FOOTNOTES TO
WESTERN PENNSYLVANIA HISTORY

OLD MANUSCRIPTS REVEAL PUBLIC INTEREST
IN EARLY PITTSBURGH MARKETS
1831-1836*

Edited by Anne Harriet Bowes

Public markets have long interested residents of the Pittsburgh district. When the manor land was surveyed for the Penn heirs in 1784, land for a market and a public square was provided. In 1787 a market house was erected at Second and Market Streets. In 1788 Allegheny county was created. The county's first court house, a "two-story brick building with a conical roof surmounted by a sharp spire," 1 was completed in 1799 in the Diamond. Later "a semi-circular market house, roofed but open below, was built on the public square" 2 in front of the court house. For half a century, this area was a civic and community center.3 Here state and federal judges presided, public officials directed the affairs of government, and vendors supplied the wants of an ever increasing population.4

One file of manuscripts in the library of The Historical Society of Western Pennsylvania refers to Pittsburgh markets from 1831

* The Genealogical Records Committee of the Pittsburgh Chapter of the D.A.R. discovered the above documents while engaged in a special research project in some hitherto uncalendared documents in the archives of this Society.

Mrs. H. Ross Belding is chairman, and Mrs. Alton B. Smeltzer, co-chairman of the committee. Other members are Mrs. John F. McCann, Mrs. Richard Moon, Jr., and Mrs. William F. Hart.—Ed.


3 Pittsburgh's market and Court House (1799-1841) has been pictured repeatedly in local history books. A painting of this scene in the Diamond, belonging to Carnegie Museum, hangs in the Pennsylvania Room of the Carnegie Library in Oakland. This painting was reproduced in the bicentennial issue of Pittsburgh Quote.

to 1836. These documents show the widespread interest and concern about markets and market conditions evinced by the citizens. Current ideas and arguments about ways of improving conditions and of increasing facilities were embodied in various petitions and ordinances. Some petitions were signed by large numbers of people and presented to the select and to the common councils. Councilmanic committees investigated and made recommendations. Council members discussed the various suggestions and passed the necessary legislation to provide new and additional market facilities in Liberty Street and to alleviate inequities and undesirable conditions in the Diamond. For some years Pittsburgh had two markets—one in the Diamond and one in Liberty Street. Both served public needs and both required governmental regulations and supervision.

As early as 1827 a committee recommended the erection of a market house on Liberty Street but no definite action followed. Several of the manuscripts in the market file reveal that citizens differed in opinion concerning the location of the market.

"The joint committee to whom was referred the subject of improving the present market house by rebuilding or otherwise report

That they have carefully examined the subject & are clearly of the opinion that any attention of a temporary nature in the present market house is entirely incompatible with that improvement which the comfort of the community requires. It is believed that the uncomfortable state of the present market house deters many from bringing their produce to the city, who, were the place of deposit for that produce, more comfortable in the winter would not hesitate to offer it for sale. Many of our country friends start for the city with there produce at night & by the time they arrive at there journeys end have to proceed imediently to the sale of it. This during the winter months is very painful and has often the effect of detering them from encountering such exposure again. The open and exposed state of the market house is an evil that ought to be remedied inasmuch as it is not only uncomfortable to the citizens, but also injurious. For by preventing the attendance of many from the country, who would otherwise be present, the quantity of produce is sensibly lessend as well as its price increased."
First Court House and the Old Diamond Market

From Fleming’s Views of Old Pittsburgh, 1932
The plan to which your committee would ask the attention of the councils is somewhat novel in this section of country—but they trust on this account not less entitled to consideration. The following are the principal features in the plan submitted:

The building to be located where the present market house stands East of Market St. Its length to be 180 breadth 76 feet, and in hight two stories.

The total expense of erecting the building has been estimated at nine thousand dollars. Towards defraying this your committee recommend should their plan be adopted the sale of the stalls to the highest bidders Subject afterwards to a yearly rental. By this plan it is believed a sum could be raised that would defray in a great part the whole expense incidental to the erection of the building. These remarks together with the accompanying plan estimate and ordinance your committee respectfully submit to the consideration of the councils.

Benj. Darlington
Wm. Bell, Jr.
John Graham"  

Augt. 29, 1831.

The proposal that new market facilities ought to be provided in a new location challenged many. One group of about four hundred 'Subscribers' petitioned as follows:

"To The Honorable the Select & Common Councils  
of the City of Pittsburgh

The Petition of the Subscribers respectfully represent —

That in consequence of the increased population of this City and the great inconvenience of all having to resort to the present Market, there being no other in the city — and the great necessity of an additional Market connected with the circumstances that a place for that express purpose was laid off by Genl. O'Hara and granted to the city Your petitioners would respectfully pray that you would pass an ordinance establishing that part of Second Street be-
tween Grant and Ross Streets for a Public Market to be held on Such days of the Week as you may think most expedient. Your compliance with this our petition will confer a lasting obligation, as well on the Citizens generally as on your petitioners.\footnote{5}

August 16, 1832

Robert Christy \hspace{1cm} James Irwin
James Gray \hspace{1cm} Robert Wilson
Samuel Church \hspace{1cm} George Sutton
George Ogden \hspace{1cm} Daniel B. Shaw
Joseph Oliver \hspace{1cm} John Renfrew
Ja\(s\) Coltart \hspace{1cm} Thomas J. Cooper, Sr.
Tho\(s\) Bakewell \hspace{1cm} Sam\(l\) Leonard
Robert Young \hspace{1cm} George Price
Jeffery Scaife \hspace{1cm} George Drake Esq.
James Liggett \hspace{1cm} James Caldwell
Robert Magill \hspace{1cm} Uriah McCandless
Sidney Neal \hspace{1cm} Samuel Williams
James Stevenson \hspace{1cm} John Boyle
Wm. T. McClurg \hspace{1cm} John Ward
Moses Leonard \hspace{1cm} Joseph Watson
Wm. Graham Jr. \hspace{1cm} C. Anshutz"

Another group of about one hundred thirty persons remonstrated at length against the Liberty Street site. They believed that the councils did not have the legal authority to establish a market. They quoted court decisions and state laws, mentioned additional objections to the site, and offered some suggestions.

"To the Select and Common Councils of the City of Pittsburgh:

The undersigned Citizens of Pittsburgh, having understood that the establishment of a new Market House in Liberty Street between St. Clair and Pitt Streets, has been contemplated by some of the members of your body, and that an ordinance to that

\footnote{5 The lists of signatures to the several petitions and memorials have been abbreviated due to limitations of space. However, the documents in the market file with the complete lists of the signers are available in the library of the Historical Society.}
effect has already been passed by the Common Council, would respectfully beg leave to remonstrate against the adoption of any such measure.

Many reasons might be urged against the proposed location, but the undersigned deem the following conclusive:

1. The erection of a Market House, or other building, in a public Street of the City, is not within the general powers derived from the Legislature of Pennsylvania by the Act of 22 April 1794 incorporating the 'Borough of Pittsburgh'; nor by the Act of 18 March 1816 incorporating the 'City of Pittsburgh'; nor by any of the Supplements to those Acts. Where then are the Councils to find the authority for exercising an Act which, in a private citizen, would be deemed a nuisance, and indictable as such? The vacation or obstruction of a public highway, without authority, is universally considered a nuisance.

2. The Undersigned believe that the erection of the proposed Market House would deform the appearance of almost the only handsome street in our City;

3. The Undersigned also believe that a very large majority of the inhabitants of this City are opposed to any such location;

The Undersigned do therefore humbly request that the councils would be pleased to abstain from the enactment of the proposed Ordinance, until at least they have obtained the requisite authority; and afforded an opportunity for an expression of public sentiment in relation to a subject in which all are alike concerned.

Chris Magee
John Horner
R. C. Stockton
J. P. Gazzam
C. Darragh
William Duff
James Anderson
John Park
Jacob Byerly
Henry Holdship
C. C. Hancock
Felix Brunot

David Lynch
J. L. Coltart
M. B. Miltenberger
Wm. M. Semple
Jas. Bailey
John Phillips
Geo. Kirkpatrick
B. Elliott
Thomas Rowe Jr.
John Marshall
John McKee
John B. Hunter
The following undated petition was signed by a group of about one hundred citizens. Their protests give us a picture of Pittsburgh market problems from a tax payer's viewpoint.

"To the Select and common councils of the City of Pittsburgh

The memorialists citizens and taxable inhabitants of the city of Pittsburgh beg leave to address the councils and most respectfully to remonstrate against the erection of a Splendid new market house in the diamond agreeable to the plan Submitted for proposal; because of the expense of erection which would not in their opinion be less than 20,000 Dollars and would probably reach 25,000 Dollars, our city taxes on real estate are already burdensome, and withall the treasury is Scarcely adequate to meet the current demands against it, with a debt of over 100,000 Dollars; many of our Streets unpaved and many of the most important Paved Streets are So much impaired as to be scarcely passable, our unlighted Streets have become proverbial, nor is there a town of the Same Population in the Union without a watch, both those latter requisites must soon be Supplied at public Expence and a further demand upon our treasury will add Still more to our taxes. They object too because the new market house proposed to be built would fall far short of rendering that accomodation to the public they now so much require; there is not Sufficient room in the diamond, put it in what Shape it may, to accomodate our already crowded market, At the last session of the Legislature the City Council and the Citizens petitioned for and obtained permission to erect 'a market house or market houses in any Street within Said city of Sufficient breadth,' a draft and estimate have been made for the erection . . . . of a market house in liberty Street 400 feet long which a responsible builder offers to construct finding all materials for less than 2,500 Dollars. It cannot be gainsaided that a market house placed in liberty Street as near to the present market as may be would furnish all the accomodation requisite, or one of half that length and consequently at half the cost would be Sufficient, with the present
market, for Several Years requiring but a Small expenditure from time to time for its extension as the public exigencies may require. If a revenue is to be derived from the sale of Stalls, as the projectors of the Splendid edifice in the diamond alledge, would not the Same argument hold good in a much greater degree in favour of a Market house in Liberty Street, where the Same, and more, advantages are to be obtained at one tenth the expence and without at all disturbing the present market or turning the market people out whilst a new one is building. Any alterations or enlargement that can be made in the diamond must be of temporary utility and incapable of extention, whilst liberty Street offers room commensurate with any increase of population ever likely to be attained in Pittsburgh.

In Boston and other northern towns and cities where the winters are long and of great severity — closed market houses for the protection of the market people are necessary but further South where the winters are less severe and Summers more protected the open and airy market house becomes requisite. And Such Your memorialists deem the most eligible for this city.

W. McKnight
Neville B. Craig
Abishai Way
Thomas Scott
Rees Jones & Son
Jas. Verner
J. W. Brown & Co
B. A. Fahnstock
John Wright
Alex Laughlin
John Byrne
Nathan Pusey
Geo Ledlie Cruikshank
Wm Robinson
Sam N. Sample
John Arthur

John Patterson Jr
A. Gormley
John Grier
Samuel Frew
Thos Wynne
Geo. Breed
Thomas Flood
David Evans
Thomas McFadden
John B. Bayard
Wm. Robinson
John Little
Reuben Miller
G. W. Bradley
James Matthews
Henry McCullough

The need for improved market facilities had been discussed for
at least five years by citizens and by the councils. September 24, 1832, the select and common councils by joint resolution provided for the erection of the Liberty Street market. The ordinance passed December 27, 1832, not only set forth the plan adopted for payment of the builders of the Liberty Street market but also specified the duties of the various Market officials.

"Supplement to an Ordinance Entitled 'An Ordinance regulating the Markets and prescribing the duties of the Clerk of the Markets' and of the Weighmaster. Whereas James Brown, Nathan Pusey, Abishai Way, Thomas Scott, David Evans, Thomas Williams, Adam Hays, Samuel Thompson, Allen Y. Grant, David Greer, William Hays, Anthony Dravo, Samuel Robinson, John Wright and Thomas Cassilly in compliance with their proposition and Conformable to a joint resolution of the Select and Common Councils the City of Pittsburgh passed the twenty fourth day of September 1832 have erected and established a market house in the middle of Liberty Street between St. Clair Street [Sixth Street] and Cecils alley in Said City at their own Cost for the Sum of One Thousand five hundred and fifty dollars.

Sec I Be it enacted by the Citizens of Pittsburgh and Select and Common Councils assembled.

That it shall be the duty of the 'Clerk of the Market' to rent the Stalls on the South Side and two of the Stalls at each end on the North Side, in the Market house in Liberty Street in the City of Pittsburgh, to Such Butchers and Victuallers as will occupy the same for the Sale of Slaughtered Animals and to none other, at the following yearly rents payable in advance Vis. For the two End Stalls next Market And St. Clair Streets, being No. 1 and 2 at Thirty dollars each per annum . . . . . . . . . . . . . . . . and the Stalls of Said Market house on the North Side from No. 6 to 36 Inclusive may be let to Such Gardeners and Farmers as wish to Secure a permanent Stand for the Sale of the produce of their Gardens and Farms at a yearly rent of Ten dollars. Provided that it shall not be lawful for any person or persons whatever to Expose or offer for Sale at or on any of the Said Stalls on the North Side from No. 6 to 36 inclusive the flesh of any Slaughtered animal in a less quantity than the quarter of the carcass of Such Animal
II Be it further ordained & enacted—

That all leases for the Stalls and Said Market house shall terminate on the 31st day of December 1833 and on the 31st day of December in each succeeding year thereafter, and it shall be the duty of the Clerk of the Market to furnish the City treasurer with a rental of Said Market house and to collect the Stall rents, and pay over the Same to the City Treasurer . . . . . .

and it shall be the duty of the City treasurer to keep a separate account of the Stall rents and all other revenue that may be derived from Said Market house which shall be and is hereby appropriated exclusively for the reimbursement to the individuals named in the preamble to this Supplement, of the principal and interest of the Amount Expended by them in the erection of Said Market house and for that purpose only until Said principal and Interest be fully paid off, . . . . . .

III Be it further ordained & enacted—

That the City treasurer shall . . . . pay to the persons named as aforesaid their heirs or assigns the Amount of the Stall rents and other revenue that may have been derived from Said Market house, dividing the same rateably according to the amount invested by each as set forth in the following Schedule Vis.

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
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<tr>
<td>James Brown</td>
<td>One hundred dollars</td>
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<td>Nathan Pusey</td>
<td>One hundred dollars</td>
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<td>Abishai Way</td>
<td>One hundred dollars</td>
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<td>Thomas Scott</td>
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<td>David Evans</td>
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<td>Allen Y. Grant</td>
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<td>David Greer</td>
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<td>Anthony Dravo</td>
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<td>Thomas Cassally</td>
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together with the interest thereon to be computed from the first day of January 1833 at the rate of 6 per cent per annum. Provided that no Stockholder be entitled to a dividend on the principal,
or a computation of the interest until he has fully paid the whole amount of his Subscription

III Be it further ordained & enacted—

That the market limits are hereby extended to the Said Market house on Liberty Street and Shall embrace so much of Said Street as is included within the Curb Stones bounding the footways of Said Street on each Side, and the west line of St. Clair Street [Sixth Street] extended to Market Street at the one end and the east line of Cecils Alley extended to fifth Street at the other end, Subject to the Same regulations and penalties as are prescribed by the Several ordinances relating to the Markets and Market houses in the diamond, And it Shall be the duty of the weighmaster to provide Scales and weights at the expense of the City, which he Shall erect at the west end of Said Market house, and there on Market days during Market hours attend either personally or by deputy and weigh Such articles of provisions as may be presented for that purpose for which Service, he Shall be entitled to demand and receive the same fees as are now allowed him for weighing at the Weigh houses in the diamond

V Be it further ordained & enacted—

That the clerk of the Market and the City Constables are hereby required to attend at the Market house on Liberty Street and on Market days and during market hours to perform the several duties enjoined upon them by the Several Ordinances of this City.

VI Be it further ordained & enacted—

That so much of Any ordinances as are Supplied by this Supplement are hereby repealed.

Ordained & enacted into a law in Councils, this 17th day of December A.D. 1832.

Attest

Common Council P.T. Common Council
Select Council Select Council

New difficulties developed, and various petitions relating to the markets were referred to a committee consisting of Abishai Way,
John Arthurs, and Sam P. Darlington. This committee reported on May 27, 1833.

"The Committee to whom, was referred the several petitions relative to the markets, Report,

That they have after diligent enquiry and due consideration agreed upon offering the accompanying Ordinance . . . .

As whole matter of the market were referred to them, the attention of your committee was called to the unequal and what they deem unjust provisions of the existing ordinance in relation to the Stall rents in the Diamond, Whilst the renter of a permanent stall in the inside of the market kept up and repaired for him by the City pays but 15 to 22 dollars a year, the less fortunate or less favored tenant of the City Occupying the Open Space or street, with his own movable stall is taxed at the rate of 26 dollars a year . . . . But this is not the only evidence of error in the present low rate of the stall rents, Your Committee have undoubted proof that some of the stalls on the inside of the diamond market are Sublet, by the renters from the city to others at 1 dollar & 50 cents a week or at the rate of 78 dollars a year, whilst others sell their uncertain tenure of a single stall as high as 200$ and a very common price obtained for the 'good will' of a Stall is 150 dollars at which many sales are made during the year as your committee are informed,

Your committee believes they will be fully sustained in the Opinion, that a guardian of the public property, the Council would be culpable and open to the charge of a remissness in duty, should they with a knowledge of these facts permit such abuse and peculation to exist without applying the proper remedy,

Abishai Way
John Arthurs
Saml. P. Darlington"

The ordinance recommended by the committee was accepted by the councils. For Liberty Street, the market days designated were Monday and Thursday and the market limits were extended to Pitt Street. In the Diamond Market, stall rents were increased and an
attempt made to improve the footways near the court house. This section of the ordinance follows:

"Section V. Be it further ordained
That it shall not be lawful for any person or persons to occupy or obstruct any part of the footways infront of the court house and offices in the diamond with, tables, benches, barrels, bags baskets, furniture, vessels or packages or with vegetables or other marketing whatever, either on market days or at any other times, under a penalty of two dollars for every Offence, and it is hereby especially enjoined upon the constable attending upon the markets to cause all such obstructions to be forthwith removed, and to compel the due observance of this ordinance.

Ordained & enacted into a law in Councils, the 27th day of May A. D. 1833

S. P. Darlington Pres.
S. P. Darlington Pres.
Common Council P. T.
Common Council
Wm. Pentland, Clk.
Select Council

Some of the documents in the market file of 1831-36 voice individual grievances and personal problems. In 1831 William Borrett applied for the position of weighmaster. Two market officials, John Byrne, clerk of markets, and R. Lindell, weighmaster, sought reimbursement for personal funds expended in performance of their duties. Daniel McGinness had his petition for special consideration because of 'the infirmities and decrepitude of his body' signed by twenty-seven other citizens. A bill for $11.32 for ink, sand, and quills for the city dated October 1, 1836, was approved by J. R. McClintock, Mayor.

In addition, certain undesirable conditions in the Diamond Market were brought to the attention of the councils. These petitions tell of possible perils of far-reaching social consequences. One memorial [no date given] draws attention to fire hazards near the court house.
"To the Honble — The Select & Common councils of the
City of Pittsburgh
The memorial & petition of the Judges of the several courts, and
the commissioners of the county of Allegheny as well as a number
of the Inhabitants of the said city

Humbly Represents
That in consequence of the two apartments formerly attached to &
forming parts of the Markets North & South of the courthouse &
Offices — one on the North end occupied as a Hucksters stall with
a stove pipe through the roof & that at the South end Occupied
as a Cook-shop & Victualing house — likewise having a stove &
pipe passing through the roof, each calculated as we suppose to put
the whole public building in Jeopardy, together with the whole
valuable documents & Records of our county, since its existance,
and from the very obvious demonstration given a few evenings ago,
of the dangers likely to ensue from the devouring element, Fire at
the south end of the public buildings — which we presume was
witnessed by several members of your Honble bodys as well as
many of the municipal Officers — we hold it needless to be further
prolix, But would with due defference pray your Honoroble bodies,
to devise some means of removing those dangerous establishments
from our doors, — and we as in duty bound will pray

Charles Shaler
James Riddle
John M. Snowden
James Hilands
A. Carnahan
James Reed
J. H. Kerr
Robert Patterson
James C Cummins
Wm Lecky
Thos Wynne
James E. Karns
Saml Hamilton
James Ferguson
Wm Morrow
Matthew Henderson

Ed Patchell
Saml Hubley
John White
Hugh Jones
M. B. Lowrie
Geo(?) Watson
S. M. McClure
L Stewart
S. Kingston
Saml M’Elheny
Thos. Miller
Robert Christy
Robt Tener, Sr.
John L Arthurs
D Drennen
James McDowell"
The petition signed by twenty-nine "sundry butchers" who rented market stalls, presents interesting facts about the sanitary conditions in the Diamond market.

"Pittsburgh April 23rd 1834

To the Select & Common Councils of the City of Pittsburgh . . . .

Your Petitioners, the undersigned Butchers and others occupying Stalls etc. in the old, or Diamond Market, respectfully represent to your honorable bodies . . that the state and conditions of the Market House is such as to require your immediate attention, as it now is, and has been for some time past, a nuisance, and a disgrace to the city — and particularly since the warm weather has commenced, the stench from the putrid offalls of the market is so great as to infest the fresh meat exposed in it, with the same smells. — Your petitioners most earnestly request your early interposition in this matter, and that you will cause this market to be thoroughly cleansed, and kept in a wholesome condition, by a free use of both Lime and water and also that you will appoint a committee to examine the building, as to the making repairs required for its preservation. The roof is now in a very leaky state, and the plastering, in consequence is falling off in many places

And your petitioners

Jacob Tomer
John Brown
Adam Tesh
Peter Dravo
Wm. Graham
Wm. Boniface

Wm. Scanlon
Peter Jennings
George Pilgrim
John Tagart
Mary x Linton
George Gumbert"

Today this file of manuscripts, records of yesterday's activities, beckons to the historically-minded citizen, to the genealogist, and to the research enthusiast.