennsylvania counties: Common Pleas, Quarter Sessions and Orphans' Court. However, as in the case of a few other counties, other courts had existed for periods of time in the past. For purposes of accurate historical research one must understand these organizational developments. Childs proceeded to explain the confusing situation in Philadelphia up to 1843, when the "Court of General Sessions for the City and County of Philadelphia" was abolished.

From 1701 until 1838 Philadelphia had a Mayor's Court which had the same jurisdiction within the city as Quarter Sessions had in the county. From 1811 until it was abolished by the Constitution of 1873 there was a "District Court of Philadelphia County" which had jurisdiction that was identical with Common Pleas, except that the minimum amount of money that had to be in dispute was higher than that required in Common Pleas. Dissatisfied with overcrowded court dockets and delayed justice, the legislature, in 1836, created a "Recorder's Court for the Districts of Northern Liberties, Spring Gardens and Kensington" which had full criminal and Oyer and Terminer jurisdiction for that area, similar to the city's Mayor's Court. This Recorder's Court and the Mayor's Court were both abolished in 1838, but a new court was created, the "Court of Criminal Sessions for the City and County of Philadelphia." This had jurisdiction over the same cases as the two abolished courts. It
handled, therefore, most of the Quarter Sessions jurisdiction. But in 1840 it, too, was abolished. A “Court of General Sessions of the City and County” was then created which took over all the Quarter Sessions jurisdiction. In 1843 this Court of General Sessions was abolished and the State recreated a court of Quarter Sessions entitled “Quarter Sessions for the City and County of Philadelphia.”

Childs spoke of the Orphans’ Court and Register of Wills records as a single unit because the functions of the Register have always been administered by the Orphans’ Court. Used primarily for genealogical purposes and to determine religious connections, these records are among the oldest Philadelphia Court records. Wills records are preserved back to 1682; Orphans’ Court records begin in 1719. The docket is the basic document for the Orphans’ Court, but Childs also mentioned several other types of records to be found in the court’s papers.

Childs turned next to the naturalization records of Philadelphia. These span two periods: 1794 to 1897, and 1913 to 1930. The later series contains far more information for the historian interested in ethnic groups. This series might be used to show which Old World communities reproduced themselves as distinct enclaves after their native people reached Philadelphia. Childs then discussed a series of naturalization petitions spanning 1876 to 1884. They show the local political leaders and committees that proposed individual immigrants for naturalization. Childs believes these could be used to discover the structure of local politics in late nineteenth-century Philadelphia.

Childs talked next of the numerous road records series in the Quarter Sessions papers (Records Group 21). Some of these begin as early as 1685. They can be used to trace, for example, the early development of the Berks and Montgomery areas before they were formed into counties. Mills, churches, public houses and major economic routes can be found from these records. Road dockets and petitions are valuable, also, for finding place names.

Childs considers these road documents to be “housekeeping” records because they are largely concerned with routine public administration. In the same category he places Quarter Sessions apprentice case records, the Fairmount Park Commission papers, and tavern licensing records. All are promising areas for research.

County and city criminal records are preserved from 1753 to the present. In Childs’s opinion most historical research at the City
Archives has been concentrated on the criminal dockets of the 1830s and 1840s, the period of anti-Roman Catholic sentiment and the anti-abolitionist riots. He suggested a number of other topics that ought to be examined because the sources for them appear to be excellent. Who really committed crimes in the eighteenth, nineteenth and early twentieth centuries? Were the poor always the principal victims of crime? Can a criminal class be clearly identified? What percent of all crimes was committed by women? How have variables like population, ethnic distribution and social distribution affected, or been affected by, crime? What is the nature of criminal recidivism? Also, since they were the first to evaluate the criminals at first hand, the minor judiciary itself needs to be studied.

Chairman Plowman emphasized that he was in agreement with both speakers that criminal records seem to be the court records that are most popular with historians today. In response to comments from John W. W. Loose of Lancaster County Historical Society and other conference members there was further discussion of naturalization records. Although naturalization records, before 1897, provide only a minimum of information, Loose has been very successful in identifying the native communities of those German immigrants who came to Lancaster in the earlier years of the nineteenth century. Plowman points out that there is much confusion in naturalization records because it was a burdensome administrative chore that frequently moved from one public agency to another. After 1906, both Pennsylvania and Maryland courts had to allow this function to go to the federal courts in order to avoid being entirely deluged with naturalization work.

The conference concluded with a luncheon at Castiglia’s Restaurant generously provided by the Historical and Museum Commission.