Slavery, Nativism, and the Forgotten History of Independence Hall

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Independence Hall is a place we think we know. Its preservation and interpretation tell us that this is the nation's birthplace, where the Second Continental Congress declared independence in 1776 and the Constitutional Convention produced a new frame of government in 1787. Carefully restored to evoke these momentous events of the late eighteenth century, Independence Hall appears to have passed directly from the nation's founders to today's tourists. However, this re-created aura of the eighteenth century obscures a longer, more complex history. Surviving for more than two centuries in a growing, changing urban environment, Independence Hall has been immersed in often-tumultuous times. These included the middle decades of the nineteenth century, when this landmark of American ideals became a stage for conflicts that divided the nation. During these decades, Independence Hall became the scene of legal battles over the Fugitive Slave Act, a prize for nativist politicians, and a symbol of union. These events define Independence Hall not only as a place where the nation's founding ideals were articulated, but also as contested ground where Americans struggled over how such ideals as liberty and equality would be put into practice in American society.[1]

Published histories of Independence Hall have focused largely on the Revolutionary era and on the twentieth-century history of Independence National Historical Park. As a result, the middle nineteenth century, a

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1. On historic definitions of "place," I have been influenced by works of historians and urban studies scholars. These include Dolores Hayden, *The Power of Place: Urban Landscapes as Public History* (Cambridge, Mass: The MIT Press, 1995); Edward Tabor Linenthal, *Sacred Ground: Americans and Their Battlefields* (Urbana and Chicago: University of Illinois Press, 1991); John F. Sears, *Sacred Places: American Tourist Attractions in the Nineteenth Century* (New York: Oxford University Press, 1989). On the concept of contested historical memory, I have been influenced by John Bodnar, *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton, N.J.: Princeton University Press, 1992).

pivotal period in the history of Independence Hall, has been underexplored.[2] The ethnic, racial, and sectional conflicts which gripped the country during this period embraced Independence Hall as well. In Independence Square, Frederick Douglass exhorted Philadelphians to oppose slavery. In courtrooms that have long vanished beneath generations of historic preservation projects, African Americans faced the loss of freedom during fugitive slave hearings. White Philadelphians, meanwhile, transformed the room in which the Continental Congress declared independence into a historic shrine. It was a particular kind of shrine, however, created by and honoring native-born, white Americans. In an era of urban disorder, Philadelphians created a space for quiet contemplation of revered heroes. They constructed a place that directed attention to the nation's particularly British heritage — an Anglo-Saxon heritage which they feared was being lost in the ethnic, racial, and sectional complications of the nineteenth century.

To re-create these long-forgotten events requires that we temporarily suspend our perception of Independence Hall as a stately landmark, handsomely preserved, and instead recall that the hall was a functioning public building throughout the nineteenth century. Constructed as the Pennsylvania State House beginning in 1732, by 1800 the building had lost both its original function as the State House and its late eighteenth-cen-

2. Since the findings of this article were presented as a conference paper, and in keeping with the National Park Service Underground Railroad Network to Freedom Program, the NPS has placed new emphasis on the nineteenth-century history of African Americans at Independence Hall. See Anna Coxe Toogood, "National Register Amendment Underground Railroad and Anti-Slavery Movement" (Independence National Historical Park, September 2000). Histories of Independence Hall have focused extensively on events of the late eighteenth century, treating later events lightly, if at all. These works include David W. Belisle, *History of Independence Hall: From the Earliest Period to the Present Time* (Philadelphia: James Challen & Son, 1859); Harold Donaldson Eberlein and Cortlandt Van Dyke Hubbard, *Diary of Independence Hall* (Philadelphia: J.B. Lippincott Co., 1948); Frank M. Etting, *An Historical Account of the Old State House of Pennsylvania Now Known as the Hall of Independence* (Boston: James R. Osgood and Company, 1876). Extensive research by the National Park Service has traced the structural changes in the building, providing essential clues to events of the 1850s. See especially Penelope Hartshorne Batcheler, *Independence Hall Historic Structures Report, The Physical History of the Second Floor* (Philadelphia: Independence National Historical Park, 1992). A guidebook published by the National Park Service during the 1950s described restorations of Independence Hall during the nineteenth century, but briefly. See Edward M. Riley, *The Story of Independence Hall* (Washington: National Park Service, 1954; reprint Gettysburg, Pa.: Thomas Publications, 1990). A more recent history concentrates on the twentieth-century development of Independence National Historical Park: Constance M. Greiff, *Independence: The Creation of a National Park* (Philadelphia: University of Pennsylvania Press, 1987).

tury role as capital of the new nation. However, it remained the center of government for Philadelphia City and County. As John Lewis Krimmel's 1815 painting, *Election Scene, State House in Philadelphia*, makes clear, the State House became enveloped by its increasingly urban environment (see cover illustration).[3] Its steeple had deteriorated by the 1780s, not to be rebuilt until 1828; its original piazzas had been replaced by fireproof office buildings.[4] The building was not set aside as a monument to historic events. Charles Willson Peale's museum occupied the second floor from 1802 to 1827, but his exhibits celebrated natural history, not the American Revolution or the Constitution.[5] Court rooms occupied the first floor; for accused criminals, at least, court proceedings complicated associations between the old State House and ideals such as liberty and equality. On election days, Chestnut Street became a stage for tumultuous electioneering as Philadelphians arrived to cast their ballots through the windows of the State House, directly to vote counters stationed in the rooms inside.[6] The building was a place for democracy in action, not a site for memorializing the past.

As long as the American Revolution remained a living memory, Philadelphians made little attempt to preserve its material remains. They did not forget that independence was declared at the State House, or that the Constitution was drafted within its walls.[7] Philadelphians saved the State House from demolition by purchasing it from the State of Pennsylvania in 1816. But they erected no commemorative markers; they made no attempt to maintain the interior or exterior of the building as it had ap-

3. John Lewis Krimmel, *Election Day, State House in Philadelphia*, 1815, Henry F. DuPont Winterthur Museum.

4. Robert Mills, *Elevation on Chestnut Street of the Court Houses, State House, and Fireproof Offices contemplated to be erected as Wings to the State House*, April 1812, Athenaeum of Philadelphia Architectural Archive. On Mills as the designer of the office buildings, also see John M. Bryan, ed., *Robert Mills* (Washington, D.C.: The American Institute of Architects Press, 1989), 41-42.

5. Charles Coleman Sellers, *Mr. Peale's Museum: Charles Willson Peale and the First Popular Museum of Natural Science and Art* (New York: W.W. Norton & Co., 1980), 60. Peale's view of the portraits he displayed as exhibits of natural, rather than political, history are clear in his guide to the collection: Charles Willson Peale, *Guide to the Museum*, in Lillian B. Miller, ed, *The Selected Papers of Charles Willson Peale and His Family*, vol. 2, part 2, (New Haven: Yale University Press, 1983), 759-66, especially 763.

6. *Philadelphia in 1824* (H.C. Carey & L. Lea, August 1824).

7. Visiting Philadelphia in 1819, Frances Wright decried the condition of the State House but noted that Philadelphians pointed it out with pride in the eighteenth-century events that had taken place within its walls. Frances Wright, *Views of Society and Manners in America*, edited by Paul R. Baker (1821; Cambridge, Mass.: Belknap Press, 1963), 48-49.

peared in 1776. This began to change as the events of the eighteenth century faded from living memory into history. During the 1820s, a series of events reminded new generations of Americans of their history and created opportunities for memorializing the past.[8] The Marquis de Lafayette's tour of the United States beginning in 1824 gave Americans an opportunity to lavish gratitude on a surviving hero of the American Revolution. The fiftieth anniversary of the Declaration of Independence in 1826 served as a reminder of the gulf between past and present, and the coincidental deaths of John Adams and Thomas Jefferson on July 4 of that year reinforced the perception that the nation's fate had passed into new hands.[9] These events were important turning points in the identification of the Pennsylvania State House as a historic place. During preparations for Lafayette's visit to Philadelphia, the phrase "Hall of Independence" became routinely used to identify the meeting room of the Second Continental Congress and the Constitutional Convention.[10] The chamber, lavishly decorated, served as a reception room for Lafayette, who commented on the historic events that had occurred "here within these sacred walls."[11] The ceremony honoring Lafayette established a ritual in Philadelphia. Throughout the nineteenth century, important visitors were received by city officials in the Assembly Room of the State House. The local dignitaries and guests exchanged greetings that emphasized the significance of the room in which the Declaration of Independence was approved, perpetuating the memory of its historic associations.

8. Michael Kammen, *Mystic Chords of Memory* (New York: Alfred A. Knopf, 1991) 40-61. Fred Somkin, *Unquiet Eagle: Memory and Desire in the Idea of American Freedom, 1815-1860* (Ithaca, N.Y.: Cornell University Press, 1967), 55-90; Kammen, *A Season of Youth, The American Revolution and the Historical Imagination* (New York: Alfred A,. Knopf, 1978) 37-47.

9. Somkin, 131-74; Stanley J. Idzerda, Anne C. Loveland, and Marc H. Miller, *Lafayette, Hero of Two Worlds: The Art and Pageantry of His Farewell Tour of America, 1824-1825* (Hanover, N.H.: University Press of New England, 1989), 106-45.

10. During the weeks leading to General Lafayette's arrival, the phrase "Hall of Independence" emerged as a common reference. It was perhaps a convenient short-hand that evolved amid the intensity of preparations. For years afterward, "Hall of Independence" or, in shorter form, "Independence Hall," remained the appellation attached to the east room on the first floor of the State House. By extension, during the middle decades of the nineteenth century, "Independence Hall" was sometimes used to refer to the entire State House. See Minutes of Committee of Arrangement, 19 August 1824 to 9 September 1824, and Notice to Councils, 23 September 1824, Philadelphia Committee of Arrangements (Lafayette Reception) Records, Historical Society of Philadelphia; *Saturday Evening Post*, 21 August 1824; *United States Gazette*, 21 August 1824; *Poulson's American Daily Advertiser*, 30 September 1824; *United States Gazette*, 30 September 1824; *Saturday Evening Post*, 2 October 1824.

11. *Poulson's American Daily Advertiser*, 30 September 1824; *Saturday Evening Post*, 2 October 1824; Ellis P. Oberholtzer, *Philadelphia: A History of the City and Its People*, vol. 2 (Philadelphia: S.J. Clark Publishing Co., 1911), 137.

Lafayette's visit, followed by the jubilee and the deaths of Adams and Jefferson, also awakened interest in restoring the State House to its 1776 appearance. In 1828, the two Philadelphia City Councils authorized a new steeple that resembled the original.[12] In the 1830s, they commissioned the architect John Haviland to improve the interior appearance of the Assembly Room. For the first time, city officials placed a historical marker in the room, a bronze plaque identifying it as the setting for the Declaration of Independence.[13] A single room in the old State House was identified as historic; the rest of the building continued to serve other purposes. The Mayor's Court met across the hall. After Peale's museum moved elsewhere in 1827, the city rented the second floor to the United States Marshal and United States District Court.[14]

In the decades that followed Lafayette's visit, the Hall of Independence richly fulfilled its ritual function as a reception room for the city of Philadelphia. President Andrew Jackson received visitors in the hall in 1832, as did Franklin Pierce two decades later. In the room remembered for the Declaration of Independence, Philadelphians welcomed Henry Clay; Louis Kossuth, a revolutionary escaped from Hungary; Prince de Joinville, son of King Louis Phillipe of France; and Granville John Penn, great-grandson of the founder of Pennsylvania. As railroads made travel easier and more accessible to the wider public, city officials also welcomed visiting businessmen, newspaper editors, militia companies, and volunteer firefighters.[15]

The Hall of Independence received not only living heroes, but also the dead. Philadelphians expressed their respect for nationally prominent men who had died by offering their families use of the Assembly Room for viewings, thus surrounding the newly departed with the aura of reverence attached to more ancient heroes. In 1848, John Quincy Adams

12. *The Register of Pennsylvania*, 8 March 1828, 18 September 1828; Lee H. Nelson, "Independence Hall: Its Fabric Reinforced," in Charles E. Peterson, ed., *Building Early America* (Mendham, N.J.: The Astragal Press, 1976), 287-288, 303-304.

13. Unable to determine the room's appearance in 1776, Haviland based his renovation on the appearance of the court room across the hall. *Register of Pennsylvania*, 9 January 1830, 23 April 1831, 5 November 1831.

14. *Register of Pennsylvania*, 19 November 1831.

15. J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884* (Philadelphia: L.H. Evarts, 1884), 636-37, 657-58, 687, 702-03, 704-05, 708, 748.

was the first to lie in state in the Hall of Independence.[16] Four years later, Henry Clay was brought to the State House after his death.[17] Philadelphians also used the Hall of Independence to honor a deceased native son. Elisha Kent Kane, son of a prominent local family, was a physician and world explorer, most famous for his expeditions to the Arctic. After he died in 1857, at the age of 37, from disease contracted during one of his Arctic journeys, Philadelphians paid their respects to the remains at the Hall of Independence.[18]

Freedom and Slavery

During the middle decades of the nineteenth century, Philadelphia endured a period of incessant disorder fueled by racial and ethnic conflict.[19] Blacks met with increasing hostility and violence during the 1830s, and nativists targeted Irish Catholics during the 1840s. The old Pennsylvania State House did not stand sealed in its eighteenth-century past through these turbulent times. Racial and ethnic conflict, as well as the sectional issues of the decades before the Civil War, both surrounded and occupied Independence Hall. At this historic building, Americans grappled with how ideals such as liberty and equality would be applied as the United States grew and changed.

The existence of slavery in a democratic nation was among the major dilemmas left to later generations of Americans by the founders. The resonance of the slavery debate within Independence Hall was not limited to the meetings of the Second Continental Congress and the Constitutional Convention. As the Pennsylvania State House, the building was also the site of enactment of the 1780 state law abolishing slavery, albeit gradually. However, the persistence of slavery elsewhere in the nation was

16. *Evening Bulletin*, 3 March 1848, 7 March 1848; *Public Ledger*, 7 March 1848, 8 March 1848; Leonard L. Richards, *The Life and Times of Congressman John Quincy Adams* (New York: Oxford University Press, 1986), 202-03; Josiah Quincy, *Memoir of the Life of John Quincy Adams* (Boston: Phillips, Sampson & Company, 1858).

17. *Evening Bulletin*, 3 July 1852; Robert V. Remini, *Henry Clay: Statesman for the Union* (New York: W.W. Norton & Company, 1991), 778-86.

18. *Public Ledger*, 13 March 1857.

19. For example, see Michael Feldberg, *The Philadelphia Riots of 1844: A Study of Ethnic Conflict* (Westport, Conn.: Greenwood Press, 1975); Elizabeth M. Geffen, "Industrial Development and Social Crisis, 1841-1854," in Russell F. Weigley, ed., *Philadelphia: A 300-Year History* (New York: W.W. Norton & Co., 1982); and Gary B. Nash, *Forging Freedom: The Formation of Philadelphia's Black Community, 1720-1840* (Cambridge, Mass.: Harvard University Press, 1988).

acknowledged in 1793 in adjacent Congress Hall, where the United States Congress passed the nation's first Fugitive Slave Law.[20] The streets and neighborhoods around the State House thrived with debate about slavery through the late eighteenth and early nineteenth centuries. African American communities grew in the blocks south of the State House, clustering around black churches, St. Thomas African Episcopal on Fifth Street south of Walnut and Mother Bethel African Methodist Episcopal on Sixth Street near Lombard. Richard Allen preached anti-slavery sermons at Mother Bethel, and escaped slaves arrived on furtive journeys from the South, aided by black and white abolitionists. The Pennsylvania Abolition Society operated schools for free blacks. In 1838, within sight of the State House tower, an anti-abolitionist crowd burned the abolitionists' Pennsylvania Hall to the ground.[21]

The close proximity of the State House, the black neighborhoods, and abolitionist groups presented an opportunity in 1844 for Frederick Douglass, then in his early years as an anti-slavery speaker. On a Saturday evening in August, Douglass spoke in Independence Square, taking advantage of the clear contrast presented by Independence Hall and the persistence of slavery in the South. From a stand close to the building, he addressed about two hundred people, about one third of them African Americans. In the speech, he adopted the role of a master preaching a sermon to his slaves, describing the relative duties of the master and slave "in a bitter strain of sarcasm," according to the *Public Ledger*. The *Pennsylvania Freeman*, newspaper of the Anti- Slavery Society of Pennsylvania, did not quote specifics from Douglass's text but noted that he made several allusions to Independence Hall, to "thrilling effect." As he became a widely known orator in later years, Douglass invoked the contrast between the ideals of the Declaration of Independence and the persistence of slavery in the United States. Although he did not mention Independence Hall in his well-known 1852 address, "What to the Slave Is the Fourth of July?," his associations with events at the Philadelphia landmark were clear. He recounted the events leading to the Declaration of Independence and spoke admiringly of the Declaration's ideals. However, he pointedly criticized the continuing contradiction of slavery, tell-

20. Stanley W. Campbell, *The Slave Catchers: Enforcement of the Fugitive Slave Law, 1850-1860* (Chapel Hill: University of North Carolina Press, 1970), 6-7.

21. On the development of African American neighborhoods in the early nineteenth century, see Nash, *Forging Freedom*.

ing his white audience in Rochester, New York:

> The rich inheritance of justice, liberty, prosperity and independence, bequeathed by your fathers, is shared by you, not me. The sunlight that brought life and healing to you, has brought stripes and death to me. This Fourth [of] July is *yours*, not *mine*. *You* may rejoice, *I* must mourn. [Emphasis in original.][22]

In Philadelphia, the slavery debate did not remain confined to the public square around Independence Hall. Six years after Douglass's address in Independence Square, the Compromise of 1850 injected racial and sectional conflict into the court rooms of the old State House. The United States Marshal and District Court continued to occupy the building's second floor from the 1830s through 1854. As a result, after the Compromise of 1850, the State House for four years became the center for enforcing the new, tougher Fugitive Slave Law enacted under the Compromise.[23] As in other northern cities, Philadelphia's fugitive slave cases were few, but focused intense local attention on the issue of slavery.[24] Within the first six months after the law took effect in 1850, six accused fugitives faced hearings and sometimes temporary incarceration on the second floor of the State House; other cases followed intermittently thereafter.[25] Under the law, the fates of the accused could be decided by federal judges (in Philadelphia, United States District Court Judges Robert C. Grier and John K. Kane) or by commissioners appointed specifically to uphold the Fugitive Slave Law (in Philadelphia, attorney Edward D. Ingraham). Hearings to establish fugitive identities drew crowds of black Philadelphians to Independence Square to await the outcome. Inside, the accused had the support of abolitionists and vigorous defense by a group of Philadelphia lawyers who opposed the Fugitive Slave Law. The first cases were these:

22. *Public Ledger*, 19 August 1844; *Pennsylvania Freeman*, 22 August 1844; Frederick Douglass, "What to the Slave Is the Fourth of July?" in John W. Blassingame, ed., *The Frederick Douglass Papers*, Series 1, Vol. 2 (New Haven: Yale University Press, 1979), 359-88.
23. Fugitive Slave Cases, 1850-1860, Circuit Court, Records of the U.S. District Court for the Eastern District of Pennsylvania (RG 21), Mid-Atlantic Region, National Archives.
24. Campbell, *The Slave Catchers*, 110-47.
25. Because records of the U.S. District Court are incomplete, it is difficult to determine the total number of cases. Thirteen cases in Philadelphia between 1850 and 1860 are identified by Campbell, *The Slave Catchers*, 199-206.

• Henry Garnet, in his late twenties, was taken into custody on October 18, 1850, as he walked near Poplar Street and Ridge Road, on his way to work as a hod carrier. Accused of being a fugitive from slavery in Cecil County, Maryland, Garnet spent a night in custody in the United States Marshal's office in the State House, where he met until 10 p.m. with friends and abolitionist lawyers. The next day, as a crowd of black Philadelphians gathered in Independence Square, a parade of witnesses attested to Garnet's identity as the fugitive. Judge Grier, rather than Commissioner Ingraham, took charge of the Garnet hearing, declaring that the Court needed to establish procedure with the first case under the new law. Despite the testimony supporting Garnet's identity, Grier ruled that the documents presented to establish his accusers' ownership had not been properly attested in Maryland. Therefore, Grier ruled, Garnet would not be turned over to the accusers. Assured of his freedom, Garnet bolted from Independence Hall and dashed through a cheering throng outside in the square. Garnet's triumphal run momentarily placed him at risk again, as Philadelphia police officers rushed to stop what they believed to be an attempted escape. An ensuing scuffle with the crowd resulted in the arrest of two black Philadelphians on charges of assault and battery.[26]

• Adam Gibson, about twenty-four years old, was arrested at Second and Lombard Streets on December 21, 1850, ostensibly on a charge of stealing chickens. Forced at gunpoint to the United States Marshal's office, he was accused of being "Emery King," an escapee from Cecil County, Maryland. After a hearing to establish his identity, this time held before Commissioner Ingraham, Gibson was ordered returned into slavery. In Maryland, however, his reputed owners found that Gibson was not the man whom they sought and had the decency to free him. By Christmas Day, Gibson was back in Philadelphia.[27]

• In the midst of a job sawing wood in Columbia, Pennsylvania, Stephen Bennett was arrested January 23, 1851, and brought to Philadelphia as an accused fugitive from slavery in Baltimore, Maryland. Beginning with Bennett's case, abolitionist lawyers routinely sought and won writs of habeas corpus to remove hearings from Ingraham, who was per-

26. *Public Ledger*, 18 October 1850, 19 October 1850; *Evening Bulletin*, 18 October 1850, 19 October 1850.

27. *Evening Bulletin*, 21 December 1850; *Public Ledger*, 23 December 1850, 24 December 1850.

ceived by some to be pro-southern, and place the accused in the jurisdiction of the District Court.[28] Despite this maneuver, Judge Kane found that Bennett's identity had been sufficiently established and ordered him returned to his master. However, before Bennett's departure for the South, his Columbia neighbors raised enough money to purchase his freedom. For the price of $700, in a transaction completed in the United States Marshall's Office on January 25, Bennett was freed.[29]

• On February 6, 1851, Tamor Williams, a married woman between thirty and thirty-five years old with five young children, was arrested at her home at Fifth Street and Germantown Road and accused of being a slave named Mahala who had escaped from Worcester County, Maryland, more than twenty years before. In the crowded United States District Court room, witnesses from Maryland attested to her identity. However, their testimony did not persuade Judge Kane, who ruled that there were no distinguishing characteristics to prove that the woman under arrest was the girl who had disappeared from servitude so many years before. Black Philadelphians celebrated Williams' victory at the Philadelphia Institute at Seventh and Lombard Streets and escorted Williams, now reunited with her children, by carriage to her home.[30]

• On March 7, 1851, while four other family members escaped, Hannah Dellam and her son, Henry, were captured in Columbia on suspicion of being fugitives from slavery in Baltimore, Maryland. Hannah Dellam, about forty years old and in an advanced stage of pregnancy, was doing wash at an employer's house when captured; her son, about nine years old, was found hiding beneath hay in a barn. Taken to Philadelphia, the pair heard witnesses attesting to their identity as slaves and neighbors from Columbia who swore to their status as free citizens. Court observers, white and black, filled the District Court room and spilled into the hallway, where their discussions at times turned to Hannah Dellam's pregnancy and the future of her unborn child. In the end, the claimants from Maryland established the identity of Dellam and her son, and Judge Kane ordered them transported to the South. A tense night followed around the State House, as clusters of black Philadelphians who had heard of the de-

28. On the perception of Ingraham as a southern sympathizer, see Ellis P. Oberholtzer, *Philadelphia: A History of the City and Its People*, vol. 2 (Philadelphia: S.J. Clark Publishing Co., 1911), 349.
29. *Public Ledger*, 25 January 1851, 27 January 1851.
30. *Evening Bulletin*, 10 February 1851; *Public Ledger*, 7 February 1851, 8 February 1851, 10 February 1851.

cision gathered on the corners of Chestnut Street at Fifth and Sixth. About a dozen young men and boys, some carrying sling shots, knives, canes, or razors, were arrested after failing to heed a police order to disperse.[31]

As dramatic and unnerving as the first fugitive slave cases were, they were merely preludes to the celebrated treason trial that followed the so-called "Riot of Christiana," in which a Maryland slave-owner with the legally required warrants was killed while in pursuit of suspected fugitives in Lancaster County. In the aftermath of the confrontation on September 11, 1851, thirty-three blacks and five whites were charged with treason for interfering with the Fugitive Slave Law. Those who did not manage to escape arrest were taken to Philadelphia for trial. Charged with a federal offense, the defendants faced judge and jury in the second floor of the State House.[32]

Amid the sectional tension of the 1850s, the Christiana shootout drew national attention and unleashed public debate that resonated with the historic associations of the old Pennsylvania State House. Were the Christiana men defenders of liberty in the tradition of the Declaration of Independence? Or were they the worst sort of criminals, defying the authority of the Constitution by refusing to comply with the law? At the Pennsylvania Anti-Slavery Society's annual meeting in West Chester, a speaker declared, "Those colored men were only following the example of Washington and the American heroes of '76."[33] In Philadelphia, on the other hand, a mass meeting in Independence Square was called "to prevent the recurrence of so terrible a scene upon the soil of Pennsylvania, to ferret out and punish the murderers."[34] With one defendant, a white man named Castner Hanway, brought to trial first as a test case, the United States Attorney argued for conviction on the charge of treason, invoking the history of the Hall of Independence below the court room. He argued: "This venerated hall from which the Declaration of Independence was first proclaimed to an admiring world, never can be the scene of the violation of the Constitution, the noblest product of that Independence."

31. *Evening Bulletin*, 10 March 1851, 11 March 1851, 12 March 1851, 13 March 1851; *Public Ledger*, 10 March 1851.
32. James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 84-85; Jonathan Katz, *Resistance at Christiana: The Fugitive Slave Rebellion, Christiana, Pennsylvania, September 11, 1851* (New York: Thomas Y. Crowell Company, 1974), 48-136.
33. Quoted in Katz, *Resistance at Christiana*, 143.
34. Quoted in W.U. Hensel, *The Christiana Riot and The Treason Trials of 1851* (Lancaster, Pa.: New Era Printing Company, 1911), 145.

However, the prosecution failed to convince either Judge Kane or the jury that the shooting in Christiana constituted treason against the United States.

Although never included in published histories of Independence Hall, and treated only in passing in histories of Philadelphia, the cases that transpired under the Fugitive Slave Law were searing experiences for blacks who witnessed the capture of others and feared for their own freedom. The fact that the hearings took place in the birthplace of the Declaration of Independence and the Constitution underscored the contradictions between the founding documents and the experiences of nineteenth-century blacks. Their perspective on Independence Hall was recorded in a pamphlet containing speeches given at a Fourth of July commemoration sponsored in Philadelphia in 1859 by the African-American Banneker Institute. One of the speakers, William H. Johnson, observed: "There are tories today, and their business is to hunt down the poor fugitive negro, and to handcuff and drag him hundreds of miles from his home to be tried as a slave, and to be remanded ... under the sound of the old State House bell, and within sight of the hall where independence was declared." The assembled black Philadelphians adopted their own declaration, saying in part, "That we do hold it to be a self-evident truth ... that all men, irrespective of colour or condition, by virtue of their constitution, have a natural indefeasible right to life, liberty, and the possession of property."[35]

Nativist Shrine

The excitement that surrounded northern enforcement of the Fugitive Slave Act was symptomatic of the political turmoil of the 1850s, the decade of the demise of the Whig Party and the collapse of the Second Party System. The political disarray presented an opportunity for nativists to surge into state and local elective office.[36] This was especially true

35. *The Celebration of the eighty-third anniversary of the Declaration of American Independence, by the Banneker Institute, Philadelphia, July 4th, 1859* (Philadelphia: W.S. Young, Printer, 1859), Murray African-American Pamphlets, Library of Congress. The Fourth of July itself was a subject of debate among blacks in Philadelphia and elsewhere, given the status of blacks in American society. Some advocated protest commemorations on the Fifth of July. See Genevieve Fabre, "African-American Commemorative Celebrations in the Nineteenth Century," in Genevieve Fabre and Robert O'Meally, eds., *History & Memory in African-American Culture* (New York: Oxford University Press, 1994), 72-91.

36. Tyler Anbinder, *Nativism and Slavery: The Northern Know Nothings & the Politics of the 1850s* (New York: Oxford University Press, 1992); Michael F. Holt, *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War* (New York: Oxford University Press, 1999), 837-39.

in Philadelphia, a nativist stronghold since the 1830s. The nativists' success in capturing the Philadelphia mayor's office and both the Select and Common City Councils in 1854 held consequences for the old Pennsylvania State House, including the first-floor room identified as the "Hall of Independence."

In their campaigns, nativists vowed to defend the nation created in 1776 against foreign influence, vigorously invoking the Declaration of Independence and the memory of the nation's founders. Naturally, when Philadelphia nativists gained control of city government, they turned attention to the State House, where the illustrious events of 1776 had occurred. At their instigation, the Hall of Independence became a public museum of American history, the portraits of Revolutionary War heroes painted by Charles Willson Peale were purchased for display, and Independence Hall gained its first published history.

Nativists began their rise to political power in Philadelphia in 1837, when a meeting in Germantown adopted a constitution that echoed the language of the Declaration of Independence, beginning, "On the Fourth of July, 1776, our forefathers proclaimed to the world the independence of these United States." The document argued that the nation faced ruin from immigrants who were granted citizenship after only five years' residence. Rapid naturalization raised the specter of a government controlled by foreigners rather than the native-born. "Is this the way to secure and perpetuate the freedom for which our ancestors bled and died?" the Native American document asked. "No, Americans, no! Let us come forward then, and prove that the spirit of '76 is not yet extinct, and that we are not degenerate sons of worthy sires."[37] In Philadelphia and elsewhere, increasing the period of naturalization to twenty-one years and assuring that only native-born Americans would hold public office became the issues that carried the nativists to prominence under the banners of the American Republican, Native American, and American Parties.

The nativists adopted symbols of the American Revolution to promote their cause. In a Fourth of July parade that took place between Philadelphia's two nativist riots of 1844, the nativists carried Liberty figures, liberty caps, images of American eagles, and portraits of George

37. John Hancock Lee, *The Origins and Progress of the American Party in Politics* (Philadelphia: Elliott and Gihon, 1855), 14-16.

Washington. "Beware Foreign Influence" was the most frequently displayed slogan, along with banners proclaiming allegiance to "Our Native Land" and "Virtue, Liberty, and Independence."[38] Philadelphians also associated the nativist "martyrs" of the 1844 riots with symbols of American patriotism, for example showing the dying George Shifler clutching an American flag in a lithograph published shortly after the riots.[39] Philadelphians were not alone in invoking the memory and symbols of the Revolution. When the Know Nothing movement emerged in New York in the 1850s to oppose foreign influence, it was sometimes called "The Sons of the Sires of '76."[40]

A public demonstration in Independence Square in 1848 confirmed nativists' worst fears about foreign influence and the prospect of foreign-born Americans entangling the United States in the affairs of Europe. To show support for revolutions against European monarchies, recent European immigrants gathered in Independence Square, at the birthplace of American independence. The *Public Ledger* reported, "The concourse was immense, and exceeded any demonstration which has been held in the same enclosure for many years." The demonstrators set up three stands: a main stage decorated with American and French flags and two speaker's stands where orators addressed the crowds in French, German, and English. A German band played in the square, and patriots paraded with flags of the republican movements of France, Germany, and Italy. In the midst of the European demonstration, a group of black Philadelphians entered the square through the south gate and gathered around their own orators. They had read that a demonstration for liberty was being held in the square, and they were determined to be part of it. Philadelphia police at first tried to eject the blacks, but the Europeans insisted that they be allowed to stay. This demonstration in the spring of 1848 showed how diverse the population of the city had become and displayed in public the characteristics of American life that alarmed nativists.[41]

During the early 1850s, with the Whig Party in decline, a widespread perception that Catholics and the Irish supported slavery helped to draw

38. Ibid., 136-56.
39. J.L. Magee, *Death of George Shifler*, 1844, Library Company of Philadelphia.
40. Warren F. Hewitt, "The Know Nothing Party in Pennsylvania," *Pennsylvania History* 2 (April 1935), 59-70.
41. *Public Ledger*, 25 April 1848.

anti-slavery northerners to the Native American Party, which blamed Catholics and Irish immigrants for electing pro-slavery politicians to the United States Congress. By the middle 1850s, when nativists surged into local and state offices, Northern nativists stood strongly against extending slavery and called for repeal of the Kansas Nebraska Act.[42] In Philadelphia, the political landscape also changed in 1854 when the city and county were consolidated, vastly enlarging the city's land area and electorate. Although the annexed territory included Democratic strongholds, voters surprised the Democrats by embracing the anti-immigrant, anti-Catholic message of the Native Americans. The nativists won the mayor's office as well as a majority of the new City Councils.[43] In control of city government, they acted on long-held convictions by barring foreign-born men from public office and the police force. They also transformed the old Pennsylvania State House into a shrine to their beliefs. The significance of the building to the new office-holders is clear in a memoir of a Native American Party supporter who visited Philadelphia in 1854. He recalled walking across Independence Square on election night, pondering the city's political affairs and the danger of foreign-born office-holders, and visiting Independence Hall:

> As I entered the beautiful enclosure, pregnant with so many stirring memories, and hallowed by the most sacred associations, the old clock pealed out the hour of ten. From the same point issued, seventy-eight years ago, those notes of liberty which swept on angel wings over this land — from that sacred place the proclamation went forth, that no foreign despot should oppress Americans. It seemed as though there were something mournful in those vibrations which announced the hour; and I almost imagined that the faithful chronicler of time was conscious that true patriotism had sadly declined.[44]

The Hall of Independence struck chords of especially strong emotion not only for the visitor, but within the new Native American Party office-holders. The Mayor of Philadelphia elected in 1854 was Robert T. Conrad, who ran with support from the Native Americans as well as the Whig and Temperance parties of the city. Although nominated by the Whigs, he

42. Anbinder, *Nativism and Slavery*, 44-47.
43. Ibid., 53-55; *Public Ledger*, 7 June 1854, 9 June 1854.
44. Frederick Anspach, *The Sons of the Sires* (Philadelphia: Lippincott, Grambo & Co., 1855), 15-16.

enthusiastically embraced the nativists' positions. Conrad, 44 years old at the time of his election, had been trained as a lawyer and served as a judge, but devoted himself most energetically to journalism, play-writing, and poetry.[45] In his literary endeavors as well as his politics, Conrad demonstrated a determination to sustain the principles and memory of the nation's founders. In the decade before his election, for example, he produced an abridged version of John Sanderson's five-volume *Lives of the Signers to the Declaration of Independence*, hoping that the single-volume version would be more accessible to a wide audience. In his introduction, Conrad stressed that the majority of the signers were native born, well-educated, and affluent. If not native born, they came from the best possible place: England. They were men of virtue, models to be followed by succeeding generations.[46]

As they took their new offices in the building known today as Old City Hall, Conrad and his nativist colleagues on the Philadelphia City Councils brought reverence for the Hall of Independence, but also faced the practical demands for city office space. Since the 1830s, city officials had complained that the old buildings on Independence Square were inadequate. Committees commandeered meeting space wherever it could be found – the city treasurer's office, the county commissioner's rooms, or even the mayor's private room. Juries deliberated in public taverns. Public documents were carelessly catalogued and often stored in private homes. The city and county offices housed in the row buildings adjacent to the State House were so crowded that officials worried that the whole complex might go up in flames.[47] With consolidation in 1854, the City Councils' chambers were also too small to accommodate their increased membership.

To address the space problem, Philadelphia's newly elected officials looked next door to the State House. In the year after the nativists took office, they changed the interior of the State House in both form and function. They installed new Council chambers on the second floor, dis-

45. *Evening Bulletin*, 28 June 1858; *Dictionary of American Biography*, vol. 4 (New York: Charles Scribner's Sons, 1930), 355-56.
46. Robert T. Conrad, ed., *Sanderson's Biography of the Signers to the Declaration of Independence* (Philadelphia: Thomas, Cowperthwait & Co., 1852), xvii-xxii.
47. Report of the Committee on City Property, 26 December 1849, in City of Philadelphia, Select Council, *Journal of the Select Council of the City of Philadelphia for 1849-1850* (Philadelphia: Crissy & Markley, 1850), Appendix 24, 59.

placing the United States Marshal's Office and District Court. The space that had been the banquet hall of colonial Philadelphians, a prison for Revolutionary War officers, and most recently the scene of enforcement of the Fugitive Slave Law, was divided into two council chambers painted in imitation of oak, richly carpeted, and lit by chandeliers. The earlier history of the space had not been forgotten; in fact, workmen found reminders of the building's past as they tore apart walls and erected new ones. They found a brick stamped "Nicholson, 1731" and numerous signs of aging, including rats' nests in wainscoting and wooden cornices.[48] Philadelphia newspapers reported the discoveries and recounted the varied history of the second floor, but for Philadelphians of 1854, these were not calls to restoration. The second floor took on an appearance wholly different from any before and, judging from Council members' expense reports, acquired a thick cloud of cigar smoke as well.[49]

More significant to the evolution of the building as a shrine, the new city officials redecorated the first floor Hall of Independence. Emotional ties between the nativist politicians and the memory of the American Revolution transformed the Hall from a civic reception room into a place to worship the nation's founders. When the room reopened to the public on Washington's Birthday in 1855, visitors no longer had to imagine the famous men who had occupied the chamber years before. For $6,000, the City Councils had acquired a selection of Charles Willson Peale's portraits at auction, using them to create a historical shrine to heroes of the American Revolution. In addition to the portraits, visitors beheld the wood sculpture of Washington that had been featured in the chamber during the 1824 reception of Lafayette. The portraits and sculpture were the room's principal attractions, but they shared the room with the old State House bell (labeled the Liberty Bell by abolitionists of the 1830s), which had irreparably cracked by the late 1840s. Newly popularized by the fiction of George Lippard, the bell had been brought down from the tower in 1852 and placed on an octagonal pedestal inscribed with the

48. *Evening Bulletin*, 18 July 1854, 7 December 1854; *Public Ledger* 19 August 1854, 29 August 1854, 27 October 1854, 29 November 1854.

49. Between June and October 1854, Council members submitted bills for more than $1,300 for cigars. *Public Ledger*, 16 January 1854.

names of the signers of the Declaration of Independence.[50]

The nativists' interest in the State House extended to publication in 1859 of the first book-length history of the Hall of Independence.[51] Not surprising, given the events of the middle nineteenth century, the book was the work of a nativist, David W. Belisle, publisher of an American Party newspaper in Camden, New Jersey.[52] Belisle's *History of Independence Hall* was a hymn to the nation's founders and a tribute to the room which made it possible for nineteenth-century Americans to commune with sacred memories. After dedicating his book to Millard Fillmore, the Native American Party's presidential candidate in 1856, Belisle wrote in his preface, "Independence Hall! How impressive are the associations that cluster around this sacred Temple of our national freedom!" Admiring the shrine opened in 1855, he wrote, "The venerable appearance of the Hall itself has an awe-inspiring sanctity about it that makes us realize we are treading hallowed ground—while the carefully arranged relics and mementoes excite our inquiry and deeply interest our thoughts." Belisle feared, however, that other visitors did not fully appreciate the historic associations that he felt so deeply. He intended his book to provide a more thorough understanding and "to inspire a deeper love for the sacred Temple wherein our nation's infancy was cradled and defended."[53]

Remembering and Forgetting

If the events of the 1850s played such a prominent role in the history of Independence Hall, how is it that they were forgotten? Part of the

50. City of Philadelphia, *Ordinances and Joint Resolutions of the Select and Common Councils of the Consolidated City of Philadelphia, From June Twelfth to December Thirty-First, 1854* (Philadelphia: W.H. Sickels, Printer, 1854), 47, 124, 161; City of Philadelphia, *Ordinances and Joint Resolutions of the Select and Common Councils of the Consolidated City of Philadelphia, From January First to December Thirty-First, 1855* (Philadelphia: J.H. Jones & Co., Printers, 1855), 20, 69, 70; City of Philadelphia, *Ordinances and Joint Resolutions of the Select and Common Councils of the Consolidated City of Philadelphia, From January First to December Thirty-First, 1855*, 143; *Public Ledger*, 15 September 1854, 7 October 1854, 8 January 1855, 21 February 1855. On the history of the Liberty Bell, see John C. Paige, *The Liberty Bell; A Special History Study* (Denver: National Park Service, Denver Service Center, not dated).

51. David W. Belisle, *History of Independence Hall: From the Earliest Period to the Present Time* (Philadelphia: James Challen & Son, 1859).

52. George R. Prowell, *The History of Camden County, New Jersey* (Philadelphia: L.J. Richards & Co., 1886), 321.

53. Belisle, *History of Independence Hall*, 9-10.

answer lies in the continuing evolution of the landmark building in the nineteenth century. During the Civil War and, later, the Centennial celebration of 1876, the old Pennsylvania State House became associated with the preservation of the Union rather than the conflicts of earlier years. Where the nativist politicians of the 1850s created a shrine that identified native-born, white Americans as inheritors of the ideals of the American Revolution, Philadelphians during the Civil War honored fallen Union heroes. Between 1861 and 1865, seven officers killed in battle lay in state briefly in the Hall of Independence.[54] In 1861, Abraham Lincoln stopped in Philadelphia to raise over the State House an American flag with thirty-four stars — the thirty-fourth representing Kansas, newly admitted as a free state after years of bloody conflict. Four years later, Lincoln's body was brought to the State House, where it rested at the feet of the sculpture of George Washington.[55] An estimated 85,000 people — white and black — filed by Lincoln's casket in the Hall of Independence, draped in black for the occasion. On those mournful April days, they crossed through a chamber made sacred by decades of reverence for lost American heroes and fear for imperiled American ideals. Union soldiers from Pennsylvania recognized the significance of the building to both past and present by ceremoniously returning their regimental flags to Independence Hall after the war.

The building attracted renewed attention in the 1870s as Philadelphians prepared to host the Centennial Exhibition. Again seeking to rid conflict from the history represented by the State House, Philadelphians expressed concern that Southerners and Northerners alike feel welcome at the birthplace of the nation. Along with Revolutionary War relics, the Hall of Independence had accumulated tributes to Union heroes, including portraits of Abraham Lincoln, General Ulysses S. Grant, and local soldiers killed in battle. In the opinion of the *Philadelphia Inquirer*, these reminders of sectional strife would have to be removed before visitors from Southern states arrived for the Centennial.[56] As preparation for the celebration, a committee appointed by the City Councils removed all of the Civil War objects, reserving the Hall of Independence for furnishings,

54. *Public Ledger*, 14 June 1861; 27 March 1862; 5 May 1862; 6 May 1862; 9 January 1863; 10 January 1863.
55. *Evening Bulletin*, 22 April 1865.
56. "The Ethics of the Centennial," *Philadelphia Inquirer*, undated news clipping in scrapbook, Frank M. Etting Papers, Historical Society of Pennsylvania.

paintings, and artifacts associated with 1776. By this time, the State House in its entirety was becoming known as "Independence Hall," and further changes to the interior reflected the perception that the building, not just one room associated with the Declaration of Independence, had historic significance. Across the hall from the Assembly Room, the city's committee replaced the last remaining courtroom with a "National Museum" displaying Revolutionary era relics and tracing the history of Pennsylvania.[57] The theme of reunion extended through the July Fourth celebration in Independence Square, where Richard Henry Lee of Virginia, whose grandfather had proposed independence in 1776, read aloud from the original document.[58] These events of the Centennial year moved Independence Hall toward new significance as a place symbolic of national unity.

In retrospect, however, some continuities with the conflicts of the 1850s can be detected. During the 1850s, the State House had been claimed by native-born, white Americans who defined themselves as inheritors and defenders of the legacy of 1776. By the Centennial year, that legacy was being defined not only as native-born and white, but as particularly British. Such an identification with British heritage was in keeping with the tastes of upper class Americans who embraced British ways by joining Episcopal churches, playing cricket, and convening English-style men's clubs.[59] During the Centennial year, this affinity for things British was apparent even at Independence Hall. On the New Year's Eve that opened 1876, Republican Mayor William S. Stokley hoisted over the State House a replica of George Washington's battle flag which displayed the Union Jack in the corner of its field of red and white stripes.[60] Inside the building, the exhibit of the history of Pennsylvania included portraits of eighteenth-century Kings and Queens of England. While some Phila-

57. The museum projects of 1876 are described in Etting, *An Historical Account of the Old State House of Pennsylvania Now Known as the Hall of Independence.*
58. *Evening Bulletin,* 5 July 1876.
59. E. Digby Baltzell, *Philadelphia Gentlemen: The Making of a National Upper Class* (New York: The Free Press, 1958).
60. *Frank Leslie's Illustrated Newspaper,* 22 January 1876; *Public Ledger,* 31 December 1875, 1 January 1876, 3 January 1876. I am indebted to Morris J. Vogel for his insights into the importance of British descent to American identity during this period.

delphians protested, the portraits remained on display until at least 1915.[61] Independence Hall, the place where thirteen colonies had broken away from Great Britain, now celebrated an American identity descended from England.

The memory of fugitive slave hearings persisted in Philadelphia until at least the 1880s, when published biographies of lawyers and judges who participated included references to their role in enforcing or challenging the Fugitive Slave Law.[62] However, material evidence of the federal offices on the second floor of Independence Hall disappeared when City Council chambers were installed in 1854. When the second floor was renovated once again during the 1890s, replacing the Council chambers with an interior of eighteenth-century appearance, press reports mentioned only the Revolutionary-era associations of the space, not the legal conflicts of the 1850s.[63] During the twentieth century, meticulous research by the National Park Service concentrated on structural history and eighteenth-century events, delving less into the activities of the nineteenth century.[64] Meanwhile, the changing urban landscape around Independence Hall also obscured African American associations with the building. While Mother Bethel A.M.E Church still stands on Sixth Street near Lombard, other evidence of Philadelphia's nineteenth century African American population has been displaced in the twentieth century by the redevelopment of Society Hill as an upscale, predominantly white neighborhood.

Through the twentieth century, the American history remembered at Independence Hall was not a story of waves of immigrants, racial conflict, or sectional strife. These events of the nineteenth century all visited Independence Hall and the surrounding public space, but they were lost from public memory. Through a succession of renovations and restora-

61. On the National Museum, see Etting, *An Historical Account of the Old State House.* Contents of exhibits are described in the Frank M. Etting Papers, Historical Society of Pennsylvania, and in Minutes, Board of Managers, National Museum, Samuel Chew Collection, Independence National Historical Park. On the later exhibition of portraits of British sovereigns, see Wilfred Jordan and Carl Magee Kneass, *Catalogue of the Portraits and other Works of Art, Independence Hall, Philadelphia* (Philadelphia: Privately published, 1915), 17. On objections to the portraits, see *Public Ledger,* 3 June 1876, and *Evening Bulletin,* 14 July 1876.
62. See, for example, the biographical sketch of Robert C. Grier in J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884,* vol. 2 (Philadelphia: L.H. Evarts, 1884), 1547-48.
63. *Evening Bulletin,* 19 February 1897; *Public Ledger,* 20 February 1897.
64. Batcheler, *Independence Hall Historic Structures Report, The Physical History of the Second Floor.*

tion projects, the material reminders of fugitive slave hearings disappeared. An increasing focus on the building's significance to the nation, divorced from its place in the city, erased from memory the connection between nativist politics and the creation of a shrine to founding fathers. Public demonstrations in the square left no lasting reminders of conflict; instead, trees, lawns, and walkways have maintained an impression of serenity and control.

Today, in a significant broadening of the interpretation of Independence Hall, some aspects of the building's nineteenth-century history are being revived. In keeping with the National Underground Railroad Network to Freedom Program of the National Park Service, an application is being prepared to add events such as the Christiana trial and fugitive slave hearings to the National Register of Historic Places designation for Independence National Historical Park. In October, Park Superintendent Martha Aikens spoke of Frederick Douglass when she welcomed participants in the NPS Underground Railroad project to Indenpendence Square. Inside Independence Hall, park rangers sometimes describe the fugitive slave hearings that once transpired on the second floor. To fully understand Independence Hall–and by extension, the continuing process of understanding the American Revolution and American ideals–we need to continue to confront the lost history of the nineteenth century. Restoring nativism as well as slavery to the history of Independence Hall reveals a building that resonates not only with the founding of the United States but also with the ongoing struggle of defining and sustaining the nation.