"To Every Mans Door": Railroads and Use of the Streets in Jacksonian Philadelphia

During the “transportation revolution” of the 1830s, the ideological roadblocks to railroad development were often more serious than the technical. Sectional rivalries over routes, debates about public versus private ownership, and even the question of what historian John Lauritz Larson has called the “establishment of operating monopolies” consumed Jacksonians fearful of corporate power and the authority inherent in trunk-line systems.¹ These controversies were magnified in cities, where citizens often resented railroads as corporate usurpers of what they regarded as common public space.² The contention was especially revealing in Philadelphia, where the alleged engrosser was municipal-owned and linked with Pennsylvania’s state system of internal improvements. While many Philadelphians recognized the efficiencies of centralized rail operations, others expected railways to enhance the streets as a public good and provide a business path “to every mans door.” Before urban railroads could forge their “metropolitan corridors,” their routes of exclusive control, they had to break free from antimodern, even counter-

The author wishes to thank John Lauritz Larson, Tamara Gaskell Miller, and anonymous readers for their suggestions and support.


Fig. 1. *Termination of the Pennsylvania Railroad* (1829) shows proposed routes across the Schuylkill and into Philadelphia. Upper route is that proposed by the Philadelphia Common Council; lower route proposed by Board of Canal Commissioners. Historical Society of Pennsylvania.
intuitive, assumptions about their role in Jacksonian cities.\(^3\)

Philadelphia boosters, locked in a struggle with New York and Baltimore for the trade of the Ohio country, concentrated early on the possibilities of public enterprise and railroads. An 1825 town meeting called for a project “undertaken by the State . . . because it requires for its completion large powers which may be safely intrusted to the public authorities of the commonwealth.”\(^4\) After the Pennsylvania Society for the Promotion of Internal Improvements sent architect-engineer William Strickland to Great Britain in 1825 to investigate English progress on railroads, local supporters also fixated on the utility of a rail connection to the West. In the late 1820s, the state legislature, confident that public enterprise would return fiscal and moral dividends to the commonwealth, set up the Pennsylvania Board of Canal Commissioners to build and operate the State Works, a heroic system of slack-water canals and a portage railroad across the Appalachians. Much depended upon its eastern third, eighty-two miles of rail between the Lancaster County town of Columbia on the Susquehanna River and the great mart on the Schuylkill. But opinion divided on the best approach for entering the city. The Philadelphia Common Council wanted the route to cross the Schuylkill upriver at Peter's Island, then swing inland along an old canal bed to terminate at the city line—the corner of Broad and Vine streets—where it would be poised to serve the center of town. The Board of Canal Commissioners, in contrast, favored a continuation along the western shore of the Schuylkill, with a bridge across the river near the Fairmount Waterworks (see fig. 1).\(^5\)

Both recommendations paid obeisance to what Jacksonians called the “diffusion of trade,” faith in commerce as a communal good. According to the canal commissioners, a railroad could not fully stimulate the business

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of a major city “without the construction of branch lines near its point of termination; by means of which the trade may be conveniently diffused.” But they hesitated to dictate an urban portal, for to do so would “fix the localities of such branch lines . . . and otherwise interfere with its internal regulations.” Rather, their proposed route, which anticipated a bridgehead across the Schuylkill and rails through the city to the Delaware, would allow “every facility for such extensions be afforded, either to the corporations of the City and districts, or to associations of individuals formed for the purpose.”

Local officials, however, objected that the plan favored the city’s western margins; not only would the commissioners’ route obstruct the Fairmount Waterworks, it would diminish “the benefits of the Rail Road to the centre of the city and the Delaware front.” The Broad Street approach, they insisted, promised “full and free competition for the trade of the Columbia Rail Road by branch Rail Roads,” which they envisioned as laterals coursing “to any part of our city plat.” In February 1829, the Philadelphia Select Council resolved “to give every part of the city an equal and impartial participation in the trade.” In early 1830, boisterous town meetings rallied behind the Select Council’s call for the terminus at Broad and Vine as best designed “to promote the interests of the City, adjoining districts, and the Commonwealth.”

In March 1831, in accordance with the wishes of city officials, the canal commissioners resolved to embark on a Columbia route to Broad and Vine, provided the municipality “construct and continue the railroad” from Vine Street south to Cedar. Legislation allowed for municipal control in the kind of language, a judge later concluded, that “would constitute as complete an ownership in the city . . . as could be conceived of under any grant of a franchise to any company whatsoever.” But antimonopolists demanded further safeguards of public benefit, insisting upon a change in the Columbia charter to allow a “tramway,” a path of smooth masonry accessible to any vehicle, instead of a railway with

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flanged, potentially obstructive, "edge rails." A few days later, the Select Council presented a compromise calling for either a railroad or tramway, along with "ample power" to regulate the road so as not to "interrupt the intercourse between the streets bounding on Broad Street." On March 23, the Pennsylvania legislature authorized the railroad from Columbia to Broad and Vine, contingent on the city's approval of a connecting route to Cedar Street, which it granted on April 28, 1831. Petitions urged extension of the railroad down Broad Street to Cedar in March and June 1832, and the Common Council approved the charter on January 10, 1833.8

The $11 million state-owned Philadelphia and Columbia opened for operations in April 1834. Travelers found it a wondrous object, particularly the incline plane, five-eighths of a mile long and 187-feet high, at the Belmont Plateau west of the Schuylkill, where a stationary steam engine hauled cars with a massive hemp rope. The road established a "place of Deposit" for freight at Broad and Race streets, drawing merchandise "forwarders," wholesalers, and shippers, to nearby space.9 In December, the municipality's City Railroad was opened as a seven-block horse railway on Broad Street. It was a pioneer rail system within a city, although its freight and passenger service was more like that of the Baltimore and Ohio Railroad than of Manhattan's New York and Harlem, which remained primarily a passenger line.10 The route was managed by the Common Council's Committee on Public Highways, which collected tolls on privately owned cars and merchandise and spent a few thousand dollars a year for granite sleepers, "railroad iron," and


general maintenance. Rolling stock, as the committee later observed, remained “a matter of concern solely for those who make use of the road,” and the city contracted with “owners or agents of merchandize or merchandize cars,” including the Philadelphia, Wilmington and Baltimore Railroad, and “other proprietors of passenger cars.” The Common Council restricted speed to four miles per hour, banned trains during farmers’ markets on Wednesdays and Sundays, and forbade the use of steam power.11

Private railroads faced similar restrictions by the suburban boroughs. The Pennsylvania legislature incorporated the Philadelphia, Wilmington and Baltimore in 1831 to occupy Prime Street from Southwark to Passyunk, with double track from Broad Street to Gray’s Ferry Road. At the same time, the Philadelphia and Trenton Railroad, which represented the ambitions of the New Jersey monopoly, the Camden and Amboy Railroad, had approached the city’s northern margins. In December 1834, the Board of Commissioners of the Kensington District drove a particularly hard bargain which allowed the Philadelphia and Trenton to lay a single track at pavement level along the Frankford Road, prohibited steam locomotives, and stipulated that trains could neither “exceed the length of an ordinary team” nor operate faster than five miles per hour. District commissioners, moreover, could authorize construction of laterals linked anywhere along the main stem. In 1836 the Kensington and Penn Township Railroad was chartered by the legislature to connect with the Columbia road on the Schuylkill, provided it did not use steam power or occupy the street “so as to prevent the use of the same for travelling and ordinary purposes.” In 1839, the Northern Liberties sternly prohibited “the owner or owners of any railroad car” from dragging it through the district “faster than the walk of the animal or animals drawing the same . . . .”12

The restrictions fitted an urban environment, where, as Susan G. Davis and other historians have reminded us, Jacksonians constantly


12 Scharf and Westcott, History of Philadelphia, 3:2183; Kensington, Board of Commissioners, Minutes, Oct. 20, Dec. 9, 1834, Philadelphia City Archives; Report of the Manager of the Kensington and Penn-Township Rail Road Company to the Shareholders at their Annual Meeting, Held January 1st, 1837 (Philadelphia, 1837); Pennsylvania Inquirer and Daily Courier, Dec. 17, 1839.
quarreled over use of the streets—as places for movement, scrounging, and political protest. The contentiousness began with their very creation, which usually owed to the grudging cooperation of nearby property holders. To be sure, the commonwealth (along with local authorities) could take property for public thoroughfares as long as it followed the Pennsylvania General Road Law, which required, as one judge wrote, “fair and just equivalent” in damages. But most roads, such as Somerset Street in suburban Richmond, were created at the behest of owners who did “lay out and appropriate and open for public use forever” the required land “for the benefit and advantage to be derived therefrom.” Prevailing belief in special assessments, moreover, meant that the cost of grading, paving, and setting curbs was imposed on the abutting property owners who directly benefited from the improvement. Until the mid-1850s, Philadelphia street openings depended upon consents from a majority of abutting owners filed with the County Court of Quarter Sessions. Not surprisingly, this insistence on local control was accompanied by visceral hostility toward improvements that might benefit, however incidentally, nonresidents and outsiders. The city’s progress hinged on consensus among neighbors, and on sentiments that might “inspire,” as a writer in Poulson’s American Daily Advertiser put it, “owners with a disposition to improve their estates, and come into the views, and aid the plans of [the city] councils.”

When neighbors opposed improvements, they found an ally in the common law, which gave property owners summary redress—often in equity proceedings—against nuisances, blockades, and private encroachments of public routes. One popular recourse was the charge of


14 People v. Platt, 17 Johns. Rep. 195 (NY, 1819); Jarden v. Philadelphia, Wilmington and Baltimore Rail Road Co., 6 Whart. 502 (PA, 1838), 6–7; and Richmond, Board of Commissioners, Minutes, Nov. 10, 1847, Philadelphia City Archives.

15 Thomas v. Leland, 24 Wend. 65 (NY, 1840); Schenley et ux. v. The Commonwealth 36 Pa. 29 (1859); Sower v. City of Philadelphia, 35 Pa. 231 (1860); Richmond, Board of Commissioners, Minutes, no date, p. 122; Moyamensing, Board of Commissioners, Minutes, Mar. 14, 1851, Philadelphia City Archives; and Poulson’s American Daily Advertiser, Nov. 1, 1834.
“purpresture,” the archaic legal action against an illegal encumbrance. Improvers found more vexing the assertion by property owners to fee-simple ownership to the center of streets, even those built from municipal funds; it was a “vulgar error,” a judge sighed, that was “extensively prevalent.”16 The doctrine seemed to sustain the right of property owners to construct vaults under streets as well as the countless attempts by merchants to extend their structures beyond formal property lines. More important, it lent plausibility to suits by property owners to recover damages from a railroad’s occupancy of the middle of the streets. Public access to the streets was further muddled by the notion of easements, a fungible property right that was slippery indeed. A Philadelphia lawyer, arguing against a developer’s alleged obstruction, explained: “A right of way or other incorporeal right exercisable in lands is a species of property wholly independent of the soil or land in which it is exercisable, and of the ownership of such soil.” These rights remained legitimate and distinguishable claims, and “each is entitled to use what is thus his own.”17

Assumptions of shared dominion were reinforced by the Jacksonian regard of railroads as “high-ways,” as public entities dedicated to common use. The earliest railroad charters borrowed the language from turnpikes and canals, which stipulated that any user could ply his own conveyance as long as he paid tolls and observed the route’s basic regulations.18 On the Pennsylvania State Works, state-owned locomotives hauled freight and passenger cars, which were owned and operated by a handful of companies under the “contract system” and by a much larger number of smaller firms and individuals. Operators were charged tolls in the form of a “wheel tax” and a separate charge for “motive power.”19 In 1834 a leg-


17 Case of Philadelphia and Trenton Rail Road Co., 6 Whart. 25 (PA, 1840); Kirkham v. Sharp, 1 Whart. 323 (PA, 1835); and Manayunk, Borough Council, Minutes, July 7, 1848, Philadelphia City Archives.

18 Massachusetts, General Court, Senate, Report of the Committee on Railways and Canals, on an Order Relative to the Public Use of Rail-Roads. Accepted by the Senate, April 15, 1837 (Boston, 1839). For evidence of the system of private locomotion, see von Gerstner, Early American Railroads, 193, 240–41, 326, 330, 406–7, 483–88, 508.

19 Pennsylvania, Board of Canal Commissioners, Annual Report of the Canal Commissioners of Pennsylvania . . . December 8, 1836 (Harrisburg, PA, 1837); Report of the Canal Commissioners of Pennsylvania, Relative to the Pennsylvania Canals and Railroads. Read in Senate, December 8, 1836
islative committee took up the question of whether the Allegheny Portage and the Philadelphia and Columbia railroads "should be considered as high-roads," with private operators free to run their own locomotives as well as freight and passenger cars. While concluding that the "high-way principle is entirely inapplicable on a road upon which a large trade is intended to pass," it conceded that "an impression has existed with many, that the high-way principle is the old and established system," with attempts to restrict it an "innovation."\(^\text{20}\)

At the Columbia road's Broad and Vine streets terminus, operators of freight cars and passenger vehicles proceeded to the office of the collector of tolls, paid their "wheel tax," and attached their vehicles to the locomotive. In March 1835, the railroad recorded 163 "burthen" and 21 passenger cars that were "regularly registered," along with another 100 not yet registered. Passenger cars were owned by local operators, such as Deschamps and Glenot; the Good Intent Stage Company, which boasted a "line of first rate post coaches"; and the Washington Packet and Transportation Company, whose distinctively decorated cars left the depot on Broad Street at 10:00 a.m. daily. The system's wide allowance for solitary operators was indicated by Spring Garden's traffic regulations in 1840, which applied to owners, agents, or drivers of individual cars "or other vehicles." Operators were enjoined from "placing any such car or other vehicle on any such railroad, unless said car or vehicle is provided with good and sufficient breaks."\(^\text{21}\)

\(^\text{20}\) Evidence Showing the Manner in Which Locomotive Engines Are Used upon Rail-Roads; and the Dangers and Inexpedieny of Permitting Rival Companies Using Them on the Same Road (Boston, 1838), 3. The "high-way" principle on the State Works lingered on into the early 1850s. See Board of Canal Commissioners, Annual Report... November 30, 1852, 22–23, 25.

From the beginning, private locomotion troubled proponents of centralized management. "Some jealousies subsist between individuals engaged in the business of transporting goods, and some accusations of favoritism are made against the public officers, whose duty it may be to superintend the road," commented an observer of the Columbia in 1835, who dismissed bottlenecks as "common to competitions in business of every kind" and predicted that they would disappear with more widespread use of steam power.\(^2\) During the hard times after the Panic of 1837, the commonwealth's desire to raise capital dovetailed with Jacksonian notions of antimonopolistic operations. Legislators proposed selling the State Works' "motive power" and, in late 1841, a recommendation was considered that the Columbia's locomotives "be leased to individuals, one engine to a man." *Niles' National Register* observed that the policy "would introduce a salutary competition in speed, though it would hardly tend to promote the safety of passengers." The Columbia did not restrict individual horse teams until 1844, and as late as 1849 private transporters were still "at liberty" to use the State Works. By then, the commonwealth's eccentric operations were taken as a primer for capitalists on how not to run a railroad. "The State Road being a public highway, and the cars owned entirely by individuals," the Pennsylvania Railroad explained to shareholders in 1850, required different arrangements "from those which exist on well managed company roads—which led to cars left, loads not taken out, etc."\(^2\)3

Across Philadelphia County, the railway system reflected community assumptions about trade widespread on the streets. When Southwark Railroad stock was issued during 1831, the District of Southwark commissioners, "with a view of expediting the Commencement," resolved to permit the road to carry through any street in the district. In September 1833, Moyamensing commissioners, impatient with the lack of progress made by the Southwark Railroad, redoubled their resolve to "participate in the benefit to be derived from the great Work."\(^2\)4 Far more important

\(^2\) Southwark, Board of Commissioners, Minutes, July 21, 1831 and Oct. 3, 1833, Philadelphia City Archives.
was the assumption that merchandise could be loaded onto the system from any number of points, not just major terminals. Many businessmen commandeered the system by attaching swivels and “turnouts,” short spurs of offside track. Moyamensing merchants petitioned the borough for the “privilege” of laying turnouts for individual loading on Prime and Washington streets. Spring Garden in 1838 allowed turnouts approved by the town board set flush with footways. Eventually the Spring Garden police committee was forced to control these demands along Broad Street “as to occasion the least obstruction possible to general travelling.”

For its part, Philadelphia approved a host of turnouts on the City Railroad and on the Philadelphia, Wilmington and Baltimore. The profusion of turnouts became more feasible with the introduction of James Stimpson’s “Patent curves,” considered particularly suited to the city’s right angles.

To many Philadelphians, railroads were approachable and human scale; casual resorts that offered whimsical spectacle for common use. People walked on as well as toured railroads like the Willow Street rails, which wound through Kensington bringing coal cars to the Delaware wharves. To the annoyance of engineers, carters regularly dragged their own loads along the rails, and merchants treated railcars like farmers’ Conestoga wagons on market days, letting them stand idle on the streets obstructing sidewalks and dwellings. In May 1839, county commissioners appealed to the Philadelphia, Wilmington and Baltimore for passage “forever, free of tolls or other charges” over the railroad bridge at Gray’s Ferry for pedestrians “and persons on horseback, carriages, wagons and schackles with or without horses,” along with “all droves of Oxen, Swine, or other animals.” The bridge would serve the promiscuous needs of the entire community.

This informal use extended to railroad stations, which were anything

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25 Moyamensing, Board of Commissioners, Minutes, Dec. 14, 1846, Feb. 1, 1847, and Nov. 5, 1849; Resolutions of Mar. 15, 1838, in Digest of the Acts of Assembly, 149–54; Spring Garden, Committee on Police, Minutes, July 31, 1847, Philadelphia City Archives; and Ordinance of Mar. 15, 1838, in A Supplement to the Digest of the Laws and Ordinances of the District of Spring Garden . . . (Philadelphia, 1838), 15–16.
29 Anonymous travel diary, Sept. 2, 1836, Diaries and Letterbooks, [1658]–1939, Historical Society of Pennsylvania; and Philadelphia County Commissioners, Minutes, May 4, 1839, Philadelphia City Archives.
but exclusive precincts. The first “car houses” were little more than sheds, since merchants individually loaded freight from turnouts along the line and passengers boarded cars, sometimes literally, on a catch-as-catch-can basis.\footnote{Jeffrey Richards and John M. MacKenzie, \textit{The Railway Station: A Social History} (New York, 1986), 30, 39–40; Gordon, \textit{Passage to Union}, 86; and Carroll L. V. Meeks, \textit{The Railroad Station: An Architectural History} (New Haven, CT, 1956), 48–49.} Depots provided places for haggling. Although passengers paid standard prices for tickets, they bargained over the cost of baggage. Besides harboring the inevitable pickpockets and conductors’ cronies trying to cadge rides, depots were filled with innumerable “runners” from hotels and rival transporters (since antimonopolists insisted that railroads, steamboats, and stage lines had the right to post agents there).\footnote{Von Gerstner, \textit{Early American Railroads}, 473; Joseph K. Angell, \textit{A Treatise on the Law of Carriers of Goods and Passengers, by Land and by Water} (Boston, 1849), 112; American Railroad Journal 16 (Apr. 1843): 94, 100, 102; Report on the Locomotive Engines and the Police and Management of Several of the Principal Rail Roads, Being a Sequel to the Report of the 8th of January, 1838, Upon Railway Structures, by J. Knight, Chief Engineer, and Benj. H. Latrobe, Eng’r of Location & Construction (Baltimore, 1838), 6–7; “Proceedings of Convention of National General Ticket Agents’ Association,” Apr. 17, 1856, in \textit{Records of the National General Ticket Agents’ Association. From March, 1855, to March, 1878. Inclusive} (Chicago, 1878), 14; Alexander Mackay, \textit{The Western World}, 2nd ed. (London, 1849), 1:131; and American Railroad Journal 16 (Apr. 1843): 94, 100.} In Philadelphia, an English traveler, Alexander Mackay, followed steamboat patrons into a “large unfinished-looking brick building” that turned out to be a railroad station, whereupon, a quarter hour before departure, the crowd scrambled for seats nearest the car stoves. “The hurry-scurry, if possible, increased: men jostling each other, and rustling in at every aperture into the cars, like so many maniacs,” Mackay recorded.\footnote{Mackay, \textit{Western World}, 1:122.} A visiting New Yorker described a depot in 1837 as “the office where the railroad cars for Manayunk go from.” Cars were pulled up according to the number of people waiting, she added; “an additional car had to be procured & in due time we were all in motion whizzing away.”\footnote{Marion Corbett diary, Sept. 1, 1837, New-York Historical Society.}

Within a year of operations, the Columbia and its extension, the City Railroad, were a going concern, conveying passengers and freight from the Vine Street “deposit” to the growing number of turnouts along Broad Street. In the fall of 1834 the Philadelphia Board of Trade, goaded by merchants on the Delaware waterfront, petitioned municipal authorities to extend the line to the river wharves, and in January 1835 it reiterated its request for a route “by means of which the inexhaustible produce of the
West may be brought to the vicinity of the business parts of the City. But
the board would not commit to a rail system, adding that from "the opini-
on of a scientific and experienced Engineer, that Tram ways or solid
pieces of hewn granite of proper proportions laid perfectly level with the
surface of the street, would be most advantageous . . ."

That spring, the Philadelphia Select and Common Councils appointed a commission of
prominent merchants, headed by Thomas P. Cope, owner of Atlantic
merchant ships and president of the Board of Trade, "to inquire into the
best means for conveying merchandize from the Broad St Rail Road to
the Delaware front of the City whether by Railways Tramways or other-
wise."

The Cope Commission invited suggestions from citizens and merchants,
whose replies revealed the diverse expectations held for urban railroads.
Some called for a route down Broad Street, then along South to Pine and
Water streets where depot facilities would be built on city-owned property,
the Drawbridge Lot. Such an arrangement, they said, would bring "the
trade to the eastern front of the City more effectively than any other."

Others wanted a route along Spruce and Walnut streets, connected with
improved facilities, including a "spacious Depot" on the Drawbridge Lot,
which would be linked to another single track, with turnouts, along
Delaware Avenue. That scheme, they claimed, would energize commerce
along the city's east end from the Northern Liberties to Southwark.
Another respondent favored "some convenient place provided in a central
situation for the reception of merchandise to be taken westward." A
central depot and a corridor of rails, he argued, would secure the city's
growing western trade.

Most merchants agreed that the cost of hauling tonnage, such as flour,
from Broad Street to the business center at Sixth Street between South
and Arch was onerous. The Philadelphia and Columbia's "place of
Deposit," a group complained, "subjects produce brought on the road for

34 Board of Trade, Minutes, Aug. 8, Dec. 12, 19, 1834, and Jan. 9, 1835, Historical Society of
Pennsylvania.

35 G. Brown et al. to Thomas P. Cope, Mar. 11, 1835; and E. Brown et al., Petition, Mar. 11, 1835,
enclosed with broadside, "To Messrs. Manuel Eyre . . .," both in Commission to Inquire into best
means of conveying merchandise from the Wharve to the Broad Street Railroad, 1835, in Cope
Family Papers, Historical Society of Pennsylvania; and Scharf and Westcott, History of Philadelphia,
3:2174–76.

36 Anonymous to Thomas P. Cope, Mar. 9, 1835, Cope Family Papers.

37 Wm R. Hanson et al, petition, to the Select and Common Councils, n.d., and W. Milnor
Roberts to Thomas P. Cope, Mar. 27, 1835, Cope Family Papers.
sale, and merchandise carried to it for transportation to the Interior, to much heavy additional charges,” which “cut commerce like a two edged Sword.” An anonymous correspondent called attention to the competition in the Northern Liberties, where merchants took advantage of the Willow Street rails that connected with the docks of the Lehigh Coal Company. Predicting that others would join these suburban forestallers, he warned, “Should not our city authorities speedily make a Road our merchants must either leave the City or be content to do a very limited business.” Proposing a loop of single track along Spruce and Walnut streets, he scoffed at the fears of residents, asking “wether they prefer heavy loaded carts & waggons with their long string of unmanageable Horses passing their Doors or the almost noiseless Rail Road Car drawn by a single Horse and completely under the control of a Driver.”

The Cope Commission also sought advice from Baltimore, whose city councils had narrowly defeated citizens’ attempts to remove tracks of the Baltimore and Ohio Railroad from the main thoroughfare, Pratt Street. Insisting that opposition to the route came from “a few selfish individuals,” B&O officer Evan Thomas testified that rails for carrying freight could be constructed on streets “with more economy and less interruption to the ordinary intercourse thereof, than by any other mode whatever.” According to Thomas, the B&O also demonstrated the ease with which ordinary city traffic could coexist with rails “so laid down as to be crossed every where freely, and turn abouts are not required except where the streets are very narrow indeed.” His brother, Philip E. Thomas, another B&O official, added his approval of what he had seen during a recent visit to Philadelphia. After inspecting a portion of the City Railroad, he concluded that the “rail tracks are similar to ours and certainly cause very little if any hindrance to the travel on the Street.” It was a crucial endorsement from Philadelphia’s vaunted urban rival.

Several correspondents tried to disabuse expectations for the “diffusion of trade” by emphasizing the logic of centralized transport. “It is difficult, if not impracticable to bring the Rail Road to every door,” a group of merchants lectured. “Is this difficulty, however, to prevent the greatest benefit circumstances permit commerce to draw from the Rail Road, from

38 E. Brown, Fras Harley Senr & others to Thomas P. Cope, Mar. 11, 1835, Cope Family Papers.
39 Anonymous to Thomas P. Cope, Mar. 24, 1835, Cope Family Papers.
40 Evan Thomas to Thomas P. Cope, Apr. 15, 1835, Cope Family Papers.
41 Philip E. Thomas to Thomas P. Cope, Apr. 19, 1835, Cope Family Papers.
being enjoyed?" A refusal to extend the tracks along a common, direct route "not only prevents the enjoyment of the benefit, but also inflicts injury upon the commercial and all other interests connected with commerce." They concluded that the most practical course, with the most extensive benefit, was a single track looped along Walnut and Spruce streets to Dock Street, "where the entrepot may be easily formed." The city had to act to protect its advantages; "the field of commerce must be cultivated or a ripe Crop will not be gathered."42

The Cope Commission also received urgent recommendations from those who sensed that rails might liberate the conduct of Philadelphia's commerce. One remonstrator, Stephen P. Morris, paused over the portents for economic change that came with "the principle of throwing a rail road open for general use—and also of advantage to be gained by introducing such rails into the heart of our City." He questioned the practicality of market stalls that congested High Street (or Market Street, as contemporaries often called it and it is now officially named) from Eighth to Third streets but failed to serve customers at the margins of the city. Morris envisioned a dispersal of the stalls into "different Sections of the City, by the corporation or under certain regulations by the citizens themselves."43 Others attacked the monopolies engineered into a system of rails, particularly edge rails, a technology designed for shippers of heavy freight, such as anthracite and flour, which literally raised barriers against the less privileged. One contributor suggested to the Cope Commission an ordinance, phased in over twelve months, "to require every Cart and waggon of burthen, to have the wheels, not less than 6 inches wide . . . ." He argued that wide wheels, less destructive of common surfaces and able to carry greater tonnage, were "preferable to a tram route," not to mention "a rail road thro' the streets of the city" which was "improper and attended with danger."44

Those who attacked the exclusiveness of rails found a spokesman in George Pepper, one of Philadelphia's richest property owners. Insisting that the trade of the Philadelphia and Columbia should be "diffused throughout the business parts of the City," Pepper sought an alternative to railways, which threatened injury as well as inconvenience to property owners and the traveling public. He called for an experiment, "tramways,

42 E. Brown, Fras Harley Senr & others to Thomas P. Cope, Mar. 11, 1835, Cope Family Papers.
43 Stephen P. Morris to Thomas P. Cope, Mar. 17, 1835, Cope Family Papers.
44 Mark Richards to Thomas P. Cope, Mar. 9, 1835, Cope Family Papers.
composed on Large flat Stones of Granite . . . to be laid down in double track" east along High Street between Broad and Eleventh streets. Recalling their successful use in many European cities, he insisted that tramways would not only bring heavy goods "to every mans door, but . . . also afford great facilities for pleasure Carriages, and the ordinary conveyance and trafic of a City." Pepper offered to arrange with engineer William Strickland "to construct a set of wheels, that will run on the Columbia Rail Road, and on the Tramway contemplated from Broad to Eleventh streets." Thereafter, a double track could be continued down High to Eighth Street, at which point, Pepper wrote, it could diverge into single tracks on either side of the produce stalls on High Street, from Eighth to Second. The system "would accommodate the great Dry good, Hardware, and Grocery Stores, by enabling them to load; and unload Merchandise, and produce at their own door." He further suggested a branch down Third to Dock Street, then to the drawbridge, where it could diverge along Delaware Avenue from Vine to South streets, to "accommodate Merchandise, Produce, Coal &c etc intended for exportation, making every Store a depot, and consequently avoiding the necessity of a General Depot." 45

Complementary advice came from Edward Miller, superintendent of machinery on the Allegheny Portage Railroad. He had become an enthusiast for what he called "flexible moveable rails," a system of turnouts that accorded with his prejudice against the centralized handling of traffic. 46 Miller explained to the Cope Commission that he questioned "the necessity or propriety" of a single, unified freight depot:

for it is a well known axiom in Political Economy, that governments should not interfere with the competition of individuals, in matters which can be transacted by the latter advantageously. If the city, or any single corporation owned or leased the Columbia Railroad, and placed upon it the Cars and Locomotive power, a general Depot would of course be necessary. Or, if but one piece of ground existed in the neighborhood of Philadelphia fitted for a Depot, it might be advisable for the city to obtain possession of it, in order to prevent the monopoly of a few individuals, to

45 George Pepper to Thomas P. Cope, Mar. 12, 1835, Cope Family Papers. In a separate communication, William Strickland pointed out that tramways, "or, long flat stones jointed together," would make Market Street "equally eligible to all kinds of travelling and trades." Strickland, "Report to the Board of Commissioners," Apr. 26, 1835, ibid.
46 Mechanics' Magazine and Register of Inventions and Improvements 6 (Sept. 1835): 180.
the exclusion of others, and the injury of the public. But these circum-
stances do not and cannot exist. The railroad is owned and worked by the
state, and the cars belong to a great number of individuals, and incorpo-
rated companies; and besides, there is no spot in the vicinity of Broad St.
which might be used advantageously as a Depot.

Operations on the Allegheny Portage and other rail lines convinced
Miller of the need “for each company engaged in the business to have its
works so situated, that its cars shall be separated from all others.” To
prevent “all injurious interference,” Miller concluded, “each company
should establish a separate depot of its own, and that this branch of the
business should be left entirely open to individual competition.”

Miller’s expertise also led him to question the very use of rail tech-
ology. He deplored the “old fashioned” English preference for “edge
rails” (usually inverted T-rails), which had “flanges on the rails instead of
the wheels” and inevitably obstructed the streets. Urban rail systems, after
all, had to be flush with street surfaces to accommodate the cross-traffic
of a variety of vehicles. But Miller found the common alternative, a
grooved rail designed to accept a flanged wheel, just as objectionable. The
groove “will frequently become so much choked with dirt, as to cause
much friction, and offer continual opposition to locomotion.” In fact,
Miller rejected any urban rail system, such as the City Railroad, whose use
by the public at large would generate chronic delays. “Cars cannot of
course be permitted to be loaded and unloaded on the main tracks,” he
pointed out, “and a railroad consequently involves the necessity of a
multitude of turnouts, branch Railways, and revolving platforms, which
are very expensive, liable to continual accident, and are standing nuisances.”
Rails had proved an annoyance in Baltimore, and on the London docks,
according to Miller, they impeded rather than eased the movement of
freight. With rails consequently ruled out, he proposed that Philadelphia
undertake a series of tramways—granite sills, eighteen inches wide and
spaced to the width of “a common road wagon”—to form “the ways upon
which the cars run that convey merchandize and produce between the
Broad St depots and any part of Philadelphia.” He envisioned tramways
as an extension of the streets; universally accessible and vastly better than
ways with ruts and cobblestones.

48 Ibid.
It was perhaps too plausible for William Strickland, who tried to steer the Cope Commission away from any lingering sentiment for tramways. He acknowledged that they had been popularly suggested as the means to facilitate ordinary traffic near the High Street stalls, “making this great avenue equally eligible to all kinds of travelling and trade.” But while Strickland conceded that tramways would promote “the present intercourse without much interruption,” the problem lay in High Street itself, which generated congestion far beyond the power of either rails or tramways to alleviate. The solution required the sort of scientific engineering that would transform High Street from an obsolete emporium into Philadelphia’s freight artery. “Take down the Market houses,” Strickland wrote, “and the whole course is clear for a permanent and useful continuation of the Broad street rail way from river to river.” Most civic leaders, he asserted, had come to regard the market houses as “serious obstacles to the city’s interests in her daily increasing trade to the West.”

Strickland wanted to shift the stalls off High Street to alleys between Fifth and Sixth streets, where replacements could be built upon “improved plans, with cast iron columns.” He imagined wide-scale renewal: the construction of market houses elsewhere by a scheme of municipal condemnation that would “increase the value of all the ground fronting on the market places.” With High Street cleared, Strickland saw room for four separate tracks fitted with turnouts to connect to an array of branch tracks. He estimated that a system of edge rails from Broad Street down High to Third, then to Dock Street and to the Drawbridge Lot, along with a western spur along High Street to the Schuylkill would cost $270,000. Those who flinched at the price had to recognize the street’s larger purpose, Strickland wrote, which was to constitute “a great Store house, a trans-Atlantic and Western depot.” Along the Delaware front from Vine to South Street, Strickland proposed another feeder with branches, turnouts, and weighing machines “for cars and their burthens.” “If a Depot is necessary, at all, this is the best possible position,” particularly with the anticipation of steamboat wharves. But even Strickland echoed the caution of engineer Edward Miller: “It would be inexpedient to establish any general depot;—the facilities which would be afforded by the passage of the railway along the proposed route would make every merchants store a depot.”

50 Ibid.
After a review of this conflicting advice and a survey of street grades down to the Delaware, the Cope Commission concluded that the most practical route lay along High Street since the alternatives were "considered too precipitous for the ascent or descent of burthen cars, without the use of fixed machinery, brakes or clogs." The commission favored a "continuation of the same plan of rails" as on the Columbia and rejected a tramway system which would have been incompatible with the State Works. "Tramways were proposed as an expedient for getting rid of any interference with the passage of ordinary waggons and other vehicles," the commissioners pointed out, but they would only obstruct the usefulness of existing wheel design. They also endorsed the transformation of High Street with a removal of market houses to clear the way for "a permanent and useful continuation of the Broad Street Rail Road from river to river." They agreed that this would require a dispersal of the houses to streets and alleys enlarged for the relocation and supported Strickland's grandiose proposals, including his $270,000 estimate.\textsuperscript{51} The commission concluded that High Street's "superior width and its established character as the principal seat of business with the west" provided the best site for the essential link between Broad Street and the wharves on both rivers. The commissioners proposed removing the market houses between Eighth and Third streets, although they deferred construction of a "public depository for Merchandize" on the Delaware River, deeming it "best to leave as at present, to individual enterprise to provide stores for the reception of country produce and other articles of commerce."\textsuperscript{52}

Their attempt at a compromise was wasted on High Street's market men, who rallied at Independence Square to condemn what they said was a "visionary" plan hatched in "the heat of speculation that now pervades this community."\textsuperscript{53} Taxpayers and Broad Street residents chimed in, branding the railroad as a blatant subsidy to High Street's wholesalers. Raising another objection, one writer cautioned that "if [the railroad were] continued through High street, turn outs would be required by various merchants, which together with the main rails would cause the street to be so much cut up and thronged with trains of cars . . . ."\textsuperscript{54} But the

\textsuperscript{51} Commissioners' Report, adopted May 4, 1835, Cope Family Papers.
\textsuperscript{52} Ibid.
\textsuperscript{53} United States Gazette, June 5, 1835.
Board of Trade pressed home its demands for a sure route to tidewater. The Committee on Public Highways agreed, reminding citizens that “the inhabitants of Baltimore are rapidly extending their railroads through every part of their city,” while their own hesitance invited trade to drain away to that city and the suburban boroughs. The deal was carried through as a combined improvement: the tracks along High Street linked with the construction of new iron fronts for some of the market stalls. On December 24, 1835, the Common Council approved extension of the road from Broad Street, along both sides of High Street from Eighth to Third streets, then down Third to Dock Street. The price tag for the rails along with the refurbished market stalls was put at seventy-five thousand dollars.

While the track work proceeded at a deliberate pace until its completion in the spring of 1837, forwarders made their traditional claims on the City Railroad as a common “high-way.” While merchants loaded and assembled “burthen” cars within their warehouses, the process often took place on the road itself, which was regularly obstructed by idle, half-loaded vehicles. The blockades were further aggravated by the maze of swivels and turnouts, which contributed to what one observer described as “the confusion and delays of a single track railroad.” In October 1837, the city had to authorize a superintendent to deny the right to “any person or persons to unload any car or other vehicle on said Rail Road, or drive any cart, wagon, or other vehicle, except Rail Road cars, along the said road . . . .” Even before it was finished, opponents said the railroad was not “available for the purposes for which it was intended” and kept up a drumbeat of petitions for its removal. In July 1837, the Common Council actually voted to take up the rails by a ten to nine vote but lacked the two-thirds needed to repeal the original ordinance. In May 1838, the city councils agreed to allow “all Merchandize cars” to use the railroad for a year “free of all charges for tolls.”

55 Philadelphia Board of Trade, Minutes, Nov. 13, 28, 1835; Common Council, Journal (1835–1836), Nov. 19, 1835.
60 Select Council, Journal (1837–1838), May 3, 1838.
shrewdly pointed out that for the railroad to operate effectively "almost
every factor must have a turn-out, running into his place of business, or
otherwise the road would be blocked by one or two cars, standing on the
main tracks . . . ." But an expert in rail operations concluded otherwise,
arguing that a large number of turnouts along Broad and Market streets
"should not have been permitted." Pressed to make the railroad a
supreme public good, the city councils had burdened the rails with too
many adverse uses.61

Dissatisfaction with the system came to a head during the fall of 1839.
In September an irate group of High Street merchants petitioned the city
councils to remove the railroad from High, Third, and Dock streets.
Vowing to devise some plan to protect "the free and full use of a public
highway," they asked for the aid of citizens "and would particularly call
upon our firemen, draymen, carmen and others interested to give their
attendance."62 The railroad's defenders said that the track had energized
business and real estate values along its entire length. "The case is so
plain," argued another, that it was the cheapest mode for "tobacco, flour,
or other produce . . . destined for the eastern portion of the city . . . ."63
Hovering over the debate was the worry about Baltimore, one of the "rival
cities . . . struggling to deprive us of our trade."64 The city councils tried
to placate opponents by appointing a superintendent "for the better
regulation of the travelling upon the rail road" and, at the same time,
warned merchants that with such vehement opposition to the railroad's
construction they could not give "any pledge of its continuance."65 When
the councilmen took up the issue in December they encountered fierce
appeals by railroad supporters at the Board of Trade. Acquiescing to
demands for "a further trial," the Committee on Public Highways
concluded that it was "inexpedient to remove the rail road from any part
of High, Third or Dock street."66 The diehards campaigned for a track

61 United States Gazette, Dec. 12, 1840; von Gerstner, Early American Railroads, 598.
62 Public Ledger, July 16, Sept. 18, and Dec. 5, 1839.
64 United States Gazette, Dec. 16, 1839.
24, Nov. 21, 1839, and app. 6; Select Council, Journal (1838–1839), Dec., 6, 1838, Jan. 31, May 23,
1839, of the Committee on Public Highways); and Select Council, Journal (1839–1840), Dec. 19,
1839.
removal referendum in the March 1840 municipal elections, which the Common Council only narrowly set aside.\footnote{Common Council, \textit{Journal} (1839–1840), Jan. 2, 30, 1840.}

Despite that reprieve, railroad supporters found that business as usual brought more severe blockades downtown. It was reported that private citizens “placing ones car or cars” on the rails were obstructing passenger traffic, and in early 1840 the city councils had to bar any “hindrance” to the passenger cars on Market and Broad streets. After a grand jury called the railroad “an object suited for indictment and punishment,” a clamor arose to remove the tracks between Eighth Street and the Delaware terminus.\footnote{Select Council, \textit{Journal} (1839–1840), app. 5 and 6.} At the same time, however, merchants and forwarders continued to press the Committee on Public Highways for permits to construct turnouts, turning platforms, and swivels between Dock and Eighth streets until, in late 1840, it concluded that “carriages of all descriptions would, to a great extent, be compelled to abandon that portion of the public highway.”\footnote{Select Council, \textit{Journal} (1840–1841), Nov. 19, 1840; and Common Council, \textit{Journal} (1840–1841), app. 3.}

In November the city councils joined to request the committee to consider ending “the privilege of any more turnouts, or swivels” to property owners east of Eighth Street.\footnote{Select Council, \textit{Journal} (1840–1841), Nov. 5, 1840. By the late 1850s, the City Railroad and the Southwark Railroad would have eighty-two turnouts, “over which ... cars are constantly passing to and from several places of business.” \textit{In the Supreme Court for the Eastern District of Pennsylvania. In Equity. Motion on Behalf of the Southwark Railroad Company ...} (Philadelphia, 1863), 68–71; \textit{Improved Railway Connections in Philadelphia} (Philadelphia, 1863), 9–10; and von Gerstner, \textit{Early American Railroads}, 597–99.}

Amid the Philadelphia debate, the public concern about urban railroads shifted to the northern suburb of Kensington, where a confrontation had developed with the Philadelphia and Trenton. The company, which was chartered by the Pennsylvania legislature to lay track on Frankford Road, obtained authority for an extension along Front Street in March 1839. While Harrisburg lawmakers expressed a regard for Kensington’s “public business, trade, and private property,” they permitted use of the kind of edge rails that would accommodate “the free passage of cars built according to the regulations of the Canal Commissioners” for the Philadelphia and Columbia and the Northern Liberties and Penn Township railroads.\footnote{Articles of Agreement, Oct. 23, 1839, cited in \textit{Case of Philadelphia and Trenton Rail Road Co.}, 6 Whart. 25 (PA, 1840).} The privilege to lay edge rails exacerbated raw feel-
ings among residents, who saw the Philadelphia and Trenton as an alien power, a pawn of New Jersey’s Camden and Amboy Railroad. Worse, they sensed that their borough had been reduced to a mere right of way for fast passenger trains between Philadelphia and New York, which, it was boasted, would carry travelers “between these two important cities in four and one-half hours.”72 “The Camden and Amboy,” proclaimed a broad-side, “are laying a locomotive railroad through your most beautiful streets, to the ruin of your trade, the annihilation of your rights, and regardless of your prosperity and comfort.”73

In late 1839 the Philadelphia and Trenton began proceedings at the County Court of Quarter Sessions over the Front Street route. Property owners, expecting that their fee-simple title to the streets justified hefty damage awards were shocked when the assessment jury declared that the railroad was taking a public thoroughfare, not private property. The owners replied that the railroad not only “invades, impairs, and destroys the public and private uses of the said street,” but had corrupted the assessment jury.74 The Kensington commissioners unanimously voted to appeal to the legislature to rescind the Philadelphia and Trenton’s claim to Front Street, arguing that owners retained “their private rights in the soil of said Street, subject only to the Corporational [i.e., borough] titles and the rights of the people in common equally” to use the public way. Property owners also appealed the county court ruling to the Supreme Court of Pennsylvania. Meanwhile the railroad began tearing up Front Street, prompting Kensington lawmakers to invoke “the Law of self preservation and defence” and to order the police to stop further construction.75 In early 1840, residents began harassing the track crews and tore up cross-ties while the sheriff’s posse tried to warn off the crowds.76

Before the Supreme Court of Pennsylvania, the Front Street litigants argued that the railroad “diverts rights of property corporeal and incorpo- real” and violated “the franchise of the district in the streets,” which was “protected by the constitution.” Reiterating the doctrine of fee-simple ownership, they insisted that the railroad’s taking of property without just

72 Niles' Weekly Register 48 (Aug. 8, 1835): 398; Kensington, Board of Commissioners, Minutes, Jan. 5, 1841; and American Railroad Journal 13 (May 1, 1842): 267.
73 P. Harvey Middleton, Railways and Public Opinion: Eleven Decades (Chicago, 1941), 19. See also Public Ledger, July 7–13, 1840.
74 Case of Philadelphia and Trenton Rail Road Co., 4, 8.
75 Kensington, Board of Commissioners, Minutes, Mar. 3, 1840.
76 Niles' National Register 58 (Mar. 21, 1840): 48 and 58 (Aug. 8, 1840): 361.
compensation would “annul their title to the soil of the street.” Speaking for the court in early June 1840, Chief Judge John B. Gibson had little trouble finding for the railroad and took the occasion to make a ringing declaration of the commonwealth’s right of bestowal on the corporation. In Pennsylvania, “the dominion of the public over . . . a street . . . is the property of the people, not of a particular district, but of the whole state; who, constituting as they do the legitimate sovereign, may dispose of it by their representatives, and at their pleasure.” Without this “universality of the public sovereignty,” Gibson continued, “the public lines of communication, by rail-roads and canals, might be cut by the authority of every petty borough through which they pass; a doctrine to which Pennsylvania cannot submit.” The court dismissed the Front Street owners’ grievances as “matters of mere annoyance” and, since the company acquired no tangible property, rejected their alleged injury as a “consequential damage” and therefore not actionable.

While the Philadelphia and Trenton prepared to proceed with the right-of-way, defiant Front Street owners pleaded with the Kensington commissioners to “oppose it by every means in your power.” Several weeks later, Kensington residents did so with direct action. On the morning of July 26, “women turned out and ordered the [track] laborers to desist,” and it was reported that it was “principally women” who incited the men. A grocer and a housewife were arrested, along with John S. Paynter, the commissioner from Kensington’s Second Ward. But a mob estimated at five hundred people threw paving stones at police, who were “compelled to run for their lives.” In the evening marauders torched the public tavern owned by the Philadelphia and Trenton president, then pelted firemen, who had to watch the building burn. “The police were assailed in the house where they were at supper, and driven out when the building was fired and burnt,” a Philadelphian noted in his diary. “The women were the chief instruments of excitement. . . . This is an old sore that has been a long time festering.”

77 Chauncey Smith and Samuel W. Bates, Cases Relating to the Law of Railways, decided in the Supreme Court of the United States, and in the Courts of the Several States (Boston, 1856), 2:275, 279, 280.
79 Kensington, Board of Commissioners, Minutes, July 7, 1840.
80 Public Ledger, July 27, 28, 1840; United States Gazette, July 28, 1840; Niles’ National Register
RAILROADS AND USE OF THE STREETS

The authorities acted quickly to quell the uproar. Court of General Sessions Judge Robert Conrad charged a grand jury to respond to acts of arson and anarchy, and two rioters were indicted, tried, and given maximum terms at hard labor. But Kensington’s residents would not relent. On August 3, an outdoor meeting attended by several thousand, including politicians from Northern Liberties, Moyamensing, Southwark, and the city resolved that the “legislature possesses no power to give the public streets to any company without the concurrence of the [borough] Board of Commissioners.” They denounced the Court of General Sessions and proclaimed their duty “to acquire, enjoy, protect and defend private property.”

Front Street owners remained unabashed, spurning gestures by the Philadelphia and Trenton to win them over, refusing to accept payments “for the destruction of their rights.” When a few Kensington commissioners expressed interest in accepting the railroad’s offer of a five-thousand-dollar indemnity—some of which was earmarked for local fire companies—dissidents on the board would not allow a vote. The resolve passed when the figure reached seven thousand dollars, but supporters still faced what they called the “intimidation” of the obstructers.

In late 1840, with Kensington still a vivid memory and perhaps an inspiration, Philadelphians made yet another attempt to shut down the City Railroad. The provocation was a petition from large shippers, “the Transporters of Merchandize, between Philadelphia and Pittsburg, praying that no additional track of Rail Road may be laid in High, Third and Dock street, from the Delaware Eighth Street to the river, or that the track now laid between those points be removed.” The fervor forced the city councils to appoint a Joint Special Committee, headed by lawyer Samuel Breck, to consider removal of the rails from High, Third, and Dock streets. Breck’s committee came under intense pressure from the Board of Trade and other interests to keep “a cheap and unbroken communication” between the Delaware wharves and the “great State

81 United States Gazette, Aug. 4, 6, 1840.
82 Public Ledger, July 29, 30, 1840; and Kensington, Board of Commissioners, Minutes, Feb. 2, 15, Apr. 23, Nov. 8, 19, Dec. 7, 15, 1841.
84 Joint Special Committee, Report, 32.
improvements.” But opponents derided the railroad as a failed experiment whose costs for extra horse power, rent, and idle time cut into forwarders’ profits. In its deliberations Breck’s committee said that it had taken into account complaints against railroads in Boston and New York, not to mention the reports from members of “what is allowed in Baltimore.” It pointed out that “our cities, both abroad and in our own country, submit without a murmur to evils full as great and for a like purpose.” These included crowded streets, stagnant canals, even sulfuric gas, the committee added, arguing that “such things, when useful, are tolerated everywhere.” On December 31, the Joint Special Committee unanimously advised leaving the rails where they were.

The result was different for the dogged opponents in Kensington. The Philadelphia and Trenton obtained authority from the legislature in May 1841 to use tracks along Frankford Road for three years, and was given the same grace period for construction along Front Street from Kensington Depot to the depot at Third and Willow Street. When the legislature repealed the Front Street authorization in July 1842, Kensington residents took to the streets, filling them with “great crowds of people of all ages and all sexes.” According to the Public Ledger, “almost every house along the [Front] street, from Cohocksink creek to Oxford street, was lighted up with lamps and candles of various hues, shapes, and magnitude.” Their lantern transparencies, hung at Front and Phoenix streets, included such messages as “Free Passage to All” and “The Constitution Protects the People in the Use of Their Highways.” A decade later when railroad promoters sought to run steam locomotives down Eleventh Avenue in Manhattan, citizens were outraged and only “with difficulty,” the New York Times added, could “be restrained from proceeding to take the law in their own hands.” They were “freemen,” with as much title to the avenue as the railroad had. Their aldermen urged them to appeal to the Common Council, convene a grand jury, then, as a last resort, attack the rails. “In Philadelphia,” the alderman added, “the people had taken up the rails, and the people could do it here.”

85 Philadelphia Board of Trade, Minutes, Nov. 29, 1840; and United States Gazette, Dec. 4, 12, and 14, 1840, and Jan. 2, 1841.
87 Scharf and Westcott, History of Philadelphia, 3:2184–85; and Public Ledger, June 20 and 22, 1842.
Philadelphia’s early experience with railroads reminds us that Jacksonian urbanism—fierce convictions about the people’s rights to the streets and about monopolies that would encroach upon them—clashed with the emerging imperatives of corporate economics and engineering. The system builders confronted citizens who occupied the streets, attached their own contrivances to the rails, and otherwise used the line for their mundane purposes. Corporations gradually freed themselves from this irksome communal embrace as traffic volume rose along the main stem, freight handling was coordinated by “forwarders,” and residents and merchants alike grew increasingly impatient with the turnouts and other irregular claims on the urban roads. By the mid-1850s, railroad leaders could assert that their creations were entitled to a higher and better use of the streets, with citizens welcome to admire their operations from a distance. Philadelphia’s future would lie in giant terminals and the Pennsylvania Railroad’s Market (High) Street viaduct, which later generations derided as the “Chinese wall” that blighted a district and which remained an imposing symbol of how the city’s streets were taken from the hands of the people and made to serve the needs of the corporation and the country.

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