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Just Provisions:  
Food, Identity, and Contested Space in Urban America, 1800-1875

by

Michelle Nicole Branch

A dissertation submitted in partial satisfaction of the  
requirements for the degree of

Doctor of Philosophy

in

History

in the

GRADUATE DIVISION

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UNIVERSITY OF CALIFORNIA AT BERKELEY

Committee in Charge:

Professor David M. Henkin, Chair  
Professor James Vernon  
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Fall 2012

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by Michelle Nicole Branch

Abstract

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by

Michelle Nicole Branch

Doctor of Philosophy in History

University of California at Berkeley

Professor David M. Henkin, Chair

In nineteenth-century cities, men and women, black and white, rich and poor, engaged with the urban food system in ways that extended beyond the primary purpose of consumption and distribution. How and to what extent did food provisioning spaces advance beyond a utilitarian goal to feed urban populations to become sites for imagining, expressing, and achieving social aims? What cultural histories of alimentary spaces can be told during antebellum America's dramatic turn toward urban life? "Just Provisions" seeks to explore answers to those questions by investigating antebellum food provisioning and its politics of identity and space.

Urban residents challenged the existing provisioning structure to create a food marketing system they considered more inclusive, fair, and representative—in a word, more just. In so doing, they transformed not only the food markets, but also related food systems and institutions: street vending, eating-house establishments, restaurants, and Northern market procurement practices. In questioning the existing structure, they further inserted themselves into the urban public discourse on the place of blacks, women, and immigrants in the new republic. As they lobbied for legitimate inclusion in public space, residents sought to disrupt the codes and patterns of the traditional marketing system. If food markets regulated social life according to one vision of an ordered society, alternative food spaces offered competing perspectives and different opportunities to envision public life. In considering forms of marketing beyond official markets, "Just Provisions" seeks to create histories of street vending and free produce markets, and to extend scholarship about public food markets and restaurant culture—and the people who frequented those spaces.

Simply put, residents looked to markets for not only nutritional, but social needs. To view the antebellum urban food provisioning system from a broader perspective that looks beyond the official markets is to observe that food provisioning was more than simply an efficient means to feed the masses. Food provisioning also touched social justice values. Markets not only provided sustenance, but also the potential for sociability and a respectable path into public space and public discourse—especially for blacks, women, and immigrants. For that reason, members of these groups pushed for changes to the restrictive public markets while simultaneously enacting change in other food provisioning landscapes that promised better opportunity. Significant numbers of antebellum residents longed for better economic chances, greater respectability, more

freedom of movement, and a food system that matched their ethical values. They pursued these desires in the market house, but also in the streets, eating houses and restaurants, and alternative market systems that existed in the shadow of the official market houses themselves.

“Just Provisions” proceeds by looking at four different types of food spaces in cities. Its chapters consider broader definitions and alternative propositions to the market-house structure. Adding research about street vending, eating houses, and free produce markets to research about marketing infrastructure can illuminate further contours to the politics of identity and space shaped by food. Likewise, interrogating the definitions of the market as a traditional institution provides a glimpse into another dimension of urban public life, not only about the spaces themselves, but also about relationships and activities that occurred there. The cases explored here show urban residents pushing at the boundaries of the market model, seeking to create a more fair, inclusive, and just provisioning system. They argued that to be truly inclusive, the market model required modifications across multiple dimensions. In the process, blacks, women, immigrants, and members of the lower classes offered a different perspective on what full civic inclusion could look like.

**Dedication Page**

to Dale Cook

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And it goes without saying that despite all of the support I've received, all errors and omissions are mine.

## Introduction

### *Food Provisioning Spaces as Gateways to Broader Social Inclusion*

In 1827, slavery's last official year in New York City, Robert Roberts published *The House Servant's Directory* advising young men (likely former slaves) of the "comforts, privileges, and pleasures" that awaited them if they diligently applied themselves in the "station" of house servant. In particular, Roberts counseled young men to acquire and hone valuable skills in the public markets of cities. In Roberts' view, these men could earn the respect of their employers and maybe even become prominent businessmen like him. If they delivered "satisfaction to [their] employers," they would be "sure to gain credit" for themselves. One critical strategy involved their engaging in the business of the market—buying, negotiating, and evaluating the foods on display—with immense acuity and self-discipline. His section entitled "Going to Market" would prepare them for this new role. Himself an expert in provisioning a household, Roberts had acquired both wealth and influence working for "some of the first families in England, France, and America" including as the manager of Massachusetts Governor Christopher Gore's estate.<sup>1</sup>

Thirty-five years later in 1862, New York City's future superintendent of markets Thomas De Voe would publish a history of those markets from the colonial days to his present in *The Market Book*. That history conveyed a less sanguine view of black prospects in the marketplace, including slave sales, their alleged participation in collective slave revolts, their prosecution for individual violent acts, and their discipline by hanging and burning. Providing his most jovial portrait of blacks, De Voe recalled black men dancing in Bear and Catharine Markets. He described them selling "trifles," and holding dance competitions in the corners of the market space. As food marketers and negotiators, blacks had failed, he argued; they were better off as slaves protected by masters. De Voe contended that blacks required regulation, and he recommended the market as the urban institution that should govern them.<sup>2</sup>

These two views capture just one facet of the contested nature of public food markets as they developed over the first seventy-five years of the nineteenth century. The marketplace shaped and visibly displayed a person's position in the social order; within the marketplace existed the power to both liberate and confine. Roberts, an African American and abolitionist, could envision blacks unfettered, engaged with the market's primary business—food, which could then serve as a platform for greater achievement. De Voe, on the other hand, could never imagine blacks gainfully participating in food businesses or integrated into larger society.

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<sup>1</sup> Robert Roberts, *The House Servant's Directory: An African American Butler's 1827 Guide* (Mineola, NY: Dover Publications, 2006), 12, 14, 104.

<sup>2</sup> Thomas F. De Voe, *The Market Book: Containing a Historical Account of the Public Markets of the Cities of New York, Boston, Philadelphia and Brooklyn, with a Brief Description of Every Article of Human Food Sold Therein, the Introduction of Cattle in America, and Notices of Many Remarkable Specimens* (New York: Printed for the author, 1862), 322, 344-345. De Voe's portrayal of blacks in Catharine Market has been cited by modern historians as evidence for a variety of historically relevant phenomena—from the importance of public food markets as entertainment centers to the birth of African-American dance culture. Shane White, *Somewhat More Independent: The End of Slavery in New York City, 1770-1810* (Athens: University of Georgia Press, 1991), 94-95, 105-106; Leslie M. Harris, *In the Shadow of Slavery: African Americans in New York City, 1626-1863* (Chicago: University of Chicago Press, 2003), 69; Gergely Baics, "Feeding Gotham: A Social History of Urban Provisioning, 1780-1860" (3386365, Northwestern University, 2009), 270-272. This dissertation, too, opens by looking at De Voe's widely cited example. However, this tapdancing image can be reinterpreted in a wider context of recognizing the market (and writings about the market) as shaping roles and perceptions about social place.

Roberts and De Voe were not the only two people to project competing visions of social life onto the city's background of publicly accessible food spaces. Men and women, black and white, rich and poor, engaged with the urban food system in ways that extended beyond the primary purpose of consumption and distribution. How and to what extent did food provisioning spaces advance beyond a utilitarian goal to feed urban populations to become sites for imagining, expressing, and achieving social aims? What cultural histories of alimentary spaces can be told during antebellum America's dramatic turn toward urban life? "Just Provisions" seeks to explore answers to those questions by investigating antebellum food provisioning and its politics of identity and space.

In the early nineteenth century, urban residents challenged the existing provisioning structure to create a food marketing system they considered more inclusive, fair, and representative—in a word, more just. In so doing, they transformed not only the food markets, but also related food systems and institutions: street vending, eating-house establishments, restaurants, and Northern market procurement practices. In questioning the existing structure, they further inserted themselves into the urban public discourse on the place of blacks, women, and immigrants in the new republic.

### *Economic Development of the Antebellum Urban Marketing System*

A simplified story about the public food markets can be told in their collective meteoric rise, and later catastrophic breakdown, from the colonial period to the mid-nineteenth century. The trajectory may be described as development in the colonial period, punctuated by expansion and replication in the 1810s and 20s (following economic independence from Britain post-1812), and then slow decline in the 1840s as the markets faced the demands of explosive population growth and increasing competition from grocery stores and butchers.

One of the most profound changes to take place within cities between 1790 and 1850, rapid population growth necessitated the creation of new structures like public food markets, where residents could buy their meat, fish, dairy, and fresh fruits and vegetables. During this period New York City, Philadelphia, and Boston grew into not only international trading posts, but also regional hubs that supplied both their immediate environs and neighboring towns. Eventually, on the local level, civic leaders endeavored to satisfy demand by establishing, regulating, and maintaining a system that brought rural agricultural goods into the center of the city.<sup>3</sup> As the number of residents increased in Manhattan, for example, markets (many of them informal) popped up along on the island's edges. In the early days, farmers and green-women (vegetable sellers) arrived from Long Island and New Jersey by riverboat and docked on the shore along the East and North (Hudson) Rivers. Demonstrating the expansion of urban markets and their reliance on rural agriculture outside the boundaries of the city, market gardens just outside New York City multiplied their supply to the metropolis and its markets eight-fold between 1840 and 1860.<sup>4</sup> Quickly, a relationship between the city and the country developed as one of consumer and producer. More than twenty markets were established in New York City between 1800 and 1840 (at a rate of at least one every other year), in a process whereby residents

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<sup>3</sup> De Voe, *Market Book*, 28.

<sup>4</sup> Edward K. Spann, *The New Metropolis: New York City, 1840-1857* (New York: Columbia University Press, 1981), 122.

or the city determined a neighborhood would benefit from a new market, which the city would then construct by allocating funds and labor.<sup>5</sup>

Food markets were critical to sustaining those residents who engaged in financial, commercial, and manufacturing activity, rather than agricultural production. Demographic and economic changes that occurred in the late colonial period created a distinct divide between urban and rural landscapes that would grow wider over the course of the nineteenth century; urban residents purchased agricultural products from those who remained in peripheral farming towns. Because urban land in New York, Philadelphia, and Boston excluded significant food production, food would need to be transported to the city, where consumers would buy it for their immediate use or marketers would buy it for further resale.<sup>6</sup> For example, New Yorkers, from the days of New Amsterdam, resisted cultivating their own food, instead eagerly awaiting the Indians and farmers to bring them provisions, rushing the boats as they undocked rather than waiting until the goods were properly distributed at market. In keeping with New York's mercantile charter, its residents grew primarily cash export crops (like tobacco), which often led to food shortages. In early days, markets with their farmers selling fresh fruits and vegetables served as proxies for a displaced and distant rural landscape.<sup>7</sup> In Philadelphia, patrons nicknamed the city's original food hub Jersey Market (it is believed) because of the overwhelming number of farmers bringing foods from New Jersey, approaching by boat down the Delaware River.<sup>8</sup>

From the late colonial period to the late 1830s, few comprehensive alternatives for obtaining food existed besides the market house. Although street vendors sold fresh and prepared foods, that form of commerce was not considered a respectable alternative for the middle class, for whom the streets were often marked as off-limits. Private groceries and meat shops existed, but they remained illegal in New York City until 1843; thereafter, reformers frowned upon the private groceries, in poor neighborhoods considered nothing but fronts for liquor stores.<sup>9</sup>

Furthermore, because owners valued land as a financial asset rather than for its productive value, farming fruits and vegetables and raising animals was neither a preferred option for the landed nor a viable option for the landless. New York City, for example, did not long maintain its commons, the traditional shared area where the propertyless could garden and pasture animals. In the city of Boston proper, renowned for its Common, however, the Common was located on the outskirts of the city. Growing vegetables had never been a notable use for the

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<sup>5</sup> For an extended history of New York City public markets and their proliferation, see De Voe, *Market Book*, 31-32. Baics, "Feeding Gotham," 38-43.

<sup>6</sup> For more on the developing relationship between cities and their rural countrysides, see Allan Kulikoff, *From British Peasants to Colonial American Farmers* (Chapel Hill: University of North Carolina Press, 2000), 208; Christopher Clark, *The Roots of Rural Capitalism: Western Massachusetts, 1780-1860* (Ithaca: Cornell University Press, 1990); Percy Wells Bidwell and John Ironside Falconer, *History of Agriculture in the Northern United States, 1620-1860* (Clifton, N.J.: A. M. Kelley, 1973). For more about the economic structure of New York City, Sean Wilentz, *Chants Democratic: New York City and the Rise of the American Working Class, 1788-1850*, Twentieth-Anniversary ed. (Oxford: Oxford University Press, 2004), 6. For further discussions of urban versus rural landscapes, see William Cronon, *Nature's Metropolis: Chicago and the Great West* (New York: W. W. Norton, 1991), 309.

<sup>7</sup> De Voe, *Market Book*, 31-32, 34.

<sup>8</sup> Carol M. and Holton Highsmith, James L., *Reading Terminal Market: Philadelphia's Historic Gateway and Grand Convention Center* (Washington, DC: Chelsea Publishers, Inc., 1994), 38.

<sup>9</sup> For streets and their supposed dangers, see John F. Kasson, *Rudeness and Civility: Manners in Nineteenth-Century Urban America* (New York: Hill and Wang, 1990), 70-146; Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle-Class Culture in America, 1830-1870* (New Haven, CT: Yale University Press, 1982), 33-55. Cindy Lobel's "Consuming Classes" has explained the relationship between food and the middle class as one that cared more about performance of ritual and less about the food itself. Cindy R. Lobel, "Consuming Classes: Changing Food Consumption Patterns in New York City, 1790-1860" (3083687, City University of New York, 2003), 19-49. George G. Foster, *New York in Slices by an Experienced Carver* (New York: W.F. Burgess, 1849), 79-84.

Common, which had instead been devoted to military ceremonies and cattle pasturing, and in 1830, the city terminated cattle raising there. As Boston developed, it followed the growth pattern of other cities, where a market gardening culture emerged outside of the city to supply residents otherwise engaged in non-agricultural commercial pursuits. Although a Public Garden abutted the Common, uses other than for relaxation were forbidden in 1839 when the city commissioned private operators to construct a botanic garden there; previously (since 1794) the land had been used by a ropewalk business.<sup>10</sup>

From the beginning, public food markets had been designed to structure urban life. Their prominent locations at the physical and civic centers of neighborhoods solidified their position. William Penn established the city's first market grounds in 1682.<sup>11</sup> In 1710 when colonists built Philadelphia's first market-house structure on those grounds, they situated their market in the middle of their principal thoroughfare (which also happened to be their broadest street), located in the exact center of town. By 1852 Philadelphia's markets encompassed forty public squares and an additional three miles of wagon sheds at the intersection of Market and Second Streets.<sup>12</sup> Philadelphia's marketing structure anchored the city's grid plan through its various phases of growth. The aptly named Market Street ran through the town's center from East to West, several blocks from the Delaware River to Fourth Street; by 1780 the market filled two city blocks.<sup>13</sup> "[T]ake Market-street away, and total anarchy would ensue"; residents viewed Market Street as Philadelphia's "index," the key to deciphering the city's layout and design.<sup>14</sup>

Although the market infrastructure had already begun to expand, its pace of development accelerated once a canal, road, and railroad network took shape. Unavoidably apparent by 1825 with the completion of the Erie Canal, the enhanced transportation infrastructure better linked eastern seaboard markets with the rest of the nation, which solidified a national food transportation and distribution network and expanded the food marketing system. The new canal removed barriers to accessing America's agricultural interior, thereby making goods from the

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<sup>10</sup> For an explanation of how agricultural efficiency transformed urban environments and allowed greater popular density to thrive, see Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (Oxford: Oxford University Press, 2007), 526. For a description of land use patterns in early New York City, see Elizabeth Blackmar, *Manhattan for Rent, 1785-1850* (Ithaca, NY: Cornell University Press, 1989), 21-28. Blackmar distinguishes between agricultural land in the Manhattan countryside or Hudson River Valley as contrasted with land as an asset in the city's port region. For a discussion of the economic activities and physical structures that constitute an urban landscape, see Cronon, *Nature's Metropolis*, 309. On the Boston Common, see Burt Feintuch and David H. Watters, eds., *The Encyclopedia of New England: The Culture and History of an American Region* (New Haven, CT: Yale University Press, 2005), 212-213. For more on the growth of the Boston marketing system, see *ibid.*, 23-26, 33-35.

<sup>11</sup> Edwin Coutant Moore, *The House of Excellence, the History of Philadelphia's Own Market Place ... Souvenir of William B. Margerum* (Philadelphia: Press of Innes, 1931), 63.

<sup>12</sup> R. A. Smith, *Philadelphia as It Is in 1852: Being a Correct Guide to All the Public Buildings; Literary, Scientific, and Benevolent Institutions; and Places of Amusement; Remarkable Objects; Manufacturies; Commercial Warehouses; and Wholesale and Retail Stores in Philadelphia and Its Vicinity; with Illustrations and a Map of the City and Environs* (Philadelphia: Lindsay and Blakiston, 1852), 41. For more on the early history of Philadelphia markets, see John Fanning Watson, "Market Houses," in *Annals of Philadelphia, Being a Collection of Memoirs, Anecdotes & Incidents of the City and Its Inhabitants from the Days of the Pilgrim Founders* (Philadelphia: E.L. Carey and A. Hart, 1830), 307-309; Thompson Westcott, *The Official Guide Book to Philadelphia* (Philadelphia: Porter and Coates, 1876), 71; Joseph Jackson, "Markets in Philadelphia," in *Encyclopedia of Philadelphia* (Harrisburg: National Historical Association, 1931), 508. Highsmith, *Reading Terminal Market*, 38.

<sup>13</sup> Sam Bass Warner, *The Private City: Philadelphia in Three Periods of Its Growth*, 2nd ed. (Philadelphia: University of Pennsylvania Press, 1987), 2.

<sup>14</sup> Anne Newport Royall, *Sketches of History, Life, and Manners, in the United States* (New-Haven: Printed for the author, 1826), 205.

Midwest and upstate New York more readily available. Greater efficiency and connectedness translated into greater value and variety in market goods.<sup>15</sup>

Over the first two-thirds of the century, this extensive infrastructure transformed certain urban markets from local retailers into regional wholesalers. New York City's Washington Market and Boston's Faneuil Market transitioned to supply the entire mid-Atlantic and Northeastern regions respectively. De Voe revealed that Washington Market conducted most of its business between midnight and 7am, for example, outside of times when retail consumers might approach. In 1811, as part of its remapping of New York City, the commission appointed by New York's legislators had recommended that New York's markets be reorganized into a system of wholesale and retail markets, an early acknowledgement of New York City's role as regional supplier. Many observers may not have noticed the trend, however, until decades later—" [T]he surrounding towns, cities and countries—inhabitants by land and sea, are more or less fed from this table," said Ross of New York City's markets as regional food hubs.<sup>16</sup> Nonetheless, commentators celebrated the arrangement as a modern triumph enabling cities like New York, Philadelphia, and Boston to feed tens of thousands, including communities of people far outside of the city limits.<sup>17</sup>

Markets stocked with fruits, meats, dairy, and vegetables from around the world symbolized the end of America's dependent colonial relationship with Britain. According to De Voe, "The prairies of the West, the forest-regions of the North, the gulf and coasts of the Northern and Southern States, and even European cities, all contribute to keep well supplied the wants of our citizen epicures, in every month or season of the year." The volume and variety of foods on display in public markets symbolized the arrival of the United States as both a nationally integrated network and an international trading power.<sup>18</sup>

Transportation also allowed nature itself to be overcome, "the facilities afforded by the railcars and steamboats, thus induc[ed], as it were, in these [northern] latitudes "artificial seasons." In the constructed market environment—one that overshadowed the natural world many had known—city-dwellers lost connection not only with the country, but also with its natural rhythms. Corn from Charleston could be harvested six weeks before that grown outside of Philadelphia and eight weeks before that grown outside of New York City. Peas, of which there were no fewer than nine varieties, could be obtained from the Bermudas ten weeks earlier than from Long Island. Beyond the radius of Connecticut, Massachusetts, upstate New York,

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<sup>15</sup> For an explanation of how the completion of the Erie Canal and similar transportation projects allowed the "adjacent countryside [to port cities to] specializ[e] in perishable vegetables, fruits, and dairy products for urbanites," see Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (New York: Oxford University Press, 1991), 43. For details about the increase in trade in the wake of the canal, see also *ibid.*, 391. For a description of the Erie Canal's critical role in a "transportation revolution that would turn an aggregate of local economies into a nationwide market economy" and its transformation of the agricultural landscape, see Howe, *What Hath God Wrought*, 118, 220-221. For an elaboration of the broader process that developed a national transportation infrastructure to link "commercial centers," see Lobel, "Consuming Classes," 6; Edwin G. Burrows and Mike Wallace, *Gotham: A History of New York City to 1898* (New York: Oxford University Press, 1999), 450-451. For more on the 1811 wholesale market reorganization proposal, see Blackmar, *Manhattan for Rent*, 97; Helen Tangires, *Public Markets and Civic Culture in Nineteenth-Century America* (Baltimore: Johns Hopkins University Press, 2003), 75-78.

<sup>16</sup> For further information on the growth of Washington Market and Faneuil Market as wholesalers, see *Public Markets and Civic Culture*, 160-161. For more on the development of Washington Market as a regional supplier, see Joel H. Ross, *What I Saw in New-York; or, a Bird's Eye View of City Life* (Auburn, NY: Derby & Miller, 1851), 196. De Voe, *Market Book*, 454.

<sup>17</sup> *The Market Assistant, Containing a Brief Description of Every Article of Human Food Sold in the Public Markets of the Cities of New York, Boston, Philadelphia, and Brooklyn; Including the Various Domestic and Wild Animals, Poultry, Game, Fish, Vegetables, Fruits &C., &C. With Many Curious Incidents and Anecdotes* (New York: Hurd and Houghton, 1867), 454. Philip Wallis, *About New York: An Account of What a Boy Saw in His Visit to the City* (New York: Dix, Edwards & Co., 1857), 11. "How New York Is Fed," *Scribner's Monthly*, 1870, 729-742.

<sup>18</sup> De Voe, *Market Assistant*, 145.

New Jersey, and Pennsylvania (which shared the same seasons as New York City), southern cities like Charleston, Norfolk, and Savannah—and even the island of Bermuda—grew crops like “tomatoes, potatoes, peas, cabbage, onions, strawberries[, and] cherries” for the metropolis, hundreds of barrels arriving twice per week. As a consequence, people living in cities slowly lost their knowledge of the food system, its vastness too dizzying to comprehend. Furthermore, that fruits and vegetables regularly arrived for sale from the domestic South meant that Northern markets grew increasingly dependent on the agricultural products of slavery.<sup>19</sup>

But by the 1840s, food markets started to suffer intense criticism, and the voices grew louder with each decade. Great expectations magnified the shortcomings of New York City’s marketing system. In the category of filthiest and most disorderly markets, New York emerged as the clear winner. Commentators thought that the architecture, design, and condition of the buildings should reflect the market’s prowess. If Washington Market could manage to reorganize itself, “where every article was systematically arranged and kept in proper order,” it could serve as “an attraction! . . . and an ornament to our city,” wrote De Voe. But he admitted that “[o]ftimes the small passage-ways are so obstructed, that . . . if the attempt be made [to pass], the person must be prepared to receive a greasy, dirty, or torn coat or dress, besides being crowded or pushed, or the danger of having his pocket or basket relieved of anything valuable.” And of Catharine Market, he said, “The old dilapidated, somber-looking, rat-infested, and rat-undermined market-house is a festering sore on that part of the city, and yet it is a great place of thrifty business. . . . [as] it is one of the greatest thoroughfares in the city.” But by contrast, Philadelphia visitors regaled the tidy nature of its markets—known for their fresh white milk and churned butter, clean meat, and neat rows of vegetable stalls. Even the vendors were polite. “If you would see a beautiful market, go to Philadelphia[, it] . . . is better than they have here,” counseled Philip Wallys, a visitor to the markets in both cities.<sup>20</sup>

Beginning in the 1840s, the near-exclusive monopoly of the public markets gave way to accommodate private grocery stores and meat markets. These alternative suppliers had existed previously; however, cities stopped enforcing market exclusivity laws and eventually expressly permitted the private shops to function. Historians have attributed the decline of the public marketing system to the growing expectation that city governments finance other civic projects and the resulting inability or unwillingness of cities to fund the construction and maintenance of the markets when private retailers filled a similar function. The most famous examples demonstrating this transition are when New York City authorized private meat shops in 1843 and when Philadelphia removed its central public markets in 1859.<sup>21</sup> With few exceptions, cities by-and-large ceased to construct or adequately maintain overburdened markets, all the while the great increase in the number of residents needing food overburdened the existing markets. Thus as the century progressed, the public markets, which had once served as the only recognized means for obtaining fresh foods, competed with other means of food distribution.

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<sup>19</sup> Ibid., 333, 321, 341. See *infra* Chapter 4 for further evidence that foods produced by slaves, domestic and international, appeared in the Northern markets.

<sup>20</sup> Ibid., 365, 455. Wallys, *About New York*, 14.

<sup>21</sup> Tangires, *Public Markets and Civic Culture*, xix; Baics, “Feeding Gotham,” 43. When at the time of the re-gridding of Plan of 1811 New York City proposed changing its retail provisioning model to a wholesale model, it acknowledged that the existing model might not have adequately serviced the newly planned city, or even the former version of the city. See also the parallel development of retail markets in Thomas David Beal, “Selling Gotham: The Retail Trade in New York City from the Public Market to Alexander T. Stewart’s Marble Palace, 1625-1860” (9920400, State University of New York at Stony Brook, 1998), 229-304.



## *Social and Cultural Narrative of the Antebellum Urban Marketing System*

Alongside the economic expansion and contraction of markets, a potent cultural narrative developed. The notion of the public food markets as the central driving force within economic and social life persisted throughout the nineteenth century. (Ironically, the notion of the public food markets as central to economic and social life gained strength mid-century just as the markets entered their decline.) Both writers and regulators promoted the colonial and early republic markets as the ideal form for social organization of a diverse urban populace. This manner of thinking powerfully influenced the social structure of not only the public food markets, but also other food provisioning spaces. Tracing its path shows the power of thinking about food markets to fashion a politics of identity and space.

Markets, as these narratives made clear, carried out cultural and social functions beyond food provisioning. As exemplars of civic structure, they served a governance role, regulating the market space as well as their participants and activities. As neighborhood cornerstones, they attracted people from all walks of life. And as spaces of diverse social life, activity, and amusement, yet all the while governed by a set of laws and morals, the markets also developed into spaces for surveillance and judgment. Market rules and codes of conduct emphasized social norms and standard behavior over the celebration of difference. But despite the markets' bias against personal difference, over the course of the century, blacks, women, and immigrants pinned many of their hopes for social and economic freedom on the public marketplace.

As early as 1800, a grand market defined a place as a city, rather than just a town or village, and established it as a cultural capital. That American markets boasted sophisticated engineering, architecture, and design—and most evident, goods of cosmopolitan origin contributed to a city's aura of world-class status. Not only did Northeastern urban markets sell everything in the world, but also the best in the world. The pages of city guides for residents and strangers alike featured descriptions of the various market houses alongside those of churches, banks, custom-houses, theatres, and hospitals. Guidebooks commonly invited tourists to compare America's cities favorably to London and Paris, based on an assessment of their respective markets. Celebrated iconic markers of urban life, official markets served as sources of pride for cities. As such they symbolized the success or failure of a city's moral and economic infrastructure.

Well-functioning markets qualified New York City, Philadelphia, and Boston as world-class, among the ranks of Paris and London. Commentators invariably introduced food markets using competitive descriptors: “few cities can boast of markets better supplied,” “in quality . . . and variety . . . not surpassed anywhere,” “without contradiction finest in the universe” and “greatest quantities of fruits and vegetables in the world.” Words and phrases like “boast,” “greatest attraction,” and “spectacle” abounded. Expressions of excess and freedom from want—“immense,” “overstocked,” and “all the necessaries as well as the luxuries of life . . . upon reasonable terms”—also dominated first-hand accounts. Visitors perceived the ability to access food from all around the world independent of local terroir and seasonality as a significant advance in civilization. It seemed nothing short of miraculous that using new transportation technologies, food could be quickly transported from hundreds of miles away, still fresh.<sup>22</sup>

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<sup>22</sup> For market descriptions, see James Flint, *Letters from America: Containing Observations on the Climate and Agriculture of the Western States, the Manners of the People, the Prospects of Emigrants, &C &C* (Edinburgh: W. & C. Tait, 1822); J. P. Brissot de Warville, *New Travels in the United States of America, Performed in M.Dcc.Lxxxviii. Containing the Latest and Most Accurate Observations ...* By J. P. Brissot De Warville, Second edition, corrected. ed. (London: printed for J. S. Jordan, 1794);

Food markets organized myriad aspects of civic life beyond food provisioning. The city's founders built Philadelphia's first market adjacent to the town courthouse, symbolizing its institutional stature. Itinerant preachers hosted Sunday religious ceremonies in the temporarily closed market sheds of Old Washington Market (also known as Shippen Market). During campaign season, the market served as the site of political gatherings.<sup>23</sup> Routinely, Philadelphia guidebooks classified the market houses as impressive public buildings, alongside revered civic structures like the State House, the U.S. Custom House, the Fairmont Waterworks, the Navy Yard, the U.S. Mint, and the Post Office.<sup>24</sup> Boston's markets, in 1830, were honored by an official visit from former New York City Mayor Philip Hone. An important aspect of a stately visit, Hone's market trip was to conclude with a dinner with U.S. President Andrew Jackson. That Hone described the market house ("well worth seeing") along with the Tremont Hotel and a presidential dinner showed Boston markets vital civic institutions.<sup>25</sup>

In New York City, displays of market power ranged from the punitive to the celebratory. In 1819 at Essex Market, the city hanged Rose Butler for her alleged crime of intentionally burning down her master's house with the intent to murder her mistress. Reports indicated that with the execution officials had sought to deter further slave rebellions: "[w]e are happy to learn that the colored people of this city [have been] convinced of the enormity of the crime [and] are generally reconciled to the fate."<sup>26</sup> On a happier occasion, to mark the opening of the new Centre Market in 1839, butchers threw a grand ball and invited prominent guests from around the city. Butchers also feted the display, sale, and killing of remarkable animals. Around 1840, they sold "no doubt the largest and heaviest bullock ever produced in the United States (perhaps in the world)," which weighed over 3,400 pounds and was called "Union." After slaughtering and then carving the animal, the butchers staged a processional and paraded Union's parts through the nearby streets.<sup>27</sup>

Governments also regulated food markets. New York City's market regulations began with the town itself, and the city government conceived of market regulations as a way to consider the best interests of the populace. As part of his mandate to govern and only three years after the Town of Manhattan became the City of New Amsterdam, Governor Stuyvesant authorized the city's first public market in 1656, rendering marketing regulation one of a city's primary responsibilities. As another example of early governments regulating markets, to ensure that residents would have enough corn to eat, around the same time (1653), New York City

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Smith, *Philadelphia as It Is in 1852*; Thomas Wilson and James Mease, *Picture of Philadelphia, for 1824, Containing the "Picture of Philadelphia, for 1811, by James Mease, M.D." With All Its Improvements since That Period* (Philadelphia: Printed by T. Town, 1823); Benjamin Davies et al., *Some Account of the City of Philadelphia, the Capital of Pennsylvania, and Seat of the Federal Congress: Of Its Civil and Religious Institutions, Population, Trade, and Government; Interspersed with Occasional Observations* (Philadelphia: Printed by Richard Folwell, for the author, 1794), 24-25; Zepheniah Waller, *Seven Letters from an Emigrant to His Friends in England; Containing Remarks on the Manners, Customs, Laws, and Religion of the United States of America with a Description of the City of New York and Observations on Emigration* (England: E.E. Abbott . . . for the benefit of the author, 1831), 13-14.

<sup>23</sup> "Old Southwark Landmark May Soon Be Torn Down," *Philadelphia Inquirer*, April 15, 1901.

<sup>24</sup> See *The Stranger's Guide in Philadelphia*, (Philadelphia: Lindsay & Blakiston, 1861); Smith, *Philadelphia as It Is in 1852*. Other guidebooks listed markets in the company of the city's churches and places of amusement. W. Williams, *A Hand-Book for the Stranger in Philadelphia: Containing Descriptions of All the Objects of Interest in the City and Its Environs; with Views of the Public Buildings* (Philadelphia: George S. Appleton, 1849).

<sup>25</sup> Diary entry, Boston, Monday, Sept. 8, 1830. Philip Hone and Allan ed Nevins, *The Diary of Philip Hone, 1828-1851* (New York: Dodd, Mead and Company, 1927).

<sup>26</sup> De Voe, *Market Book*, 480-481.(quoting the June 11, 1819 New York Evening Post); for her discussion of the significance of the Rose Butler case, see Harris, *In the Shadow of Slavery*, 113-116.

<sup>27</sup> De Voe, *Market Book*, 472-474; 477-478.

governors issued regulations against converting grains into distilled spirits.<sup>28</sup> Further driving the significance of markets, city regulators proclaimed the enclosed markets—either the official public markets or private shops—as the proper places for residents to buy their meats, fruits, and vegetables. In the 1830s, for example, New York City officials and reformers cracked down on the practice of using streets as markets, refusing to recognize thoroughfares or alleys as any place appropriate for building community or engaging in gainful commerce.<sup>29</sup>

The ability to sell affordable food to presumably all classes of residents marked markets as putative sites of social cooperation and state care. This function also established another basis for governance. When documenting his experience in the Philadelphia markets in 1807, tourist Charles Janson concluded that the health of a city's governance could be determined by the health of its markets, proxies for government. Philadelphia's market, he said, "is well-supplied; and its regularity and cleanliness indicate good living and wholesome regulations." To Janson, that the laboring classes could afford "[f]owls of all kinds" proved that the market served all hard-working citizens, evidence of a well-functioning social structure where want of food did not threaten emerging class structures. Because of the outsized bounty of the markets, Edmund Blunt said of New York markets in 1817 "the abundance which nature here has so amply provided, is within the reach of the poorest mechanic, his wages being more than sufficient to purchase the common necessaries of life." Commentators linked social harmony with the progress of the human race. De Voe argued that markets were evidence of civilization itself and necessary to maintain advanced stages of human life. He contrasted "[m]an in his natural state, [who] like the wild beasts of the forest, consumes food naturally and spontaneously obtained. . . . [against] civilized man, luxuriously trained and educated [who eats both] wild and cultivated animals, as well as the natural and cultivated plants, [which] is the proper and sole food for cultivated man." Thus, the existence of well-functioning markets proved both American cultural progress and the ability of Americans of different classes to peacefully co-exist.<sup>30</sup>

The vast social changes that took place in the first half of the nineteenth century made maintaining good relations among different groups critical, and some may have found civilization to be threatened by demographic shifts. Not only did populations multiply by number, but they also grew more complex with regard to race, gender, and national origin. In the 1820s and 1830s, blacks, women, and the foreign-born moved to cities, changing the demographic balance. The proportions of blacks reached double-digits, women outnumbered men, and rural and foreign migrants comprised the majority of the populace. By 1860, while the proportions of blacks diminished (although remaining significant), the trends for women and immigration continued into the 30s, 40s, and 50s. By 1860, more than fifty percent of New York City's residents had been born overseas, and significant numbers of residents had migrated to the

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<sup>28</sup> George Lankevich, *New York City: A Short History* (New York: New York University Press, 1998), 11-15; De Voe, *Market Book*, 34-36.

<sup>29</sup> In *Public Markets and Civic Culture*, Tangires explores the benefits of the official public markets. She argues that the markets operated as a form of moral economy, protecting residents against the vagaries of an entirely market-oriented system. Tangires, *Public Markets and Civic Culture*, xvii, xix. This tension between official and vernacular markets was most prevalent in New York City, which inherited a legacy under which street vending was cast as insurgent behavior, increasingly linked to outsiders who would attempt to overthrow the established order. See Chapter 2 herein for further information about vernacular markets.

<sup>30</sup> Charles William Janson, *The Stranger in America: Containing Observations Made During a Long Residence in That Country, on the Genius, Manners and Customs of the People of the United States ; with Biographical Particulars of Public Characters ; Hints and Facts Relative to the Arts, Sciences, Commerce, Agriculture, Manufactures, Emigration, and the Slave Trade* (London: Printed for J. Cundee, 1807), 184-186. Edmund M. Blunt, *Blunt's Stranger's Guide to the City of New-York . . . : To Which Is Prefixed an Historical Sketch, General Description, Plan and Extent of the City* (New-York: Edmund M. Blunt, 1817), 40-41. De Voe, *Market Assistant*, 11.

metropolis from rural towns. Likewise, thirty percent of Philadelphia's residents hailed from abroad, which contributed to conflict between nativist and immigrant groups. Commentators positioned the quotidian markets as the institutions that would inculcate "respectable" practices and ways of being in cities' new residents. *Phelps' Strangers and Citizens' Guide to New York City* (1857), in comparing dangerous places, emphasized the moral nature of markets, as benevolent spaces instilling proper values.<sup>31</sup>

The advent of large cities disorganized and re-organized an America that had premised its self-image on a rural English lifestyle.<sup>32</sup> The urban experience itself resembled a food market. Like the meats, cheeses, fruits, and vegetables on display, people were reshuffled, redistributed, and revalued in food markets. When De Voe wrote about fruits and vegetables arriving from North Carolina and Barbados to be sold in the markets, he might just as well have been talking about people, who arrived from other cities to be processed in the urban markets: "[F]rom various directions [fruits and vegetables] are daily gathered in vast quantities; then dispatched by the numerous railroads, steamboats, sloops, and vehicles of all sorts to their destinations, and we find them in the various public markets the next morning fresh and good."<sup>33</sup> Furthermore, just as fruits and vegetables were sold at market, enslaved African Americans were sold in marketplaces. Thus, the markets may be thought of as not only food exchanges but also as people exchanges, spaces that processed the people who entered them. As people circulated around and through the city, the market—the place they all visited—supplied methods for organizing people.<sup>34</sup>

Nineteenth-century food markets amassed diverse peoples and experiences in one bounded spot due to their primary purpose to supply food, a necessity of everyday life. Most consumers visited food markets at least once per week and often more frequently. Therefore, encountering food meant encountering people, rendering food transactions highly socialized and interpersonal interactions. As they drew people from across the city and beyond, markets served as social aggregators. A memoir recalled Washington Market, for example, as the central nervous system of New York City: "And such a clattering of cleavers, and clashing of knives, and grating of saws, and cracking of bones; such hustling of women and bustling of men, and cramming of baskets, and loading of carts; such scowling and scolding, and bantering and buying can hardly be found any where else." Embodying the energy of cities, markets generated activity throughout the urban grid.<sup>35</sup>

Through the changing market house, cities and their residents were forever transformed. Because the physical marketplace stood at the center of antebellum life, all came into contact with it. Heads of household, housewives, boarding-house keepers, hotel stewards, street vendors,

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<sup>31</sup> Lankevich, *New York City: A Short History*, 71. Warner, *Private City*, 57. In Phelps' 1857 *Guide to New York City*, its author remained emphatic that locations dangerous to one's morals would not be listed, suggesting that marketplaces, which were described therein, were benevolent spaces. *Phelps' Strangers and Citizens' Guide to New York City*, (New York: H. Phelps, 1857). For population figures on women in the antebellum period, see Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860*, First Illinois paperback ed. (Urbana: University of Illinois Press, 1987), 83-84. For population figures relating to blacks, see James Oliver Horton and Lois E. Horton, *In Hope of Liberty: Culture, Community, and Protest among Northern Free Blacks, 1700-1860* (New York: Oxford University Press, 1997), 83.

<sup>32</sup> On rural lifestyle as a colonial ideal, see Kulikoff, *Peasants to Farmers*, 1.

<sup>33</sup> De Voe, *Market Assistant*, 322.

<sup>34</sup> For slave sales in New York City markets, see Graham Russell Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613-1863* (Chapel Hill: University of North Carolina Press, 1999), 42. Given the often grisly nature of the immigrant experience, perhaps the more apt metaphor would be to talk about the beef transported from Illinois to be bled, slaughtered, butchered and finally sold in New York City markets. Therefore, the metaphor of the physical marketplace as a place where people were sorted was real and certainly existed in the recent memories of many participants familiar with slavery.

<sup>35</sup> Ross, *What I Saw in New-York*, 196.

children, the enslaved, and tourists: They all visited the market house. They visited not only to provision themselves, but also to socialize. While there, they gleaned valuable information about city life, not only what was happening, but also how to live, get along, and associate in antebellum society. As a central experience with broad influence in the number of people touched and the number of functions provided, the market house may have been the closest many residents came to interacting with a civic institution. In their commonplace nature, markets were thought to represent urban society itself.

As centers of work and amusement, markets also served as sites for social observation, surveillance, reflection, and commentary. They were spaces of social fascination because of their large crowds and social heterogeneity. City mysteries texts and guidebooks described markets (much like underground dancehalls and saloons) as spaces for voyeurism. Unlike these underground spaces, however, respectable citizens could visit safely in a regulated and therefore relatively non-threatening environment, without risking injury to person or reputation.<sup>36</sup>

Watching people at market provided a sort of cheap entertainment. Visitors took pleasure in observing the unique characters: “Although [Washington Market] hardly come[s] under the head of amusements, yet we think the reader, if unaccustomed to visit large markets, could hardly be more amused than to spend two or three hours at this place during the morning, and especially on Saturday.”<sup>37</sup> In *Big Abel and the Little Manhattan* (1845), Cornelius Mathews described the disheveled and desperate appearance of marketers—“dusty men, with hats apparently dug out of the earth; boys; women, in rusty bombazines and dirty strings about their waists.”<sup>38</sup> Historian Edward Spann has noted that “[w]ith their . . . rich variety of people—of foreigners and natives, of farmers, dealers, butchers, wholesalers, retailers, and housewives—the markets were the romance not only of abundance but of human community as well, where the citizen could experience some of the joys of urban living.”<sup>39</sup> In *New York in Slices* (1849), George Foster wrote, “We scarcely know where so much and such varieties of human nature can be encountered as in a walk through the Markets. Every face you meet is a character, every scene affords a piquant contrast. Talk of your Eastern bazaars and Parisian arcades! of your white-footed oriental gazelle and your brown-cheeked, mischief-colored grisette—your kirtled Albanian.”<sup>40</sup> Markets and their patrons captivated visitors.

Yet one person’s entertainment served as another’s humiliation. Blacks often were sources of fascination and ridicule. One contemporary recommended Washington Market to encounter blacks on display: “Here and there a darkey may be seen dancing for pennies . . . gay as a cricket.”<sup>41</sup> De Voe fondly recalled that in Catharine Market, “joking butcher[s]” hired black dancers by paying in “eels or fish,” and that “old negroes” treated themselves to the market’s shark (“shirk”) meat “for their own particular use.” His characterizations of black market life were less than respectful.<sup>42</sup> Humiliation in the marketplace, resulting from judgments placed on others’ market behavior, reveals how the market also valued and sorted people, parsing along axes relating to race, gender, occupation, and income levels.

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<sup>36</sup> See Chapter 1 on markets as voyeuristic spaces.

<sup>37</sup> Ross, *What I Saw in New-York*, 195.

<sup>38</sup> Cornelius Mathews, *Big Abel, and the Little Manhattan*, Wiley and Putnam’s Library of American Books (New York: Wiley and Putnam, 1845), 33.

<sup>39</sup> Spann, *New Metropolis*, 125.

<sup>40</sup> Foster, *New York in Slices*, 40.

<sup>41</sup> Spann, *New Metropolis*, 125. (citing to a Catharine market “observer”)

<sup>42</sup> De Voe, *Market Book*, 344-345; *Market Assistant*, 232-233.

Demographic changes may also account for why public marketplaces assumed new cultural meaning. The mid-century's urban print culture used the backdrop of the market to address social transformation. The urban press scrutinized people—based on their physical appearances, demeanors, and behaviors—as they interacted in the market space. Its commentators proposed social rules for interacting, especially around managing business transactions with strangers. And it debated when markets could be accessed and how they could be used. Commentators argued in favor of the early and colonial marketplace and its manner of social organization. On the pages of annotated guidebooks and in short stories, poems, and other published material, “people-watching” occurred. These texts focused on the early marketplace and its patrons as the ideal against which contemporary marketing methods and participants would be measured. Commentators frequently noted the disappearance of the native white male purchaser. For this reason, often blacks, women, and immigrants were the subject of scrutiny, ridicule, and interpretation. Meanwhile, these same women, immigrants, and especially newly freed blacks located expansion of opportunity in and through the markets, albeit a reformed and expanded version.<sup>43</sup>

Despite the widely advertised successes of the marketing system and the carnivalesque, free-wheeling atmosphere often portrayed in urban sketches, the public marketplace structure also contained deep flaws. The widespread attraction along with competition for scarce resources established markets as contested terrains at least as early as 1800. Government officials and residents pitched intense battles between and among themselves over access to public markets, because these spaces were far from universally open or convenient. That city founders had designed markets to serve everyone created conflict, played out in the space of the market and on the printed page. Privileged residents contested which consumers the “public” markets should serve. Complaints abounded about unworthy participants—market assistants, slaves without permission letters, miserly boarding-house keepers, and women in general—to name just a few. Residents debated whether markets should be open at all on Sundays and how late on Saturday night.<sup>44</sup>

Huckstering, in particular, vexed city officials. Throughout the historical record can be found pronouncements of rules issued and re-issued intended to manage the triumvirate of evils committed by hucksters: forestalling (buying goods outside of the designated market space or hours), regrating (buying goods in a market to retail later), and engrossing (monopolizing the sale of goods).<sup>45</sup> If market hucksters could be contained, then farmers, fishmongers, and butchers—all trusted food producers—could sell directly to their customers. Interestingly though, during the course of the nineteenth century, market hucksters and farmers were re-characterized and their relative importance reversed. In the 1850s, the New York City government's view of hucksters as impeding a moral and efficient market gave way to the new position that hucksters actually facilitated the market's purpose. A New York short on time and space grew weary and suspicious of farmers, who had been the initial impetus for the markets. By 1843, accommodating farmers proved difficult because their wagons took up too much space, and they could not afford to pay rising stall fees. The crowded conditions and expensive fees also made it unattractive and difficult to participate from the perspective of the farmers themselves.

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<sup>43</sup> See Chapter 1 for further detail of the role of urban guides in recommending the market's structure as a model for social life and activity.

<sup>44</sup> See Chapter 1 for further evidence and discussion about the flaws of the marketing system.

<sup>45</sup> For details definitions and examples of rules to control hucksters in practice, see Tangires, *Public Markets and Civic Culture*, 5-8; De Voe, *Market Book*, 60, 73-74, 123- 141, 164, 203, 424-427.

The likelihood dwindled that actual farmers would appear in the markets, as they had just years before. Thus, once highly desirable farmers exchanged places with hucksters.<sup>46</sup>

Market hucksters were to be distinguished from street vendors, however. During the English colonial era African-American and Native-American vendors of any kind had invariably drawn government suspicion. But starting in the 1820s New York City determined to more heavily regulate all street vendors, bringing them under the jurisdiction not only of the Markets Commission, but also under that of the Police Commission. Selling goods in or near a market as a street hawker meant navigating treacherous territory.

Meanwhile, the restrictions that allowed markets to represent themselves as pinnacles of order also made them inflexible; they experienced difficulty satisfying diverse populations with varying needs. The fixed hours, which privileged morning over evening marketing, could barely accommodate the schedules of the working classes, who could shop for necessities only after work: late at night or on Saturdays. And when the lower classes could afford to buy meats, fruits, and vegetables at market, those were often of suboptimal quality, because chefs who prepared meals at a growing number of upscale restaurants bought the best goods early in the mornings. Ambivalence toward Sunday operations injected an element of religious judgment into market culture. Many residents, especially African Americans, were prohibited from participating in the market in significant ways, their presence in the marketplace conducting independent business reinterpreted as fomenting rebellion. Commentators also complained that the “Old New Yorker” ceased to frequent the market, displaced and turned off by the changing status of the blacks, women, and immigrants who appeared there. It seemed the public markets served few constituencies especially well, generating frequent calls for reform.<sup>47</sup>

All the while, as markets and cities grew, other provisioning methods developed concurrently to provide a different perspective on both food and social life. Most important, across the same time period, a shadow vernacular market developed outside of the official marketing structure. Sidewalks and streets emerged into provisional, if unauthorized, markets as commerce could not be contained inside officially designed markets. Farmers and traders intending to sell at official markets were tempted to sell those goods before they ever reached their final destinations. Buyers were equally eager to transact in unofficial areas. Street vending owed its thriving existence in part to laws and other restrictions (both *de jure* and *de facto*) that prevented blacks, immigrants, the poor, and other marginalized groups from gaining access to official markets, as either buyers or sellers. To purchase prepared foods residents visited not only street stalls or carts, but also eating-house establishments, restaurants, and hotels. Those who wanted to end slavery often abstained from the public markets altogether, creating a network of free produce markets throughout the Northeast. Consumers and market workers also pushed to change the official market structure itself, a form of internal market disruption. When city dwellers challenged market regulation and market life, choosing other ways to provision themselves, they also debated contrasting visions of a public. New methods of provisioning allowed residents to experiment with different visions of public life in provisioning spaces beyond the rule-bound markets.

Markets defined how members of a community interacted and related to one another. The markets offered a possible model for peaceful co-existence of diverse peoples crowded together in a dirty, competitive space qua the city itself. Because of the market’s central role in the city’s

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<sup>46</sup> In 1842, country people complained of nowhere to stand in Washington Market. *Market Book*, 441-445.

<sup>47</sup> See Chapter 1 for further evidence and discussion.

social life, any changes in the marketplace by definition reverberated throughout the city's social structure. The new and changing identities of the people who frequented the marketplace challenged the existing organizational structure of the marketplace and those who took interest in maintaining its traditions.

### *The Integrated Urban Provisioning Structure and Antebellum Social and Cultural Life*

If food markets regulated social life according to one vision of an ordered society, alternative food spaces offered competing perspectives and different opportunities to envision public life. As they lobbied for legitimate inclusion in public space, residents sought to disrupt the codes and patterns of the traditional marketing system. In considering forms of marketing beyond official markets, this dissertation seeks to create histories of street vending and free produce markets, and to extend scholarship about public food markets and restaurant culture—and the people who frequented those spaces.

Simply put, residents looked to markets for not only nutritional, but social needs. To view the antebellum urban food provisioning system from a broader perspective that looks beyond the official markets is to observe that food provisioning was more than simply an efficient means to feed the masses. Food provisioning also touched social justice values. Markets not only provided sustenance, but also the potential for sociability and a respectable path into public space and public discourse—especially for blacks, women, and immigrants. For that reason, members of these groups pushed for changes to the restrictive public markets while simultaneously enacting change in other food provisioning landscapes that promised better opportunity. Significant numbers of antebellum residents longed for better economic chances, greater respectability, more freedom of movement, and a food system that matched their ethical values. They pursued these desires in the market house, but also in the streets, eating houses and restaurants, and alternative market systems that existed in the shadow of the official market houses themselves.

I argue that because the market represented the dominant mode of urban provisioning both by law, structure, and in the public imagination, many of its primary attributes could be found throughout the entire provisioning system. That configuration of the urban markets included fixed locations, set hours, disciplining of behavior within and near its boundaries, discrete roles for market participants, and a priority toward low food costs. City ordinances also granted broad authority to market commissioners and clerks to supervise local market operations, approve licenses, enforce rules, and impose fines. In line with the concept of market-by-ordinance, markets could be created only on the approval of city government, often in response to the petition of local citizens who requested a market to serve their immediate neighborhood. This “market model” created and reinforced social identities, behavior, and distinctions based on race, gender, and class. It also conferred and withdrew power from individuals and groups.<sup>48</sup>

Markets structured the urban public experience, including shopping, visiting, and consumption. As the place where the public encountered food absent the complications of preparing and eating it, markets were foundational sites for thinking about and experimenting with consumption, its definitions, emerging practices and meanings. Consumption meant more than eating, but referred to the entire context and process of securing food, and in the specific market space, it included acts of examining foods and making judgments about whether they

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<sup>48</sup> For examples of such requests, see De Voe, *Market Book*, 391, 479; Lobel, "Consuming Classes," 64.



would be fit to eat. Given the complexities involved in negotiating food purchase, the act of buying food was a privilege afforded to surprisingly few individuals. In contrast to streets, hotel restaurants, and eating houses, in markets people generally purchased food for deferred consumption. (Sometimes markets facilitated immediate consumption. When permitted, vendors sold coffee, candy, and oysters to market-goers, but not complete breakfasts, lunches, or dinners.<sup>49</sup>) Market-goers generally experienced delayed gratification in buying their fruits and vegetables at the stalls, preparing their meals later at home. Food market participants were expected to display self-control.

Essentially, the market model of provisioning was subject to disruptive forces from both inside and outside in the context of black emancipation, women's empowerment, and initial waves of large-scale immigration. These forces all helped to implode the market from the inside and to cause other spaces to be explored experimentally in search of a better method for food provisioning that allowed not only social inclusion, but that also provided models for social organization. Cities created markets. By contrast, and probably not surprisingly, city officials resisted challenges to the traditional markets. Instead, residents themselves pushed for adjustments, in response to social change and the failure of the markets to keep pace with needs generated by a shifting urban landscape. Demands and outbursts originated from a diverse group of residents who were not only consumers, but also workers. Ironically, residents challenged the markets not just because these spaces were city-run or civic, but because they were not civic enough, quickly enough. While some historians have argued that the greater conveniences offered by private groceries lured consumers, which caused the demise of the public markets, I would argue that the markets' demise could be found in its own failure to better socially incorporate those citizens who needed and wanted desperately to participate, because the markets were hypocritical and not civic enough in their initial design and execution, and not flexible enough to change. This dissertation tells the story of how residents approached the markets, streets, eating houses, and Northern provisioning system, to make them more inclusive and representative, befitting their ideas for what opportunities a city should allow and provide its residents.<sup>50</sup>

Furthermore, while "Just Provisions" often focuses on the experiences of blacks in public food spaces (especially marketing spaces), it argues that blackness was not just about Africanness, but about otherness generally. Others included women, immigrants, and the poor, who were often subject to similar characterizations. Therefore, while this project often addresses the black experience, it argues that the experience of blacks can be used as a lens to think about other populations characterized as different. For example, white waiters suffered the same conditions as did black waiters, and for that reason they formed interracial unions around shared experience. People other than blacks challenged the antebellum provisioning system.

Therefore, this dissertation proceeds by looking at four different types of food spaces in cities. Its chapters consider broader definitions and alternative propositions to the market-house structure. Adding research about street vending, eating houses, and free produce markets to research about marketing infrastructure can illuminate further contours to the politics of identity and space shaped by food. Likewise, interrogating the definitions of the market as a traditional institution provides a glimpse into another dimension of urban public life, not only about the spaces themselves, but also about relationships and activities that occurred there.

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<sup>49</sup> There are instances of restaurants locating themselves nearby or within market houses. Dorlan's Oyster House in the Fulton Market is a famous example.

<sup>50</sup> For more on the rise of private grocery stores, see Baics, "Feeding Gotham," 186-269.

Chapter 1 analyzes the world of the official public markets. It elucidates a concept of a “market model” and the culture it generated. Although touted as the most open and non-hierarchical of spaces, markets erected barriers to full civic participation. The chapter begins by questioning the public markets’ abilities to function as true public spaces given the disparate experiences of market-goers based on race, class, and gender. It looks to fragmented experiences caused by markets’ failures to keep hours that would accommodate all stakeholders. It also demonstrates how a transactional perspective developed among market participants that would be used to evaluate urban residents in the market space and beyond. Nonetheless African Americans, in particular, saw an opening for recognition and developed strategies for inclusion in markets as a gateway to broader society.

Despite attempts to harden and enforce boundaries by legislative fiat, the lines between market and street remained blurry and arbitrary. Thus, Chapter 2 observes the cultural life of New York City street vending and government and journalistic attempts to rein in its practice over the course of the century. The rise of street vending, which paralleled and shadowed the rise of the official markets, transcended the more static elements of the marketplace, including the market’s bounded space, fixed hours, and refusal to incorporate vendors of color. If food markets represented order, then street vending represented the opposite—spontaneity. Representing mobility and freedom, streets by their very nature transported individuals and goods from one place to another. Streets allowed vendors and consumers to interact directly; they could structure their transactions according to non-conventional times, places, quantities, and even prices, without the interference of official rules and governing bodies. An enduring, although embattled, institution created by blacks, the poor, and the recently immigrated, street hawking and huckstering showcased the racial and ethnic diversity, flavor, and excitement that city life could offer.

Chapter 3 focuses on the rise of eating houses and how emergent social anxieties about public eating transformed the importance of waiting tables as an occupation. Central to the operations of eating houses, African-American and Irish-American waiters and their service professionalism elevated the dining experience and enhanced the reputations of their respective employers. Paradoxically, while patrons lauded the results, they often overlooked and devalued the role of these waiters in transforming the eating-out experience. Because the work waiters performed cemented notions of class hierarchy, they themselves suffered a loss of social prestige and soon struggled to earn fair wages. The chapter ends by considering the formation of interracial waiters’ unions, which established camaraderie across racial barriers and showed that the common experience of waiting tables galvanized whites and blacks.

Many Northerners—embarrassed and outraged that the traditional urban marketing system depended on bound labor—created an alternative set of food practices reflecting their values, the subject of Chapter 4. In alternative markets that promoted anti-slavery agriculture (known as “free produce”), residents confronted traditional marketplace values. Reformers aimed fire at two concepts guiding the market model: low price at any cost and cosmopolitan prestige conferred by indiscriminate international trade. Those who advocated free produce distinguished between the cheap and the good, arguing that any truly civic marketing system must promote fair labor practices. Certainly, free produce sought to end slavery; abolition was its ultimate goal. Yet the development and expansion of free produce markets also challenged values inherent in the public markets. Not a traditional physical space like the public market, the free produce network developed by linking anti-slavery associations, free-labor farms, and private grocery stores through shared values. Activists recognized that overhauling the urban food marketing system to

incorporate anti-slavery and anti-discrimination principles would improve the economic and social condition of blacks and the moral health of Americans as a whole. In that way, free produce was about more than anti-slavery. It was a response to a food culture premised on leisure and the ignorance of conditions of labor.

The cases explored here show urban residents pushing at the boundaries of the market model, seeking to create a more fair, inclusive, and just provisioning system. They argued that to be truly inclusive, the market model required modifications across multiple dimensions. In the process, blacks, women, immigrants, and members of the lower classes offered a different perspective on what full civic inclusion could look like.

### *Importance of African-American Emancipation to Urban Food Provisioning*

One of the most interesting developments of the antebellum period was the release of blacks from Northern slavery through gradual emancipation, and their exploration of the food marketing system as a place to experiment with freedom and to expand their rights. Black residents, in particular, harbored greater social expectations of the markets during a growing era of black emancipation from roughly 1799 to 1870. After emancipation in New York City, the role of blacks in the marketplace held the potential for change. Advocates of African-American equality, who were also African-American themselves, like Robert Roberts and Joseph Willson recognized the importance of experience in food marketplaces (and public space more generally) as a curative to subservience. Both acknowledged the role of the market in their strategies for black advancement, self-improvement, and empowerment; blacks needed access on a level playing field—not only for food but also for social and political legitimacy. For blacks, shopping in food markets would become a practice replete with the symbolism of independence, intellectual acumen, and community belonging. The simple act of a black man buying a peach for himself at Washington Market might help him gain recognition as part of the growing middle class and its culture, which identified consumption practices as constitutive of membership. In the case of free produce markets, African Americans attempted to end slavery and thus gain political rights through creating an alternative market structure. Free produce meeting records and organizational documents show the activists' explicit political agenda. The strategies used by African Americans relied on business acumen. They endeavored to join the middle class by emulating popular market behavior, and rather than wait for judicial action against racial discrimination, they resorted to justice through capitalism.<sup>51</sup>

Exploring both the reality and symbolism of black access to the markets (and from the perspective of those blacks who assessed markets as crucial spaces for defining their roles as new citizens) places in greater relief the stakes of the debate about whether were fit to buy and sell in the public markets as autonomous agents. Black commentators had a more optimistic vision of their roles in the market. Hoping to start fresh, blacks desired to repurpose the markets into an environment of respect, further parlaying that respect into greater social, economic, and political rights. The public food markets were the sites of two particularly interesting antebellum developments. First, African Americans espoused (and then acted on) a theory that demonstrated skill at purchasing rituals could provide them with access to greater rights. Second, a free produce market system evolved that demonstrated a belief that food markets reconsidered might

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<sup>51</sup> For the role of market ideologies in the formation an antebellum black resistance strategies, see Patrick Rael, *Black Identity and Black Protest in the Antebellum North* (Chapel Hill: University of North Carolina Press, 2002), 13-45.

provide a path to freedom and hence fuller citizenship for African Americans. Blacks viewed market rituals as gateways to middle-class status and full citizenship, conferring both cultural status and political power.

Food spaces allowed African Americans, many of whom were enslaved or recently manumitted, to enter the public sphere on theoretically humane terms, their interest in food reflecting a human need. While many Americans exalted privacy and domesticity, African Americans had reason to demand the opposite, a public hearing to make their special experiences and interests known. Some African Americans wanted to make their domestic lives public as publicity promised to protect them from and correct the abuses of discrimination. Under slavery, domesticity and privacy often exacerbated abuse. Domestic quarantine was not bliss for African Americans. According to Frederick Douglass, a city slave was the closest thing to a free citizen, meaning that the freedom of urban open space, rather than private secretive conditions, benefited African Americans.<sup>52</sup>

Markets were contested spaces where urban dwellers learned to contend with whether and how blacks should be admitted to civil society. The question was posed: How far should blacks be allowed to ascend in the marketplace hierarchy? That emancipation did not go far enough explains why advocates like Roberts may have pressed so hard to redefine existing roles as consequential, in addition to seeking new ones. Freedom was a moving target that would require continual negotiation. Freedom meant the nullification of slavery, but it did not mean the guarantee of any particular citizenship or social rights. That freedom required further elaboration helps to explain why blacks sought out markets; blacks needed a secure staging ground for their new experiences post-emancipation. It also explains why in those spaces there existed competing visions of the role of blacks.<sup>53</sup>

Therefore, when African Americans exercised freedoms, they did so in various market spaces. In markets blacks could earn money that they could use to gain greater economic independence and perhaps middle-class respectability. Many blacks had already developed skills in the food trades—through their work in street vending and as household servants—which they could exploit in the marketplace. Increasingly, white men moved away from frequenting the public markets, allowing more room for blacks and women, signaling new economic possibilities. In states that had abolished slavery, markets no longer sold slaves—a significant symbolic shift reclaiming markets as free. The continued existence of slavery in other parts of the United States and the world hampered any efforts toward full respect and citizenship rights

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<sup>52</sup> Douglass best encapsulated the sentiment regarding the benefits of urban public life to slaves, “A city slave is almost a freeman, compared with a slave on a plantation.” Frederick Douglass and Harriet A. Jacobs, *Narrative of the Life of Frederick Douglass, an American Slave, and Incidents in the Life of a Slave Girl*, Modern Library ed., The Modern Library Classics (New York: Modern Library, 2000), 45.

<sup>53</sup> Incidents of racism and racial hostility escalated dramatically after passage of the gradual abolition statutes and even the end of slavery, as both Higginbotham and Hodges (among other scholars) have noted. As Leon Higginbotham observed in his survey of slavery in the American colonies, even those colonies like Pennsylvania that were relatively early to abolish slavery, did not make clear what “freedom” meant. Massachusetts’ 1780 Declaration of Rights was interpreted to disallow slavery by the 1783 *Quock Walker* decision, but for some period of time, slaves needed to sue for their freedom. In Philadelphia the Act for the Gradual Abolition of Slavery released from servitude all children born to slaves on or after March 1, 1780, but only after having suffered a twenty-eight-year period of indenture. Arbitrarily slavery was not legally ended in Pennsylvania for those born before that date. Likewise, the New York statute abolishing slavery freed only those born to slave mothers after July 4, 1799, and again after a lengthy period of indenture—women at the age of twenty-five, and men at the age of twenty-eight. Finally, in 1817 the New York legislature declared that all slavery would end as of July 4, 1827. A. Leon Jr. Higginbotham, *In the Matter of Color: Race and the American Legal Process: The Colonial Period* (Oxford: Oxford University Press, 1978), 91-98, 143, 301. Graham Hodges has argued that “[g]radual emancipation did not immediately alter the occupational structure” for black New Yorkers. Hodges, *Root and Branch*, 225, 227.

that ostensibly free blacks sought. But ethical free-produce purchasing decisions, executed via a market mechanism, could curtail (if not outright end) the institution of slavery without relying on dilatory legislative and judicial processes. Furthermore, historically markets may have been exempt from the social conventions of the non-market world, making them good potential candidates for trying out new ideas because food markets already served as sites for experimenting with how to organize a massive diverse urban populace in one space.<sup>54</sup>

In thinking about black emancipation, it is necessary to consider the significant impact of black slavery and slave codes on the food provisioning system. In the Dutch colonial period, blacks may have traded food legally. Under the Dutch system of “half-freedom,” African-American slaves lived as free people on the condition that they pay annual taxes and perform labor as-needed for the Dutch West India Company. But black slaves enjoyed fewer rights in English New York. Legal scholar Leon Higginbotham, Jr. determined that “[i]n substance, during the thirty-eight years from the English conquest of the New Netherlands in 1664 until 1702, the status of the black slave in New York diminished from a position in which he had some freedom to work for himself . . . and to attempt to secure his freedom to one in which he was stripped of all meaningful rights.”<sup>55</sup> Under the English system, vendors of color remained subject to cruel and unusual punishments. Hostile attitudes also pushed blacks to the margins of the markets, and a culture of suspicion blocked blacks from entering the official markets in any but ancillary roles, which pushed them toward street vending instead.<sup>56</sup>

In English New York, blacks’ only place in the formal markets had been as bound labor for sale. The English colonial government passed several laws that aimed to systematically prevent whites from trading with blacks.<sup>57</sup> In 1702 the city’s “first comprehensive slave code” banned huckstering.<sup>58</sup> As New York stripped blacks of the right to work as vendors, in 1711 the city established a municipal slave market at Wall Street, which would serve as the hub of the New York City slave trading system: “[A]ll negro and Indian slaves that are let out to hire, within this city, do take up their standing in order to be hired at the market-house at the Wall Street Slip, until such time as they are hired, whereby all persons may know where to hire slaves as their occasion shall require, and all masters discover where their slaves are so hired.”<sup>59</sup>

The early codes incapacitated people of color (including slaves) in their ability to make any sort of independent living by farming, keeping them beholden to their masters. In 1712 the New York state general assembly enacted a statute disallowing peoples deemed “Negro, Indian

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<sup>54</sup> See Jean-Christophe Agnew, *Worlds Apart: The Market and the Theater in Anglo-American Thought, 1550-1750* (Cambridge: Cambridge University Press, 1986), 34-35; Psyche A. Williams-Forsom, *Building Houses out of Chicken Legs: Black Women, Food, and Power* (Chapel Hill: University of North Carolina Press, 2006), 20-23. Each makes the argument that the traditional market world, like a carnival, allowed freedoms permitted nowhere else.

<sup>55</sup> Higginbotham, *In the Matter of Color*, 106, 121.

<sup>56</sup> The *New York Gazette* in 1738 published an “Act to Restrict Hawkers and Pedlars” but exempted those peddling foodstuffs, including fish and fruit. My research suggests that the 1738 law was a New York state law that usurped the jurisdiction of New York City. New York City may have wanted to restrict all vending in fruits and vegetables; however, it responded to the broad New York State law by restricting racial minorities, who as legislated second-class citizens, had few rights and even fewer advocates. See Richardson Little Wright, *Hawkers & Walkers in Early America: Strolling Peddlers, Preachers, Lawyers, Doctors, Players, and Others: From the Beginning to the Civil War*, 1st ed. (Philadelphia: J. B. Lippincott Company, 1927), 229-233.

<sup>57</sup> *An Act to Continue an Act Entituled an Act for Regulating Slaves and to Subject Such Persons as Trade with Them to Presentment and Prosecution*. The 1726 Act reinforced and echoed a 1684 act that prevented slaves from exchanging “any Commodity Whatsoever . . . under ye penalty of such Corporale punishment as shall be Ordered to be Inflicted.” For more details about the 1684 Act, see Higginbotham, *In the Matter of Color*, 117.

<sup>58</sup> Burrows and Wallace, *Gotham*, 146.

<sup>59</sup> *ibid.*, 139. De Voe, *Market Book*, 242, 265.

or mulatto, that shall hereafter be made free . . . [from] enjoy[ing], hold[ing] or possess[ing] any houses, lands, tenements, or hereditaments within this colony.”<sup>60</sup> Prohibited from huckstering—and banned from owning or farming land—former slaves could not expect a secure place in the above-ground market community. Neither could they legally engage in common foraging activities to gather foods for market sale. In 1715 slaves were forbidden from selling oysters, and in 1730 they were restricted from sourcing oysters, not simply selling them. Thus, people of color and slaves were banned from engaging independently in the oyster trade. “Unless there be one or more whitemen in the Same boat, Canoe or other Vessel,” it was not permissible for people of color or slaves to visit or to take oysters from an oyster bank.<sup>61</sup>

A 1740 law contained the basis of much of the rationale and regulation that would develop over at least the next one hundred years. “A Law to prohibit Negroes and other Slaves vending Indian Corn, Peaches, or any other Fruit within this City” prohibited people of color (not only slaves) from selling fruits and vegetables in the streets. The law accused that “great numbers of Negroes, Indians, and Mulattoes, slaves, have made it a common practice of buying, selling, and exposing to sale, not only in houses, out-houses, and yards, but likewise on the publick streets, great quantities of boiled Indian corn, peas, peaches, apples, and other kind of fruit.” Because the legislature considered dangerous the sale of fruit by non-whites threatening, it mandated punishment by public flogging unless the offending slave’s owner paid a fine of six shillings, half of which would pay the informer. Payments to informers incentivized the public to police the street life of blacks and slaves. The same law determined that slaves owed a primary duty to their owners or masters, and in “absent[ing] themselves from their service” slaves caused grievous harm against which owners and masters needed protection.<sup>62</sup>

Certainly, the 1740 law conflated race and slave status, for not all blacks and Indians worked as slaves to whites. In punishing non-whites for engaging in the fruit and vegetable trades, the city established priority and prerogative for whites to carry on a street trade without legal competition from people of other races. Second, the law introduced the concept that street vending by people of color created a health hazard. Indians, blacks, and peoples of mixed race were accused of “increasing, if not occasion[ing], many and dangerous fevours, and other distempers and diseases in the inhabitants” by selling fruit. Although the law claimed to promote the virtues of health and sanitation, it is beyond reason that African-American and Indian slaves, already engaged in service to white businesses and households, would spread disease through the simple sale of peaches.<sup>63</sup>

At face value, the law’s stated rationales seem nonsensical. Fear of slave rebellion through the exchanges that street vending occasioned may have motivated legislators, however. Street vending may not have spread fevers, but it may have enabled an otherwise dispersed and isolated slave populace to nonetheless form networks of communication. Unlike in the South where large groups of blacks worked together on plantations and forged a common slave culture, slavery in the North tended to be more diffuse, with families owning one or two slaves. For that reason, Northern slavery practices tended to prevent slaves from forming communities with one another. However, if slaves were allowed to leave their households and interact with other slaves and free blacks, then they could likely find common cause. Following the New York City slave rebellion of 1712—and with fear of another in process—the vending laws restricted blacks and

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<sup>60</sup> Higginbotham, *In the Matter of Color*, 123.

<sup>61</sup> *An Act for the Better Preservation of Oysters*.

<sup>62</sup> De Voe, *Market Book*, 264. See also Wright, *Hawkers & Walkers*, 233.

<sup>63</sup> De Voe, *Market Book*, 264. See also Wright, *Hawkers & Walkers*, 233.

Indians from perambulating the city and using outdoor fruit vending as a potential means to exchange subversive information and to plan attacks.<sup>64</sup>

In 1758, New York City determined to enforce harsh laws against forestalling by blacks. Hucksters would buy food from farmers as they arrived at port, and then offer those foods in streets or in the markets. Ostensibly the law sought to keep prices low, but the law overstepped its stated purpose in reinforcing stricter, more prohibitive punishments for blacks. Blacks (“negro or other slave”) were punished more heavily, by public flogging (“15 lashes on the bare back at the public whipping-post or house of correction”), while whites (“white servant”) instead paid a fine of six shillings. The symbol of whipping alone might have deterred a black person from entering the street trades, but the actual whipping could put him out of commission for several days while he recovered from his wounds. A fine, on the other hand, could be construed as a tax, the cost of doing business. Tellingly, masters could pay a fine for their slaves’ transgressions if they so chose. An independent enterprising black would suffer painful and humiliating corporal punishment.<sup>65</sup>

In 1781 New York restricted Negroes and “other slave[s] living in town” from buying or selling foodstuffs without express written permission tickets from their respective masters or employers. Conversely, farmers living outside of the city were also required to supply a license or detailed permission letter prior to sending any blacks or slaves in their employ into the markets to sell food. The permissions needed to “specif[y] the nature and quantity of the articles sent under their care and directions,” or the articles would be confiscated. Officials would have the right to confiscate without compensation food from blacks and redistribute it to white inhabitants. As before, the law remained overbroad—again assuming that all blacks were slaves and that they had no legitimate purpose for entering the markets unless supervised by a master or mistress. The law empowered officials and deputized private citizens with the right to stop blacks from selling fruits and vegetables on the street, to request their papers. The written permission requirement might also have placed a chilling effect on masters, who would have been required to justify why they allowed their slaves to attend the markets. As for independent blacks, they were to left to fend for themselves. While the law feigned concern for “the manifest injury of the inhabitants” of the city, it did not concern itself with how free blacks—also inhabitants, but not recognized as such—were to obtain sustenance.<sup>66</sup>

Aiming to keep Indians and blacks out of the markets and off the streets as vendors under several theories, the laws invoked health and sanitation concerns and worries that owners would suffer economic injury. Analysis of these rules reveals street vending as a privilege that would be afforded only to white community members, for street vending required unrestricted travel and frequent contact among strangers. The freedom to travel, later determined a fundamental Constitutional right, was denied under laws aimed at keeping people of color docile. Preventing different racial groups from legally engaging in open commerce barred them from the burgeoning democratic community of the marketplace and made markets and streets the province of whites, places where African Americans and Native Americans would be constantly subject to search, harassment, and ridicule. Yet vending embodied more than earning money. Communication, skill, pride, independence, and service to community were all values to be derived from participation in the street vending occupation, values that could not entirely be reduced to cash.

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<sup>64</sup> For Northern slavery practices, see Horton and Horton, *In Hope of Liberty*, 29.

<sup>65</sup> De Voe, *Market Book*, 135.

<sup>66</sup> *ibid.*, 123.

As 1827 approached and the prospect of total black emancipation dawned, the slave codes no longer held formal authority. The black codes had, however, established a precedent for how the institution of street vending would be regulated. A legal basis for hostility toward non-whites marketing the city's food now existed. In the 1820s and 30s, the New York Common Council would build on this history, and those attitudes would prevail throughout the century to manifest subsequently in the city's efforts to curtail all vending, culminating with the Pushcart Commission's 1906 investigation.

The presence of blacks in urban life was palpable. In New York City, for example, lived the nation's largest number of free blacks, who reveled in public spaces. Not only did they make significant contributions to city culture, but observers in a multitude of available primary sources remarked on their visibility and audibility in daily life. People altered the law, space, and by their own reports, their own behavior because of black people. (The law especially took pains to manage blacks, not only slaves.)<sup>67</sup>

African Americans were not alone in their desire to seek social justice through the food system. While market laws did not on their face systematically ban women and immigrants from participation, social conventions often excluded them. Boundaries granted marketing roles to men, but generally only native-born white men. When women, many of whom were immigrants, entered the formal and informal markets, they experienced social opprobrium, designed to limit their influence and presence. Nonetheless, across the early decades of the century, the market house transitioned into a place where women could exercise their judgment as purchasers. The grudging recognition of non-white males as legitimate actors in marketplaces allowed both blacks (albeit black men—not necessarily black women) and white women to gain valuable marketing experience that translated into urban middle-class practices and coincided with a transition in domestic authority to blacks and women.<sup>68</sup>

### *Historiography of Urban Food Provisioning*

The existing historical literature addressing marketing in cities has provided a rich background for thinking about provisioning a public in nineteenth-century America. Thus, the work of several historians has revealed the economic development of antebellum America's public food markets, with especial attention paid to New York City. This history of the era's food provisioning system has generally been told from the perspective of the marketplace; scholars have established public food markets as the central institutions for bringing food into and then redistributing food around a city. And in those histories the markets have been positioned as spaces that served primarily the nutritional needs of residents. Scholars have also positioned markets, acting in the best interests of their public, as spaces that best embodied a

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<sup>67</sup> White says, "It was on the streets, in the markets, and in the numerous dives and gin joints of New York that much of black life took place." White, *Somewhat More Independent*, 179-180, 186. On black freedom in cities, see also Hodges, *Root and Branch*, 200-213; Harris, *In the Shadow of Slavery*, 72-133; Gary B. Nash, *Forging Freedom: The Formation of Philadelphia's Black Community, 1720-1840* (Cambridge, MA: Harvard University Press, 1988), 214-227. About the lives of urban African-American slaves, see also Shane White and Graham J. White, *The Sounds of Slavery: Discovering African American History through Songs, Sermons, and Speech* (Boston: Beacon Press, 2005), 152-162.

<sup>68</sup> See *City of Women*, which details the consistent higher ratio ("dramatic imbalance") of young women, many of whom were immigrants, to men in New York City between 1840 and 1860; Stansell also points out that women were more likely to seek work within the city than men. Stansell, *City of Women*, 83-84. While many believe the domestic sphere to have been presided over exclusively by women, for a brief but sustained period black domestics like Roberts vied for professional control over the household, their expertise in domestic arts acquired through generations of slavery and service in Northern households.



city's mores and charter. For this reason, the term "moral economy" has often been linked to the marketplace.

Helen Tangires and Gergely Baics, in particular, have fixed critical attention on the marketplace structure and its role in providing food as a public service to citizens. In *Public Markets and Civic Culture in Nineteenth-Century America*, her expansive history of the rise and fall of urban public markets, Tangires begins with the assumption that all residents enjoyed access to markets. She defines the markets as a "basic public amenity" provided by the local government, to be distinguished from "private meat shops and company-owned market houses." Tangires emphasizes the moral economy—"local government's effort to maintain the social and political health of its community by regulating the ethics of trade in life's necessities"—that urban markets maintained in the antebellum era.<sup>69</sup> In his dissertation "Feeding Gotham: A Social History of Urban Provisioning, 1780-1860," Baics has since shown that in the case of New York City, based on the numbers of people each market was expected to serve and the distance needed to travel to market, all residents did not have consistent and equal access to the markets (and more specifically the opportunity to purchase choice cuts of meat), which led to negative health consequences including smaller stature and shorter life expectancy. "Feeding Gotham" has described the failure of markets to provide adequate nutrition as a provisioning crisis from which the private meat markets emerged as a solution. With Baics' work, scholarship has recently moved in the direction of investigating how effectively urban governments and public food markets fulfilled their function of feeding hungry populations at reasonable prices.<sup>70</sup>

The research of Thomas Beal has also been critical to tracing the transition of the marketing system from a public benefit to a private enterprise. Beal's dissertation, "Selling Gotham: The Retail Trade in New York City from the Public Market to Alexander T. Stewart's Marble Palace, 1625-1860," outlines the development of the retail trade separate from and parallel to the official public markets, focusing on the rise of private meat shops, private groceries, and luxury business district retailers. Beal's dissertation, in analyzing private diaries and account books, also provides valuable information about daily, seasonal, and yearly marketing and retail practices. Meanwhile Cindy Lobel's dissertation, "Consuming Classes: Changing Food Consumption Patterns in New York City, 1790-1860," indirectly addresses the growth and development of the urban marketing infrastructure. Lobel's history of consumption in antebellum New York City details a revolution in transportation that supplied residents (including market vendors, consumers, and restaurateurs) with a vast and unprecedented array of fresh foods.<sup>71</sup>

Until recently, this provisioning story has focused primarily on the consumption experiences of middle-class whites, especially in defining the public sphere who the urban moral economy served. There are some notable exceptions. Baics' groundbreaking work provides economic and geographic evidence to show how New York City's marketing system underserved working class Irish and German immigrants. Historians of African-American culture have added valuable insights about food culture although not necessarily addressed the antebellum food provisioning structure. Judith Carney has contributed to knowledge about the practices of African-American market women in the colonial period; Psyche Williams-Forson, about those in the Southern United States. Patrick Rael has also explored the role of free market

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<sup>69</sup> Tangires, *Public Markets and Civic Culture*, xvii, xix.

<sup>70</sup> Baics, "Feeding Gotham," 38-111.

<sup>71</sup> Beal, "Selling Gotham," 229-304; Lobel, "Consuming Classes," 50-87. Likewise, Lobel, argues that New York City's public benefited from a "transportation revolution" that allowed the markets to swell with items for sale. *Ibid.*

ideologies (not necessarily food markets) in black protest thought. Works by Graham Russell Hodges and Shane White have addressed African-American culture with thick descriptive analysis to reveal traditions and practices of blacks prior to gradual emancipation. From Hodges and White, we learn the cultural history of black emancipation—in particular, the influence of African and Caribbean cultures on New York City life. But while they sometimes touch on food practices, the work of Hodges and White relates more to the development of black cultural practices and less to an explanation of black food provisioning. There has not yet been a concentrated effort to look at the relationship between urban food provisioning systems, African Americans, and the broader urban populace—more specifically within the framework of emancipation.<sup>72</sup>

What about existing research on other provisioning spaces—outside of the public markets and private retailers? The historical work on the rest of the nineteenth-century provisioning structure remains fragmented, nonetheless promising significant future development in a growing field. To date, Lobel's dissertation remains the most comprehensive work addressing antebellum consumption spaces like New York City restaurants, focusing on the performative aspects of antebellum alimentary practice. She argues that in the popular imagination, as availability and varieties of food increased, consumption of specific types of food (for example, ice cream) ceased to signal class status. Instead, among the middle class, the performance of eating rituals, rather than types of food consumed, signified class. Although it is publicly unavailable at the time of this writing, Kelly Erby's 2010 dissertation "Public Appetite: Dining Out in Nineteenth-Century Boston" traces the development of Boston's antebellum restaurant culture. Erby's work also addresses the evolution of waiting tables as an occupation, with an emphasis on African-American waiters. Although its emphasis is not on food culture, Daniel Wilk's dissertation "Cliff Dwellers: Modern Service in New York City, 1800-1945" explores late nineteenth-century attitudes toward servants, including waiters. Works addressing specific lodging structures in antebellum America, including Wendy Gamber's *The Boardinghouse* and Andrew Sandoval-Strausz's *Hotel*, briefly describe the development of eating cultures in their respective spaces. Historical research on alternative market systems has been equally sporadic. For example, the antebellum free produce network has been addressed only as an anti-slavery movement, no attention yet paid to free produce as a set of practices challenging the anonymous and vast structure of the antebellum provisioning system. Several studies about the place of taverns in social life have been conducted, but they tend to focus more on the relationship between early American political culture and alcohol consumption, rather than eating or acquiring food.<sup>73</sup>

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<sup>72</sup> Baics, "Feeding Gotham." Williams-Forsion, *Building Houses out of Chicken Legs*. Hodges, *Root and Branch*; Judith A. Carney and Richard Nicholas Rosomoff, *In the Shadow of Slavery: Africa's Botanical Legacy in the Atlantic World* (Berkeley and Los Angeles: University of California Press, 2009); Patrick Rael, "The Market Revolution and Market Values in Antebellum Black Protest Thought," in *Cultural Change and the Market Revolution in America, 1789-1860*, ed. Scott C. Martin (Lanham: Rowman & Littlefield, 2005), 13-45; White, *Somewhat More Independent*.

<sup>73</sup> Lobel, "Consuming Classes."; Kelly Erby, "Worthy of Respect: Black Waiters in Boston before the Civil War," in *21st Joint Annual Meeting of the Association for the Study of Food and Society and the Agriculture, Food and Human Values Society (ASFS/AFHVS 2008)* (2008); "Public Appetite: Dining out in Nineteenth-Century Boston" (3423058, Emory University, 2010); Daniel Levinson Wilk, "Cliff Dwellers: Modern Service in New York City, 1800--1945" (3269758, Duke University, 2005); Wendy Gamber, *The Boardinghouse in Nineteenth-Century America* (Baltimore: Johns Hopkins University Press, 2007); A. K. Sandoval-Strausz, *Hotel: An American History* (New Haven, CT: Yale University Press, 2007); David W. Conroy, *In Public Houses: Drink and the Revolution of Authority in Colonial Massachusetts* (Chapel Hill: University of North Carolina, 1995); Peter Thompson, *Rum Punch and Revolution: Taverngoing and Public Life in Eighteenth-Century Philadelphia* (Philadelphia: University of Pennsylvania Press, 1999).

Yet despite limited (although emerging) work about specific provisioning spaces, historians of antebellum social life and culture have painted a rich portrait. John Kasson and Karen Halttunen have contributed significantly to our understanding of urban antebellum public culture, to describe middle-class social attitudes and behaviors informing interactions among strangers and acquaintances in streets, markets, and restaurants. Gunther Barth's *City People* and Elizabeth Blackmar's *Manhattan for Rent* each discuss the rise of urban planning and architectural forms and how they influenced the construction of individual and social identities. *City of Women*, *Chants Democratic*, *Workers in the Metropolis*, *Immigrant Life in New York City*, and *The Emergence of the Middle Class* all give an intimate portrait of class formation and its relationship to immigration in antebellum urban America.<sup>74</sup>

Given the existing historical scholarship, more research is needed about how urban residents experienced their food system. What were their social needs (beyond food), how did they expect their food system to meet those needs, and how did they endeavor to reshape the food system to meet those expectations? Furthermore, what were social relationships like in competitive food spaces—especially as blacks, women, and immigrants sought greater inclusion and acceptance? This dissertation makes its historical questions: How did the urban antebellum food provisioning system shape social life, and how and why did residents seek to influence social life through that structure?

Taken as a body of work, the histories of food provisioning have tended to focus on the mechanics and economics of the public food markets, only recently addressing other antebellum avenues for consumption. My approach emphasizes attitudes, behaviors, and perceptions and looks at a broader array of provisioning arenas. Yet it equally takes into account the laws, rules, and regulations that structured behaviors and opportunities, focusing primarily (although not exclusively) on the relationship between food culture and the experiences of African Americans in their transition to freedom. I have attempted to write a cultural history of social relations and identity through food space.

### *A Note on Methodology and Sources*

Given this dissertation's priorities of viewing diverse populations and their interactions together in daily life, my research has focused on those sources that illuminate public food encounters. I have examined traditional historical sources (like newspapers, laws, and council reports), and I have also relied on those sources that require more interpretive analysis (like short stories, guidebooks, sensationalist accounts, and memoirs). As they listed public food markets along with popular hotels, restaurants, pleasure gardens, and eating houses, the guidebooks, in particular, mapped out places for encounters with food—and people. The more adventurous city guides recognized street vendors as food purveyors. Public food usually signified that some sort of difference would be encountered, and the guidebooks that took on the stance of social observer explained to readers what and (more important) who might be found in these spaces.

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<sup>74</sup> Kasson, *Rudeness and Civility*; Halttunen, *Confidence Men and Painted Women*; Gunther Barth, *City People: The Rise of Modern City Culture in Nineteenth-Century America* (New York: Oxford University Press, 1980); Blackmar, *Manhattan for Rent*; Stansell, *City of Women*; Wilentz, *Chants Democratic*; Richard B. Stott, *Workers in the Metropolis: Class, Ethnicity, and Youth in Antebellum New York City* (Ithaca, NY: Cornell University Press, 1990); Robert Ernst, *Immigrant Life in New York City, 1825-1863* (Syracuse, NY: Syracuse University Press, 1994); Stuart M. Blumin, *The Emergence of the Middle Class: Social Experience in the American City, 1760-1900* (Cambridge: Cambridge University Press, 1989).

Pocket guidebooks supplied a vast amount of information about nineteenth-century urban life and space. Often the size of an index card, guidebooks were used by city residents and visitors alike. No more than half-an-inch thick, they were thin enough to be slipped into a pants-, coat-, or vest-pocket (hence the term pocket-book to describe them). Although ostensibly for tourists, the guides addressed everyone, including residents, because cities constantly renewed themselves. Reflecting the pace of rapid change, even if a resident intimately knew New York City in any given year, only a decade later the city would be unfamiliar. Much like our modern street papers, the guidebooks treated all readers as strangers who needed updated information in a rapidly changing environment. The number of distinctive guidebook titles increased dramatically from 1800-1875, reaching a crescendo in the 1850s and 60s, it seems. In 1820, for example, the frequent guidebook title “A Strangers’ Guide to” fill-in-the-city-of-your-choice identified a trusted companion to recommend where to go, what to do, and how to see.

To the historian guidebooks are useful beyond their most obvious functions as city maps; they also serve as handbooks that deciphered the social organization of nineteenth-century life. In this way, guidebooks may have acted as the legal codes of the people, which distilled social customs into a place and form where people could easily access the material. Not only the urban spaces themselves but also writing and reading about those urban spaces structured behavior, identity, and space. Publishing city guidebooks that listed the virtues and vices of prominent destinations and their inhabitants constructed identity; through the many methods they introduced, pocket-book authors taught residents and visitors alike how to experience their city and how to think about their fellow inhabitants. To make sense of the shifting social landscape, authors typed market participants, providing a putative framework for understanding their personalities and motivations. Often communicating in first-person narrative, they offered solutions to perceived puzzles about human difference through simultaneously exposing the city’s unseemly underbelly, strategically relating human behavior to physical spaces.<sup>75</sup> In his dissertation “Welcome to Sodom: The Cultural Work of City Mysteries Fiction in Antebellum America,” Paul Erickson has classified the guidebooks and sensationalist sketches that analyzed cities as “city-mysteries texts.” He has argued that “there is a good deal of textual evidence to support the idea that antebellum readers read city-mysteries in order to make sense of the new urban environment.” It strikes me that the rationale Erickson has applied to city-mysteries can also be applied to urban guidebooks and sketches, and that the lines between guidebooks, sketches, and city-mysteries remain blurry, as Erickson has acknowledged in his method of classification. For that reason, reading accounts of urban life yields insight into a rich urban discourse elucidating thoughts about social organization. While these texts may not tell us what exactly readers thought or exactly how antebellum life looked, they can expose some of the tools and paradigms that may have shaped readers’ thinking. Because of their explicit commitment to

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<sup>75</sup> For more about city mysteries texts, which bear similar relation the guidebook genre, see Andie Tucher, *Froth & Scum: Truth, Beauty, Goodness, and the Ax Murder in America's First Mass Medium* (Chapel Hill: University of North Carolina Press, 1994); Stuart M. Blumin, "George G. Foster and the Emerging Metropolis," in *New York by Gas-Light and Other Urban Sketches*, ed. Stuart M. Blumin (Berkeley: University of California Press, 1990). Kasson, *Rudeness and Civility*, 70-111. Paul Joseph Erickson, "Welcome to Sodom: The Cultural Work of City-Mysteries Fiction in Antebellum America" (3174440, The University of Texas at Austin, 2005); David S. Reynolds, *Beneath the American Renaissance: The Subversive Imagination in the Age of Emerson and Melville* (Oxford: Oxford University Press, 2011); Dana Brand, *The Spectator and the City in Nineteenth-Century American Literature* (Cambridge: Cambridge University Press, 1991).

disclosing the contours of urban social life, I have also found these urban guides and sketches useful in conveying attitudes and practices that other antebellum texts do not so readily reveal.<sup>76</sup>

Shaping perception and hence reality (although often immeasurably), city guidebooks routinely commented on both the spaces and the people who frequented them, registering social change. The characters encountered in their pages were often only sketches—caricatures and not necessarily real. That said, the representations should be taken seriously to understand their meanings. Certainly one way to manage a new world of strangers was to make them less strange, to familiarize them. If the problem was a world of foreign people and strange foods, then the characters and foods grew less strange and more familiar through frequent writing and reading about them. Guides also helped people navigate the new world of food, a matter of both nutritional and social life and death. And urban food consumption, because it involved venturing into public space to purchase food to ingest from or with strangers, carried a sense of danger. Although it is hard to tell how accurately they described the types of people who frequented the spaces encountered, nonetheless guidebooks and urban sketches created widely circulated stereotypes that shaped public perception. When George Foster pronounced Sweeney's eating house a clubhouse of sorts for newspaper industry clientele, he might have accurately described Sweeney's clientele. But he also drew boundaries, informing readers that Sweeney's remained off-limits to the uninitiated. The consequences of these guidebook pronouncements grew more invidious as they cast aspersions on the moral characters of blacks and women who appeared in certain spaces, or on the "wrong" day or time. These books may not only have reflected the practices in these spaces but also created and then reinforced them.<sup>77</sup>

Which facts can be considered accurate if the guidebooks had a tendency to sensationalize? In my view, the sensational quality adds to the value of the sources, not always illuminating an objective truth, but nonetheless revealing attitudes that may have been popular. Especially in African-American cultural history, where evidence of black life can be sparse, historians have been forced to rely on biased portraits to gain glimpses of blacks in the world. One of the best examples, although not from a guidebook per se, is De Voe's account of blacks dancing in Catharine Market, which numerous historians have cited for its evidence of African-American leisure culture although De Voe's view of blacks may have been skewed. Therefore, despite the apparent challenges, it is possible to determine the physical activities that actually occurred in these spaces and to separate those from biased attitudes. Whatever De Voe may have thought of the black actors and their dancing can be sifted from the physical dancing postures and forms themselves. Throughout this dissertation I endeavor to point out the places where it is clear attitudes may have been prejudiced and influenced the reporting of facts. Inclusion of those attitudes is informative and crucial to a dissertation that cares about public discourse. In a project that seeks to understand a culture of spatial division, it has been essential to analyze attitudes and opinions projected in guidebooks.<sup>78</sup>

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<sup>76</sup> Erickson, "Welcome to Sodom: The Cultural Work of City-Mysteries Fiction in Antebellum America," 293-294. Likewise Stuart Blumin has argued that Foster's *New York by Gas-Light* could help residents make sense of their new metropolis. Blumin, "George G. Foster and the Emerging Metropolis," 11.

<sup>77</sup> In places other than the market, in the city generally, one way to help people manage in a world of strangers—as several historians chief among them Karen Halttunen have argued—was to prescribe certain forms of sentimental or truthful behavior. See Halttunen, *Confidence Men and Painted Women*, xv, xvi. On Sweeney's eating house, see Foster, *New York in Slices*, 68.

<sup>78</sup> White, *Somewhat More Independent*, 94-95, 105-106; Harris, *In the Shadow of Slavery*, 69; Baics, "Feeding Gotham," 270-272. On the subject of Thomas De Voe, some of the most detailed primary accounts of life in early markets come from De Voe. Superintendent of New York City's public markets (appointed in 1871), a licensed member of the order of butchers, and an historian with a membership at the New York Historical Society, De Voe is the most-recognized primary source for much of our current market knowledge. De Voe authored two seminal texts—*The Market Book* (1862) and *The Market Assistant* (1867)—that

As for the weighting of sources among the three cities, taken together they (newspapers, guidebooks, and memoirs) generally provide balanced information about New York City, Philadelphia, and Boston as emblematic of urban antebellum America. The primary exception is in the specific case study of street vending, which in its analysis of changes in vending laws focuses on the New York City experience. Finally, although the market modalities that I analyze developed in the extensive New York City market system, the New York markets regulated other urban markets and served as an exemplar of a cosmopolitan market. Therefore, the occasional overweighting toward New York City should not distort the overall portrait of antebellum marketing.

### *Conclusion*

The title of this dissertation “Just Provisions” alludes to the notion that many urban residents believed they could achieve a type of justice through the contested space of the antebellum provisioning system. Did the concept of “food justice” exist in nineteenth-century American cities? While food justice may be a term used today and only recently gaining acceptance in common parlance, its motivating philosophies can be found in the nineteenth century. At its core the philosophy underlying food justice holds important certain principles: simply put, everyone should have access to affordable, culturally relevant, and healthful food. Food justice also argues that the manner of engaging with the food system itself should reflect those same values of equal access and opportunity. In nineteenth-century American cities, access to food spaces—and hence urban culture and society—was limited by race, gender, and class. The story you are about to read is a novel one about how urban residents contested inequality. By writing about the world of antebellum American food provisioning writ large, and using fairness through representation and inclusion as a lens, this dissertation shows how certain nineteenth-century actors challenged the definition of the public through altering their use of food spaces and influencing the prevailing discourse. It explains how and why someone like Robert Roberts recommended a path toward social opportunity and progress through food spaces despite likelihood of conflict. It also shows how urban residents navigated the twists and turns of these spaces as part of quotidian antebellum life.<sup>79</sup>

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have influenced contemporary scholarship about New York City’s public markets, their structure, functions, and patronage. De Voe worked from a broad base of knowledge, having also for several decades observed and gathered voluminous materials on the markets in Philadelphia and Boston for his history of east coast markets. For that reason and in spite of his obvious blind spots with regard to race and gender, De Voe is often a source of knowledge about the structure of urban markets.

<sup>79</sup> For possible food justice definitions, see Robert Gottlieb and Anupama Joshi, *Food Justice* (Cambridge, MA: MIT Press, 2010), 1-6; for a definition that may hinge on democratic principles and “discursive power,” see Patricia Allen, *Together at the Table: Sustainability and Sustenance in the American Agrifood System* (University Park: Pennsylvania State University Press, 2004), 143-164.

## Chapter 1

### City Public Markets: Constructing and Managing Difference

#### *Introduction*

The place where no distinctions are,  
All sects and colors mingle there,  
Long folks and short, black folks and grey,  
With common bawds, and folks that pray,  
Rich folks and poor, both old and young,  
And good, and bad, and weak and strong,  
The wise and simple, red and white,  
With those that play, and those that fight,  
The high, the low, the proud, the meek,  
And all one common object seek,  
For lady, belle, and buck and lass,  
Here mingle in one common mass,  
Contending all which shall be first,  
To buy the cheapest, best or worst; . . .

—Theophilus Eaton, “The Market-Place”<sup>1</sup>

Theophilus Eaton’s 1814 poem “The Market-Place” celebrated New York City’s public food distribution hubs as unique. Eaton cast New York City’s markets as democratic institutions that disregarded race, gender, religion, and any other differences; the activity of purchasing food merged urban residents into “one common mass,” he thought.<sup>2</sup> Eaton’s market—a suspended time and space that defied common conceptualizations of difference—temporarily rendered unimportant markers otherwise crucial to antebellum life, when legally and socially enforced inequalities shaped people’s lives. Eaton’s poem posited the market as a place exempt from everyday social conventions, kept at bay by the market’s boundaries. Beginning a critical inquiry into the nature of antebellum food markets with Eaton is a useful strategy because the themes of equality across race, gender, and superficial physical difference were at the core of the period’s discourse. Eaton’s view that markets remained the only spaces where “no distinctions” existed intrigues. Did Eaton have a particular market in mind, or did he refer to an idealized standard? By no distinctions, did Eaton refer to a democratic standard where all could truly be equal? Or did he refer to the appearance of equality?

While city governors had chartered food markets to provision urban residents, they established those charters in the colonial period with smaller populations to feed. In the nineteenth century, however, organizing large numbers of diverse people presented a formidable challenge. Social and demographic changes, represented in the new and changing identities of people who frequented the marketplace, posed a challenge to the market’s claims to embody the public interest when the marketplace either would not or could not accommodate basic provisioning needs. Time and day restrictions failed to adjust to residents’ scheduling needs. Market-house spatial arrangements organized the positions and movements of buyers and sellers.

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<sup>1</sup> Theophilus Eaton, “The Market-Place,” in *Review of New-York, or, Rambles through the City: Original Poems, Moral, Religious, Sarcastic, Descriptive* (New-York: John Low, 1814), 29.

<sup>2</sup> *Ibid.*

As urbanization intensified and food increasingly arrived from farther away, the identities of food sellers changed. Over time, farmers stopped appearing at the market sheds; hucksters replaced them. Disparate experiences correlated to differing identities called into question how well the markets served their public mandate.

Even if Eaton's 1814 markets had combined all residents without distinction, after black emancipation, women's greater participation in public life, and significant immigration, the markets magnified rather than ameliorated difference. In markets residents developed a transactional perspective—a way of thinking critical to thinking in public—which could then be applied to judging people. In this way, the practice of reading strangers took firm root in the market house. Ultimately the markets developed a discourse for managing difference through reading unfamiliar market-house goers. The public food markets were powerful spaces, not only in reality, but in the public imagination. Beyond holding a near monopoly on food distribution, they held the power to showcase individual behavior, activity, and possibly character. Residents visited markets frequently, and urban guides invoked the public markets as settings for prescriptive (masquerading as descriptive) commentary on urban social life. By the end of the century, markets had grown so large and so internally segregated by various temporal and spatial structures that people using their own objective senses may not have been able to determine what happened in the markets. If they had difficulty evaluating the fruits, vegetables, meats, and cheeses that had arrived from around the world, evaluating fellow residents who were even less transparent, would prove more difficult.

### *Fragmented Time, Space, and Experience*

Eaton's focus on the markets' retail customers as one common mass oversimplified the truth. Although the markets contained generous amounts of food, when accessibility to markets and the condition and quality of food varied, the existence of disparities poked holes in Eaton's contention that the market rendered all equal. The public marketplace responded to the interests of an increasingly diverse group of stakeholders. Market customers included retail purchasers like householders, but also purchasers like boarding houses and restaurants. The biggest markets (like Washington Market and Faneuil Hall) also acted as wholesale suppliers to regional food markets. Larger markets also included coffee stands and oyster bars, which drew consumers who purchased for immediate consumption. Furthermore, the markets' constituents included sellers: country farmers and dairymen, fishermen and oystermen, and vegetable hucksters and butchers.

Because multiple stakeholders required clear rules to make evident everyone's roles and responsibilities in the market, codes and customs emerged to manage market activity. Common councils and their market commissioners set the rules, which their clerks enforced. Temporal customs influenced when residents approached the markets. Spatial configurations structured how market participants interacted. Stakeholders chose to follow, ignore, or modify these rules. They also created their own. Nonetheless, rules directed the flow of market traffic.

On official market days, opening hours varied by the season and by the day. Although in the colonial era, markets opened just one or two designated days per week, at the start of the nineteenth century, the volume of trade had grown so that markets opened every day but Sunday. Religious rationales militated toward Sunday closure. Consumers were expected to attend church and to rest for the approaching work week. Even then, however, markets functioned on Sundays. New York's seafood trade operated every day. In 1820, for example, fishermen petitioned to allow businesses to open in or near Catharine market on Sundays, so that the fishermen could



find coffee or other sustenance to give them energy during the work day. Butchers also worked on Sundays, breaking down animals into smaller pieces for Monday's customers. Market commissioners, too, conducted inspections on Sundays, although some accused them of working in the relatively vacant Sunday market houses to hide corrupt practices.<sup>3</sup>

Although most markets remained officially closed to consumers on Sundays, marketing occurred nonetheless. The Bowery's Catharine Market provided a colorful exception to the Sundays as holidays rule. In Catharine Market, local residents (mostly working class and immigrant) defied the market rules to create a vernacular market day in the market space itself. If they could get away with it, street vendors also used the Sunday markets to sell their goods. *Lights and Shadows* pronounced the "Sunday law . . . a dead letter in the Bowery." Texts proclaiming urban residents immoral for not observing Sunday as a day of rest blamed immigrants for the change.<sup>4</sup>

To allow the working classes more marketing time, Philadelphia's Common Council experimented with Sunday markets in its New Market, until residents petitioned to cancel them. Residents cited their religious desire to designate Sunday as a day of rest from work, to respect the Christian Sunday Sabbath. In Sunday markets, they thought the "morals of the young [were] thereby depraved to a very alarming degree." The problems began earlier than Sunday, though. Residents reported that on Saturday nights, in anticipation of the open Sunday markets, "the Butchers Boys, dissipated men, and idle women collect, and the market during the whole night is the scene of every species of riot and debauchery; the people in each side of the street are not only molested by their wicked and vulgar noise, but even are prevented from sleeping." As a solution, the Philadelphia Common Council agreed to close the Sunday market, but extended the Saturday market closing time until 9 p.m., which generated similar complaints.<sup>5</sup>

To retail consumers, the weekday markets opened at sunrise and closed in the early afternoons, around 1 p.m. in the summer and 2 p.m. in the winter. Lack of refrigeration technology meant that heat and humidity influenced how long food could be kept fresh, and in certain instances closing earlier ensured that the markets sold fresh food. As the markets became wholesale-focused, however, market workers conducted business around the clock, at midnight even. Similarly, in purpose-built market houses, those with permanently licensed stalls enjoyed greater access to the market house than their customers did. Butchers, for example, arrived to prepare their meats before their customers showed up.<sup>6</sup>

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<sup>3</sup> Catharine Market was known for its "Sunday morning fish markets," which included the upcoming "week's catch of seafood." De Voe, *Market Book*, 348, 369. By 1850 Fulton Market had developed a daily wholesale fish trade, which kept the entire city and nearby towns supplied. *Ibid.*, 516. For an example of butchers performing market work on Sundays, see *ibid.*, 369. De Voe accused "dishonest officers, not wishing their acts seen, or their conversation[s] overheard" of meeting at Jefferson Market on Sundays, when the markets would otherwise be closed. *Ibid.*, 563. At least one commentator complained of the "'existing desecration' of the Lord's Day," which he attributed to an increase in commerce and communications and "immense immigration from Europe." *The Sabbath as It Was and as It Is*, (New York?: s.n., 1858), 1-7.

<sup>4</sup> James Dabney McCabe, *Lights and Shadows of New York Life, or, the Sights and Sensations of the Great City : A Work Descriptive of the City of New York in All Its Various Phases : With Full and Graphic Accounts of Its Splendors and Wretchedness, Its High and Low Life, Its Marble Palaces and Dark Dens, Its Attractions and Dangers, Its Rings and Frauds, Its Leading Men and Politicians, Its Adventurers, Its Charities, Its Mysteries, and Its Crimes* (Philadelphia: National Pub., 1872), 190.

<sup>5</sup> Margaret B. Tinkcom, "The New Market in Second Street," *The Pennsylvania Magazine of History and Biography* 82, no. 4 (1958): 393-394.

<sup>6</sup> Samuel L. Mitchill, *The Picture of New-York, or, the Traveller's Guide through the Commercial Metropolis of the United States* (New York: I. Riley, 1807), 128; Blunt, *Blunt's Stranger's Guide*, 41. For butchers in the mornings at Washington Market, see De Voe, *Market Book*, 369.

During the weekdays, practices developed whereby market vendors charged more in the morning hours than they did as the day advanced. The higher prices reflected the belief (or the reality) that the freshest food could be obtained in the mornings, which some commentators cited as a developing phenomenon. Fine hotels and restaurants, for example, advertised that their stewards approached the markets before opening, to get the first foods of the day. Pricing sorted market-goers by time. *Lights and Shadows of New York Life* explained, “The sales begin between four and five o'clock in the morning. The first comers are the caterers for the hotels, the restaurants, the fashionable boarding houses and the mansions of the rich, and the proprietors of the aforesaid ‘corner groceries’ and ‘provision stores.’ . . . Prices are high at this hour, and the best the market affords is quickly disposed of. The hotels and restaurants leave standing orders with the dealers, but always send their caterers to see that these orders are faithfully executed. . . . As the morning advances, prices decline. The dealers have reaped their harvest, and can afford to ‘fall’ on what is left.” James McCabe found that when a person attended market appeared to correlate with her wealth and income, “Now come those whose means compel them to be content with indifferent fare. . . . Last of all, towards ten o'clock, and later, come the poor, to purchase what is left. God help them! It is no wonder the death rate is large in this class.” High morning prices worked as a class sorting mechanism to keep the markets beyond the reach of the masses until near closing. Part may be explained by working class hours, which often extended until 6p.m. in the evening beyond market hours.<sup>7</sup>

Saturday markets generally stayed open longer, from sunrise to sunset. Those evenings the markets swelled with crowds. *The Night Side of New York* revealed that although technically closed at night, New York City’s Fulton Market transformed into an entertainment destination. Those who ventured through Fulton Market’s walkways could choose from coffee, cake, oysters, and fried shellfish.<sup>8</sup> Whether the rowdy Saturday markets should be closed was a subject of great debate. Neighbors complained that the markets turned Saturday nights into obnoxious parties. Those in the middle class claimed to avoid the Saturday night affairs. These Saturday parties earned the markets a place in guidebooks. Cities may have extended market hours to accommodate workers’ schedules. They may also have done so to limit the attraction of the private groceries. Whatever the rationale for extending hours, the practice appeared to accommodate social distance through time segregation, especially as class differences widened. Workers or the rowdy could own the night markets. Junius Browne, for example, marked himself as upper class by refusing to attend the evening markets, or else sending his assistant first thing in the morning. In this manner, practices solidified into unwritten rules about when would be most appropriate for certain market participants to arrive. If participants were all forced to be crowded into the same markets, which caused social discomfort, then they could make those markets their own by using them at discrete and distinctive times.<sup>9</sup>

The practice of closing weekday markets at 1 or 2 p.m. caused residents to find food elsewhere. Closing early created demand that a flourishing underground economy of unlicensed street vendors, grocery stores, and private meat shops served. In 1843, New York City legally

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<sup>7</sup> McCabe, *Lights and Shadows*, 487-490; Frank Beard, *The Night Side of New York: A Picture of the Great Metropolis after Nightfall* (New York: J.C. Haney & co., 1866), 48-53; Junius Henri Browne, *The Great Metropolis: A Mirror of New York: A Complete History of Metropolitan Life and Society, with Sketches of Prominent Places, Persons, and Things in the City, as They Actually Exist* (Hartford: American Pub. Co., 1869), 412-414.

<sup>8</sup> Beard, *The Night Side of New York*, 48-51.

<sup>9</sup> Browne, *Great Metropolis*, 413-414.

authorized (the previously illegal) meat counters.<sup>10</sup> By the 1870s, *Lights and Shadows* observed “[t]wo thirds of the people of New York deal with ‘corner groceries’ and ‘provisions stores’” instead of the marketing system claiming to benefit them, “never [seeing the inside of] the markets.”<sup>11</sup> Some guidebooks cast aspersions on those who ventured beyond the sanctioned official marketing system.<sup>12</sup>

On the vendor side, restrictions limited when some market sellers could begin plying their trade. While butchers and fishermen appeared to enjoy unfettered access to the markets, licensed fruit and vegetable hucksters needed to wait before they could begin. Colonial laws against forestalling, regrating, and engrossing, which remained on the books in the nineteenth century, took as their premise that hucksters—who competed with retail customers when they bought low and then resold at higher prices—impeded efficient markets. For that reason, laws justified forbidding hucksters from entering markets until a designated time. (It could be argued in the reverse, however, that limiting huckstering until several hours after opening reduced competition for consumers and kept prices high. Similarly, the anti-huckster laws did not acknowledge that hucksters took financial risks when they purchased perishable foods without knowing whether they would eventually find willing buyers, potentially forced to sell at lower prices.) However, as the century progressed, regulators incrementally adjusted those times to expressly permit hucksters to buy earlier. Few explanations accompanied the more liberal huckster laws, but newspaper articles from the time suggested that increasingly (albeit grudgingly) market clerks viewed hucksters as crucial to market operations. This change may have reflected that residents demanded foods that local farmers could no longer provide. Still, the huckster-free time zones were shrunk down, not altogether eliminated.<sup>13</sup>

Weekend marketing may have been needed because early weekday market hours (and their consequences) limited the opportunities of the working classes to visit this ostensibly public space. Late nights or Sunday marketing accommodated workers best, when they had free time. But the night markets only slightly improved the situation of the working classes. Laboring men and women typically did not receive their weekly wages until late Saturday afternoon, leaving little income or time for marketing earlier in the week. If they were to have food for the week, they would typically need to buy it on Saturday nights or Sundays. The Saturday evening markets began as a solution to this problem. That the markets provided choice game and fowl (previously the food of English and French kings) at low cost did represent an advance toward a democratic vision in which the working class could eat the same foods as the wealthy, but lack of convenient access meant that the market would nonetheless primarily benefit only the middle class and elite. Limited opening times challenged a vision of the market as truly public.<sup>14</sup>

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<sup>10</sup> See Tangires, *Public Markets and Civic Culture*; Roger Horowitz, *Putting Meat on the American Table: Taste, Technology, Transformation* (Baltimore: Johns Hopkins University Press, 2006), 25-26.

<sup>11</sup> McCabe, *Lights and Shadows*, 490. Foster complained of market hucksters forestalling until vegetables were not only expensive, but “stale and unwholesome.” Foster, *New York in Slices*, 42.

<sup>12</sup> Gergely Baics has argued that the New York City markets were located few and far between, serving too many individuals in one location. He has argued that poor residents did not receive adequate nutrition because of the city’s failure to provide enough markets. The logical corollary of his work is that if the public food markets did not provide enough food in equal opportunity to all residents, that other services would have arisen to fill the gap. While Baics does not make this argument, it would be reasonable to theorize that perhaps the cities did not altogether outlaw street vending because it did serve the function of feeding those far from a marketplace. Likewise the private meat shops could have fulfilled the same function, as Baics does suggest. Baics, “Feeding Gotham,” 186-269. Lobel does make this argument, however, saying that “many [residents] abandoned the public markets altogether in favor of more convenient alternatives. Lobel, “Consuming Classes,” 82.

<sup>13</sup> See *supra* Introduction, footnote 28.

<sup>14</sup> That the laboring classes could also afford “[f]owls of all kinds” was taken as evidence that the market served all of its hard-working and deserving citizens, and evidence of a well-functioning social structure where class structures were not threatened by

Spatial organization also revealed the priorities in the market house. New York City's Markets Commission oversaw the layout of all public markets. 1838's Ground Plan of the Fourteen Markets of the City of New York included rough schematic drawings of all the city's public markets, and color-coded the vendors by the products sold. The color-coded chart revealed the limited number of categories of food purveyors permitted: butchers, farmers, and hucksters. (Fish sellers were usually categorized with butchers, and dairy was ordinarily considered a type of country product provided by farmers.) Individual pink rectangles represented butchers stalls, each standing alone, surrounded by lanes and alleys to allow customer traffic to circulate. Yellow dairymen, light blue fish and shellfish sellers, and green fruit and vegetable dealers all arranged themselves (by color, really food) along contiguous counters. But the butchers remained central, occupying the most space.<sup>15</sup>

In the 1838 Ground Plan, the perimeter country markets supplemented the hucksters' fruit and vegetable stands. Because increasingly fruits and vegetables arrived not just locally by farmers' wagon, but also by rail or boat, spaces for both farmers and hucksters were needed. The explanation for locating farmers outside was two-fold. First, farmers mostly transported their goods in wagons, requiring parking space. (For a sense of scale, see Image 1 for a view of Washington Market farmers' wagons.) Second, if they transacted their business inside the market, farmers would need to pay stall fees, which many found prohibitively expensive. Also, due to the large volume of sales and competition for goods, often there was no room—in the market, across the street, or even in the street—for those who did not pay stall fees.<sup>16</sup> Both regulators and citizens also believed that farmers should not have to pay. Because the urban food system built itself on the goods of farmers, farmers needed to be attracted to, not repelled from markets. Furthermore, farmers legitimized the food as fresh and the city as in close relationship to its hinterlands despite evidence to the contrary.<sup>17</sup>

Philadelphia's city council also identified where market vendors could ply their trade. Government officials designated distinct spaces for the sale of meat, fish, vegetables, and dairy. The New Market oriented according to north, south, east, and west, indoors and outdoors. Dairy farmers sold from sheds set-up "under the eaves on the best side of the north shambles." Demonstrating their gravitational pull on the market structure's orbit, butchers arranged themselves in the market's center. The farmers (also called "country people") sold from baskets and carts adjacent to the market house—technically outdoors so they were not required to pay indoor stall fees—yet still within the official market boundaries.<sup>18</sup>

Finally, and probably most important, access to markets varied by neighborhood. Historian Gergely Baics has demonstrated that by 1850, New York City's public markets underserved immigrant Irish and German neighborhoods. That the markets did not satisfy the promise of equal access proved significant because those immigrants received less nutrition and suffered negative health consequences relative to others who lived closer their food markets.

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want of food. Janson, *Stranger in America*, 184-186. Because of the outsized bounty of the markets, it was believed that "the abundance which nature here has so amply provided, is within the reach of the poorest mechanic, his wages being more than sufficient to purchase the common necessities of life." Blunt, *Blunt's Stranger's Guide*, 40-41.

<sup>15</sup> Joint Committee of Markets, "Ground Plan of Markets of the City of New York," in *Thomas F. De Voe papers, ca. 1837-1885* (New York: New York Historical Society, 1838). See also the Ground Plans from 1833 and 1834, with similar organization although different numbers of markets, Market Committee, "The Ground Plan of the Twelve Markets in the City of New York," (1832); "The Ground Plan of the Thirteen Markets in the City of New York," (1833).

<sup>16</sup> By 1842, country people complained of nowhere to stand in Washington Market. De Voe, *Market Book*, 441-445.

<sup>17</sup> *Ibid.*, 455.

<sup>18</sup> Tinkcom, "The New Market in Second Street," 364.

While residents in wealthier non-immigrant neighborhoods could easily walk to their markets, the poor would need to travel a farther distance, making it less likely they would visit the markets as frequently to obtain fresh provisions.<sup>19</sup>

Cities controlled other terms and conditions of access to food markets. In the 1830s New York City implemented systems for governing and policing the markets. The city appointed commissioners and clerks and endowed them with broad jurisdiction to interpret and enforce market laws. Clerks ejected unlicensed and unstalled peddlers and pushed them beyond market boundaries. Commissioners heard petitions from those who sought market licenses and determined whether to grant butchers and hucksters access. Therefore, the market's regulators both opened and restricted the flow of opportunities for sellers to participate. Yet temporal and spatial arrangements may have reverberated more in the public consciousness as they more visibly governed daily movements and interactions in the marketplace.

Space and time arrangements reflected the need for markets to accommodate an astounding array of buyers and sellers and to redistribute a dizzying number of goods in an efficient manner. Markets, thus, steered a middle course. Markets rarely adjusted their schedules to reflect the needs of the populace. The people, however, did adjust their behavior to make markets fit their lifestyles. When people segmented their own market experiences by day, time, and occupation, they ensured a modicum of privacy and exclusivity in public spaces, despite the rhetoric of visibility and transparency as normative market values. In this sense, privacy did not necessarily refer to the state of being alone; privacy meant controlling the space as though it were one's own dominion. That the markets were crowded, noisy, smelly, and full of individuals from different backgrounds likely contributed to an impetus for different consumer groups to visit markets according to a schedule that had been worked out according to custom. People also looked beyond the market-house structure to satisfy their need for provisions.

By 1875, residents as one mass group shared few common experiences of the marketplace. Temporal and spatial restrictions made it so that consumers experienced markets disparately. For some, that meant inconvenience; for others, reduced service. As for sellers—farmers and hucksters, in particular, they would also experience disparate treatment, depending on how well markets valued their perceived contributions. Although many reports lamented the absence of “country people” in the markets, in the end, local farmers were de-valued and market hucksters given privileged space to sell food from distant lands, just one example of the changing identities of those who frequented market spaces.

### *Changing Identities in the Marketplace*

How market workers and urban consumers used the public markets revealed that urban demographic change directly affected the relationship between markets and their constituents. The identities of people attending the markets changed radically between the century's beginning and end. First, the populations of cities changed. Second, as people re-negotiated rights and responsibilities in society generally, they also re-negotiated them in the marketplace. Therefore, as the designated public space for food provisioning, by necessity markets registered the demographic change in the identities of people who attended.

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<sup>19</sup> Baics, "Feeding Gotham," 112-186.

In the first decades of the new century, blacks increasingly frequented the marketplace as economic actors to buy and sell goods, marking a significant change. From 1790 to 1820, as they sought greater rights and opportunities, blacks moved to cities. In Philadelphia, New York City, and Boston respectively, the overall black population increased by 418%, 214%, and 125%. From 1790-1810, the free black population of New York City, increased by 600%. These urban blacks would buy provisions for themselves or for a family they served, as more or less independent negotiators.<sup>20</sup>

Blacks hoped that post-emancipation, markets could offer a different experience than under slavery. City markets sold more than food; prior to 1827 in New York City they also trafficked in flesh of the human kind. In New York City, Fly Market and Wall Street Market (also known as Meal Market) were principal locations for the purchase of both animal meat and African-American slaves.<sup>21</sup> Blacks' roles in these public markets had been intentionally limited. A regime of legal codes and selective enforcement endeavored to keep blacks at the margins of the market, relegated to roles as street vendors, outside of the officially designated spaces of the marketplace and market house. Throughout the colonial period in New York City, for example, laws prevented African Americans (as well as Native Americans) from bringing goods to market. The circulating discourse had focused on blacks as slaves, servants, entertainers, conspirators, and murderers, but not marketers.<sup>22</sup> Thus, blacks envisioned a more business-oriented role in the market, as a stepping stone toward a better life after 1827. African Americans espoused a theory of and then acted upon their faith in the market—especially in the performance of consumption rituals—to provide them with access to greater political and social rights. Blacks living in New York, Philadelphia, and Boston alike now looked toward their participation as market buyers to deliver recognition, respect, and rights.

Similarly, historian Amy Srebnick has explained the context that would have allowed for women's greater visibility in the public markets in the 1830s and 1840s as "significant social dislocation." First women moved to "larger cit[ies] such as New York or Boston that offered greater employment possibilities." Furthermore, not only did more women move to cities, but they then participated in the "long-term process of shifting their economic lives from the home to the public sphere." Therefore, as food production left the household for the marketplace, which Srebnick also points out, women followed.<sup>23</sup> Other historians have noted that in this transition, women in families assumed dominion over domestic duties, and one new wifely duty involved purchasing for the family, to which the husband had previously attended.<sup>24</sup> Women's roles in the

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<sup>20</sup> Horton and Horton, *In Hope of Liberty*, 83.

<sup>21</sup> A 1670s description of the Broadway Shambles compares the price of black slaves sold there to the price of sugar, wheat, and animal skins. De Voe, *Market Book*, 58. As of 1711, black and Indian slaves could be hired at Wall Street Market. *Ibid.*, 132, 242-243. In 1744 a notice appeared stating "To be sold at public vendue, on Saturday morning next, at 10 o'clock, at the Fly Market, a negro man, who can cook and do all sorts of household work." *Ibid.*, 132. For more detail about the sale of slaves at Meal Market, see Hodges, *Root and Branch*, 42, 105.

<sup>22</sup> See *infra* re the discursive treatment of blacks as dancers at Catharine Market, the execution of Rose Butler, and the New York conspiracy trials, which all discuss the role of blacks in the marketplace. De Voe blamed slaves marketing goods for spreading ideas to kill whites, burn down New York, and overthrow the city government. Writing "[m]any of these slaves had become otherwise troublesome, as they held daily and nightly cabals, forming themselves into parties or clubs, thieving, etc.," he argued that the laws curtailing market vending were justified. De Voe, *Market Book*, 265.

<sup>23</sup> Amy Gilman Srebnick, *The Mysterious Death of Mary Rogers : Sex and Culture in Nineteenth-Century New York*, Studies in the History of Sexuality (New York: Oxford University Press, 1995), 43-46.

<sup>24</sup> For more on the transition away from household economy and the gender consequences, see Mary P. Ryan, *Cradle of the Middle Class: The Family in Oneida County, New York, 1790-1865*, 1st paperback, 1983 ed. (Cambridge: Cambridge University Press, 1981), 231.

marketplace expanded to include purchasing for one's own household, serving as market assistants, entering as boarding-house keepers, and working as hucksters in the market stalls.

The transfer of domestic marketing responsibilities reverberated in markets commentaries.<sup>25</sup> Guides and housekeeping manuals frequently referenced the old days when white men attended market or when black men carried the market baskets of their mistresses. If the marketing literature is to be believed, fewer white men and fewer mistresses who employed servants attended the mid-century markets. It may have been the case, however, that their absolute numbers did not decrease, but that their relative numbers changes, given the new market entrants with new authority to act for themselves in the marketplaces. Thomas De Voe, daily present in the markets for nearly a half-century (first as a butcher and then in his role as superintendent of the markets), witnessed the shifting market demographics from 1814 to 1864. De Voe premised his definition of market community on the interaction between primary producers (farmers), skilled artisans (butchers) and heads of household (family men). De Voe was particularly disturbed by the transformation in social composition. Sustained across two texts *The Market Assistant* (year) and *The Market Book* (1862), De Voe argued that a market community had disappeared. Claiming they lacked the requisite training and knowledge to make informed decisions, *The Market Assistant* disparaged those who exercised new agency in markets, especially women and blacks.<sup>26</sup>

Beyond racial or gender identities, new functions arrived in the marketplace based on the changing American business landscape. Oftentimes the new functions were both attractive and available opportunities to the new market participants. The *House Servant's Directory* of 1827 was one of the first—if not the first—household manuals published in the United States, targeted to a domestic audience and intended to reflect American principles. Its author Robert Roberts recommended that servants try their hand at buying goods in the marketplace for an employer, for example. “Market assistants” offered their services selecting provisions for a family or business. For that reason, as in the case of market assistants, the new market functions were often identified with race or gender or both. (To be clear, given the context of when he wrote, Roberts likely counseled recently freed African-American men how they could achieve economic and social mobility through their connections to the marketplace, but any other person employed as a servant might have benefitted from his text, which did not explicitly reference race.)<sup>27</sup>

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<sup>25</sup> In the midst of this transition, there arose the question of whether domestic servants would assume ultimate authority and responsibility for shopping and domestic chores. This question arose during a time of flux for newly-free African Americans looking for their place in a changing household structure. Roberts' prescient text, *The House Servant's Directory*, revealed the tensions created in antebellum northern cities when the role for free blacks in the household remained unclear and subject to further definition.

<sup>26</sup> According to De Voe, in earlier times a white man, “the thrifty ‘old New Yorker’” would visit the markets first thing in the morning. The activities of this New Yorker involved selecting the meat he desired, choosing the best fruits and vegetables from what the farmer offered, and picking live fish. A transitional point arrived, closer to the Civil War Era, when what De Voe calls the “good housewife” exercised exclusive judgment over the food to be purchased, bargaining for the best price. This housewife was often accompanied by a “stout servant” (likely African American), who carried the heavy market basket. De Voe, *Market Assistant*, 21. That De Voe represented the interests of butchers in public markets for nearly forty years illuminates the likelihood that he wrote not as a disinterested chronicler of market history or for the good of all people of New York, as he purported. Instead on the cusp of change—the threat created by women and blacks patronizing at market as both primary and secondary producers, the switch to delegating marketing duties to marketing assistants—he wrote to defend the marketing traditions of the past—emphasizing threats posed by the uprisings of the enslaved and the incompetence of women.

<sup>27</sup> Roberts, *The House Servant's Directory*, 104. Among the wealthier classes, earlier practices of the ultimate consumer purchasing his or her food declined. De Voe described men and women, heads of household and housekeepers respectively, who attended markets to purchase the family's food as regrettable “relics of the past.” He accused that now most never visited the markets, but instead selecting market goods was now delegated to butchers, “other dealers,” servants and “go-between-

Hucksters, unlike market assistants, had been critical to the marketing infrastructure from the beginning. And like market assistants, they, too, were often considered undesirable. During the middle of the century, however, the perception of their value transformed, and hucksters were found critical to the functioning of an efficient international marketing system. An 1855 article celebrated New York City's "Marketmen and Middlemen," calling them "a very useful class of citizens," and suggesting, in a twist from traditional thought, that farmers were more likely to gouge consumers than market intermediaries. Hucksters managed the complex business of food supplies coming from the South, "our vegetable dealers sent out to Bermuda to Charleston, Norfolk, Savannah, and the Bahamas," thereby increasing year-round variety and reducing costs, may have generated their uptick in perceived utility.<sup>28</sup> Finally, while hotels sent their stewards to market to obtain eatables, boarding-house keepers also attended the markets. That hotel stewards and boarding-house keepers frequented the markets in ways that registered in urban guides reflects the ascendance of hotels and boarding houses—both the increase in the number of establishments and the number of guests served—as urban forms.

For all of the new market actors, their success in business would depend on their acumen in developing expertise in food transactions. Their apparent acumen would then be used to judge their respective characters.

### *Developing Perspective by Transacting in Food*

When city dwellers called farmers "country people," they signaled that city folk did not cultivate food; they instead transacted in it. Just as urban people worked in the financial markets as brokers, so they approached the food markets with a similar perspective of engaging in food transactions. Markets provided a space to exchange verbal, visual, and tactile information. Eyeballing, poking, and prodding the fruits, vegetables, meats, and milk on display enabled purchasers to test their condition and quality. Talking with hucksters and farmers allowed market buyers to ask about provenance, freshness, and cooking methods. Haggling and bargaining enabled buyers to obtain a better price, and they developed powers of skepticism and discernment. These activities developed the emotional posture and intellectual acumen necessary for managing urban life. Guidebooks and domestic manuals modeled the appropriate physical behaviors and habits of mind to succeed in the marketplace.

Roberts advised practical hands-on training. In his section entitled "Going to Market," Roberts counseled that the marketplace could transform a servant's life: "[Y]our experience, if you should be called upon to do this duty, is of the utmost consequence. It is impossible to give you particular directions for all kinds of articles for the table; in all cases observation and experience can only supply you with these to any degree of perfection." Then Roberts described

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speculators." A new occupation arose to meet the need. In De Voe's description, market assistants represented the attenuating relationship between producer, artisan, and patriarch. De Voe, *Market Assistant*, 21.

<sup>28</sup> "Marketmen and Middlemen," *New York Times*, June 14, 1855. "The Markets and the Market Gardens," *New York Times*, June 14, 1855. If only local farmers, rather than hucksters, sold fruits and vegetables in the markets, the value and volume of the vegetable trade—the pride of cities—would have been greatly diminished in the minds of the residents who attached value to breadth. Furthermore, it became clear that the anti-huckstering laws while on the books, were nullified by lack of enforcement, "of necessity a dead letter," according to one advocate of the vegetable jobbing system. Professor Mapes, called to testify before the Farmer's Club of the American Institute with journalist Solon Robinson (of *Hot Corn* fame), argued that "it was impossible to get to the precise facts of the law of huckstering," because the laws were convoluted and poorly organized and documented, so that it was impossible to know the current state of the law. As one solution, a participant suggested prosecuting a test case to figure out the state of the law. "Farmer's Club, American Institute," *New York Times*, July 18, 1855.



how to choose fresh meats, dairy, and eggs at market, insisting that as servants “you all are generally competent of purchasing.” Developing one’s perceptions of sight, touch, and smell were crucial. Success required intimate knowledge of the food to judge freshness—sliding a knife into ham to release translucent juices (“if it comes out in a manner clean and has a curious flavor, it is sweet”), holding an egg to the tongue to measure temperature (“if it feels warm it is new”), and tasting and sniffing from the middle of a butter crock (“if your smell and taste be good, you cannot be deceived”).<sup>29</sup>

Roberts’ use of “experience” could have been read in at least two ways. If by experience, Roberts meant expertise, then he might have argued that servants had much to offer in the way of knowledge and skill to their employers. However, Roberts might also have intended experience to refer to the feelings, ideas, and sensibilities that a servant might have gained by working in the market. “Utmost consequence” could be read as coded language. In a text intended to convey the secrets of self-mastery to servants, the “utmost consequence” of going to market for the express purpose of performing duties typically vested in an employer could have meant the chance for self-development, for better opportunities, and for engendering trust. Skills well-deployed equaled opportunities. Family names like Astor and Varian populated the lists of butchers in early New York City markets, showing the connections between accumulated wealth and initial success trading in the marketplace.<sup>30</sup>

De Voe believed the new complexities in the market required equally discerning skills. In the *Market Assistant*, De Voe wrote a chapter called “Going to Market” because he said found it both “important, as well as necessary” to train women housekeepers in the complexities of the marketplace. De Voe feared that New Yorkers underestimated the markets, believing them a simple place, when in fact nothing could be further from the truth. In his opinion, the market’s complexity had accelerated increasingly over the years.<sup>31</sup>

De Voe thought that “to market well” took experience. Without experience, one needed to have an established relationship with a trusted supplier. For that reason, he shared specific “practices” to teach “the looks, smell, feeling, and many signs that are almost indescribable, and which are formed from close observation.”<sup>32</sup> Deciphering the market for its readers, the *Market Assistant* described the characteristics of the best qualities of meats, fish, vegetables, fruits, and dairy in the marketplace. De Voe explained the differences in flavor and texture between locally-grown (corn-fed) beef and Western-imported (grass-fed) beef. He also explained how refrigeration technologies enhanced the preservation of meat. Offering his expertise as a butcher, he described the popular cuts of meat and the best methods for cooking different animals (beef, veal, mutton, lamb, pigs, hogs, goat, game, poultry, etc.). He advised avoiding the meat of diseased animals. And he explained meat processing—i.e., making bacon and sausage; rendering lard; and smoking, curing, and jerking game.<sup>33</sup>

Part of functioning well at market as a purchaser meant knowing how to discern truth from fabrication. De Voe told housekeepers to beware proclamations like “The very best that were ever produced!”—“The finest and largest you ever saw!”—“Could not be better!”—“Beautiful!” Experienced business negotiators may have regarded such superlatives as mere

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<sup>29</sup> Roberts, *The House Servant's Directory*, 104, 106-107.

<sup>30</sup> De Voe, *Market Book*, 365.

<sup>31</sup> *Market Assistant*, 20.

<sup>32</sup> *Ibid.*, 22.

<sup>33</sup> As an example of how to choose meat, De Voe wrote, “Good veal should be finely grained, tender, and juicy, the fat firm and of a whitish color.” *Ibid.*, 61. “When [tripe is] dark and quite thin, it is either from eating or drinking distillery swill, or is from an animal diseased and becomes dangerous food.” *Ibid.*, 89. On meat processing, see *ibid.*, 97-109.

puffery, as “business lying” or “white or black lying.” While acknowledging that complete honesty could not be expected in a marketing environment, however, De Voe excoriated the behavior as unconscionable, calling it “absolute lying” without mitigation. Another common marketing practice, marketers used signifiers like “flags, ribbons, signs” to attract customers, implying that those articles had won awards for quality, when they had not. In warning against fraud, De Voe joined voices warning against common food adulterations.<sup>34</sup>

Housekeeping manuals also taught women specifically how to approach the markets and to select goods for purchase. As did De Voe and Roberts, the authors of these housekeeping guides offered visual and olfactory cues for judging market purchases. *The Experienced American Housekeeper* (1823), *The Servant’s Guide and Family Manual* (1831), *Miss Leslie’s Lady’s Housebook* (1840), *Keeping House and Housekeeping* (1845), *Fifteen Cent Dinners* (1877), and *Miss Parloa’s New Cook Book* (1880) all proffered advice to women on how to market. Catharine Beecher’s *Treatise on Domestic Economy* (1845) did not explicitly recommend women marketing outside of the home, but did tie family health to a housekeeper’s food decisions. By 1873 in *The Housekeeper and Healthkeeper*, Beecher had amended her position to include a section on “Marketing and the Care of Meats,” writing that even a woman who did not attend market needed to direct her servants, in order to judge whether they managed the household with proper care. Immediately thereafter, Beecher noted that had relied on the advice of experts to teach her how to market meat, implying that she herself did not attend the markets. It is also important to note that not all housekeeping texts and cookbooks included marketing advice. In many, the domestic advice started in the home, with recipes to be executed once the food had crossed the front door’s threshold. Nonetheless, Miss Parloa summarized the position that had emerged with regard to women’s marketing: “Many think the market is not a pleasant or proper place for ladies. The idea is erroneous.”<sup>35</sup>

Interestingly, in the 1850s perhaps due to all the marketing advice they had received, city dwellers began to embrace hucksters. The greater acceptance of hucksters likely reflects that shoppers believed they no longer needed farmers and the authenticity they represented to help them understand the marketing system. Instead, shoppers may have imagined they could analyze the system themselves. Even De Voe, who thought many needed his marketing guide, argued that hucksters provided invaluable services in the marketplace, contrasting them with street vendors and the market assistants. For that reason, De Voe’s argument for the *Market Assistant* hinged on two contentions: that the market complexities accelerated at a feverish pace and that unscrupulous people defrauded otherwise intelligent and perceptive market-goers.

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<sup>34</sup> Ibid., 22, 24. De Voe’s concerns raise associations with adulterated foods expressed in other texts during the time. For examples, see Thomas H. Hoskins, *What We Eat : An Account of the Most Common Adulterations of Food and Drink, with Simple Tests by Which Many of Them May Be Detected* (Boston: T.O.H.P. Burnham, 1861); J. T. Pratt, *Food Adulteration, or, What We Eat, and What We Should Eat* (Chicago: P. W. Barclay, 1880).

<sup>35</sup> Maria Eliza Ketelby Rundell et al., *The Experienced American Housekeeper, or, Domestic Cookery : Formed on Principles of Economy for the Use of Private Families* (New York: Johnstone & Van Norden, 1823), 9-13; *The Servant’s Guide and Family Manual : With New and Improved Receipts, Arranged and Adapted to the Duties of All Classes of Servants ... Forming a Complete System of Domestic Management*, 2nd ed. (London: J. Limbird, 1831), 1-8; Eliza Leslie, *The House Book : Or, a Manual of Domestic Economy* (Philadelphia: Carey & Hart, 1840), 3-4; Sarah Josepha Buell Hale, *Keeping House and House Keeping : A Story of Domestic Life* (New York: Harper & Bros., 1845), 6, 45-50; Juliet Corson, *Fifteen Cent Dinners for Families of Six* (New York: J. Corson, 1877), 10-13; Maria Parloa, *Miss Parloa’s New Cook Book, a Guide to Marketing and Cooking* (Boston: Estes, 1880), 9; Catharine Esther Beecher, *A Treatise on Domestic Economy, for the Use of Young Ladies at Home, and at School*, Rev., with numerous additions and illustrative engravings. ed. (New York: Harper & Brothers, 1845), 5-9, 94-105; *Miss Beecher’s Housekeeper and Healthkeeper: Containing Five Hundred Recipes for Economical and Healthful Cooking; Also, Many Directions for Securing Health and Happiness* (New York: Harper and Brothers, 1873), 18-27.

The ability to pass opinions on what foods to buy also gave authority to make opinions about society. In some ways, this observation may not be surprising. When food reformers like Sylvester Graham, for example, wanted to critique society, they did so by recommending a change in consumption patterns. In this case, however, most guidebooks did not overtly recommend the wholesale transformation of society. In fact, in many ways their observations conservatively recommended maintaining the status quo. They did so by raising suspicions or giving comfort about the characters of others. The ability to judge which foods to purchase conferred the authority to judge character. These texts used their demonstrated authority in judging food to claim expertise in judging people.

### *The Public Markets as Sites for Surveying and Showcasing Character*

Nineteenth-century markets served as designated spaces of social observation and judgment, based on appearance, demeanor, and behavior. Writers described not only the markets' physical structure, but also their social infrastructure; in some ways it seemed impossible to separate the two. Popular ethnographies, market portrayals analyzed not only the food and structure of the market house, but also the attendees and their imagined personalities. Before assessing market participants as "mischief-colored . . . pretty . . . or modest," George Foster explained his behavior, saying that "[m]arkets . . . furnish abundant mental food as well as physical, to one who has learned the grand secret of eating with his eyes." When guidebook and sensationalist writers typed people, they introduced a framework for understanding market-goers and their motivations. That they did so using familiar language and first-person perspective may have enabled and encouraged readers to emulate those frameworks and modes of analysis. They also demonstrated how to identify and construct difference.<sup>36</sup>

The market made visible social transformations taking place in an age of transition. The many musings about characters who frequented the markets made apparent opinions about those changes. In circulating off-hand sketches, guidebooks and sensationalist texts identified new city characters who inhabited the markets. New personalities were created and presented. Because texts presented these characters as archetypal, they point to the ways in which urban life, especially designs for how to access food, shaped perceptions and attitudes. Texts presented consumer preferences and buying habits as evidence of character. Thus, markets scenes served as tableaux where personality could be studied, either in person or through reading urban sketches. Guides influence public policy and often opinion. On the publication of *The Market Assistant*, George Opdyke (the Mayor of New York City) advised that De Voe's observations should be used "as a valuable aid to our city authorities" to create market laws, for example.<sup>37</sup> (*The Market Assistant*, in particular, remained a unique text because of its combination of market history and current information, and opinion on social life.) Because of the scrutiny placed on marketing behavior and the stakes of demonstrating proper conduct, some market-goers believed that they

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<sup>36</sup> Foster, *New York in Slices*, 40. In places other than the market, in the city generally, one way to help people manage in a world of strangers—as several historians chief among them Karen Halttunen have argued—was to prescribe certain forms of sentimental or truthful behavior. See Halttunen, *Confidence Men and Painted Women*, xv, xvi. Parallels may be drawn to the discoveries of Walter Johnson in *Soul by Soul* that the experience of buying slaves in the marketplaces disciplined those buyers to see human bodies and their behaviors as commodities. Walter Johnson, *Soul by Soul: Life inside the Antebellum Slave Market* (Cambridge, MA: Harvard University Press, 1999), 135-161.

<sup>37</sup> De Voe, *Market Assistant*, 6.

could sculpt their own characters and gain respect by engaging in approved forms of market behavior.<sup>38</sup>

Urban guides often sought to locate character in observed behavior, but they also conflated social position and character. Although, for example, De Voe complained about a particular occupation of market worker (the market assistant), he also highlighted concerns about race, class, gender, and country of origin. Sometimes these configurations overlapped. Immigrants were more likely to be women; free blacks, poor.<sup>39</sup>

As put forward in sketches, urban marketing systems produced a number of colorful characters. Typical characters included the hotel steward, the boarding-house keeper, the housewife, the butcher, the huckster/peddler, the farmer, the slave, the servant, and the omniscient observer. The huckster, the boarding-house keeper, the housewife, slaves and servants, and observer all specifically reflect thinking about race and gender in the marketplace. Boarding-house keepers, housewives, and hucksters tended to be women. Slaves and servants tended to be African American. Observers who were middle class authored many of the urban guides judged market-goers and hence structured how readers would approach the markets. Writers assumed readers to be middle-class consumers who identified with them, and who relied on guidebooks to form social impressions and to make decisions.

Questions circulated about qualified to buy and sell goods at market. When blacks, women, and immigrants clamored exercise new freedoms, De Voe raised suspicion. He expressed his disappointment that by 1864, either servants or “go-between-speculators” were now responsible for most of a family's shopping. At best, De Voe found, the servants were incompetent. At worst, he thought the speculators took advantage by charging exorbitant middle-man rates for low quality product. De Voe suggested that his own *Market Assistant* text should train heads of households, who would then in turn supervise housewives and servants. De Voe feared that if the public did not come to value the markets enough to learn the correct codes of conduct, an institution undergirding city life's structure (and evidence of advanced civilization) would be destroyed. Hence *The Market Assistant* he claimed to have written to help the public navigate the marketing system, to preserve that system by preventing it from falling into disuse.<sup>40</sup>

In the *Market Assistant*, De Voe used his powers of analysis gained in the food markets to ferret out cheating—not just cheating, but a certain kind of fraud he accused servants more likely to commit. De Voe warned that often families hired untrustworthy—either incompetent or deceptive—servants or assistants. He claimed to offer *The Market Assistant* as training manual of sorts to help householders, evaluate their assistants' conduct. De Voe cited “many heads of families who never visit the public markets, who are either supplied through the butcher or other dealers in our markets, or by their stewards or other servants, or by some that may be termed go-between-speculators, who take orders for marketing, groceries, etc., on their own hook. . . . [T]here are but few of this species of help, or market assistants, who can lay claim to the title of trustworthy.”<sup>41</sup> Junius Browne also preached that marketing activities could not be delegated to servants, “incompetent, as they usually are for such service.”<sup>42</sup> These statements against stewards

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<sup>38</sup> On markets as theatres and sites of public performance, see Agnew, *Worlds Apart*, 149-195.

<sup>39</sup> As Christine Stansell has observed, beginning in the 1830s among urban immigrant populations, women outnumbered men by as much as twenty-five percent. Stansell, *City of Women*, 83-84. Similarly, if many free blacks were poor, as historians James Horton and Gary Nash have shown, then they embodied the combination of race and class. Horton and Horton, *In Hope of Liberty*, 101-124; Nash, *Forging Freedom*, 213-223, 246-253.

<sup>40</sup> De Voe, *Market Assistant*, 21-22.

<sup>41</sup> *Ibid.*

<sup>42</sup> Browne, *Great Metropolis*, 407.

and servants also gesticulated toward the “servant problem” that would be more clearly enunciated in the late-nineteenth century.<sup>43</sup>

De Voe devoted several pages of *The Market Assistant* to establishing the incompetence of servants working in “families, hotels, [and] steamboats,” essentially everywhere in society. When he did so, De Voe cast doubt on an entire class of workers. He complained that families and businesses “leave all their household and other accounts, as well as the choosing of their tradesmen, in the hands of their stewards, housekeepers, waiters, cooks, or other help.”<sup>44</sup> He complained of cooks mistakenly serving an entire week’s meat because they did not understand proper portion size. He then illustrated servants taking choice cuts of meat for themselves, while sending tough and flavorless cuts to their employers. He proved this last accusation with an experiment; he surreptitiously marked meat before wrapping it to trace which cuts ultimately appeared at the family’s table.<sup>45</sup>

De Voe book-ended the *Market Assistant* by giving common examples of how servants cheated. As for bribes, he claimed that foreign servants had introduced the European practice of charging a percentage fee on the total marketing bill. For example, if a servant purchased \$100 in goods from a butcher, that servant would demand a five percent commission. If could not get the commission, he would then sever ties with the first butcher and instead patronize another who would agree to the kickback. Double-dipping servants would seek commission payment from both the head of household and the butcher. Under the commission system, the servant would have chosen a menu for her household not because it tasted the best, but because it included a rebate. De Voe thought that honest employers suffered in this system; they paid extortionate rates for the worst products. He found the problem exacerbated because the commission (or bribe, as he called it) increased with the total marketing bill, incentivizing the purchaser to spend more rather than to seek good value. De Voe connected the bad behavior to servant status and non-native origin. When referencing the custom as European, he referred to “art and custom” without hint of sarcasm, but called it “rascality” when practiced in the United States. De Voe did not imagine servants as business people who simply attempted to negotiate a better bargain for themselves.<sup>46</sup>

In 1869, *The Great Metropolis* found the pure sales orientation of markets a source of danger. Anything could be bought for a price; nothing was sacred: “The first impression one gets of cities, but particularly of New York, is, that everything in them is for sale. All the persons you meet seem bent on bargaining. All signs, all faces, all advertisements, all voices, all outward aspects of things, urge you to buy. . . . ‘Pay me my price,’ says every vender, ‘and you shall have my wares, whether they be happiness or houses, love or locomotives, wives or wallets.’” Browne advised learning to outwit unscrupulous dealers by reading them first. Because market vendors already sized up their customers, to not read vendors would be foolhardy.<sup>47</sup>

De Voe’s problem may have been not the practices themselves, but instead that blacks, women, and immigrants now transacted with greater authority in the market. As revealed in the *Market Book*, other than as entertainers, blacks had no place in De Voe’s market vision. In his

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<sup>43</sup> The “servant problem” articulated an emerging view that blacks and immigrants (particularly those of German and Irish national origin) were not adequately qualified to work as servants and to provide the lifestyles to which the elite felt entitled. For more about the anxieties caused by a growing servant class, see Wilk, “Cliff Dwellers: Modern Service in New York City, 1800--1945,” 38.

<sup>44</sup> De Voe, *Market Assistant*, 429-430.

<sup>45</sup> *Market Book*, 429-433.

<sup>46</sup> *Market Assistant*, 430.

<sup>47</sup> Browne, *Great Metropolis*, 92-93.

calculation, they were awkward and disruptive, interfering with harmonious relations and possessing illegitimate motivations for entering the marketplace. In De Voe's selective history of market relations, he relished times past, which included those times when slaves were barred from participation at market other than as helpers with their masters present physically or by written note. In 1859 De Voe eulogizing the end of slavery, he reminisced that slaves were well-taken care of "all instructed, well-fed, and dressed, with the merry laugh, song, and dance, and withal trusted with their masters' business," but now blacks were "poor, squalid, dirty, half-dressed, ill-fed and bred, and some no doubt with a strong inclination to be thievish—by their looks."<sup>48</sup> Of the blacks at market, he found many of those sellers only came on Sunday, which the lack of competition (and their lack of religious reverence) permitted. He found delayed "intellectual progress" and a lack of general domestic sensibilities.<sup>49</sup> In its drawing on the most degraded and irresponsible examples of black participation at market, *The Market Book* warned whites that emancipation from slavery should not change the structural positions of blacks in the marketplace.<sup>50</sup> De Voe's analysis gave credence to the anti-black spirit behind the slave codes

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<sup>48</sup> De Voe, *Market Book*, 370.

<sup>49</sup> De Voe tells of a slave named Jack, from Long Island, who left his master when set free by the laws. De Voe suggests that it would have been better for everyone if Jack had stayed a slave—although no evidence suggests that Jack wanted to be re-enslaved. It would seem instead that Jack's free status made life difficult for whites. It's unclear exactly what De Voe's reference to Sunday morning means. Perhaps blacks were only tolerated as market sellers on Sundays, when most other folks were away at church. Clearly, in De Voe's view, however, blacks occupied a limited, fringe role in markets in contrast to butchers, growers, or their agents. To work as a butcher required a license and the purchase of a stall (prohibited by race and price), growers owned the land on which the food was cultivated (again prohibitive for most blacks), and agents were intended to mimic and look like they were country people, which would have been difficult for darker-skinned blacks to imitate. *Ibid.*, 345.

<sup>50</sup> *Ibid.* What would seem to be a non sequitur, the Rose Butler case appears in De Voe's history of New York markets. As a surface explanation, Butler's execution happened in the market. But by including the Butler case—along with the Horsmanden decision from the rebellion of 1741, De Voe reminded readers that blacks should not participate unless in subjugated positions and under heavy scrutiny. At other points, De Voe suggested that Dutch rule of blacks (not only slaves, but blacks) had been too lenient; he favored the English strategies of restricting access to markets unless there was direct supervision and surveillance, and under threat of punishment. "The Rose Butler case," Harris writes, "was central to the discussion in New York over the moral equality of newly free blacks during the emancipation era. . . . In the publicity surrounding Butler's trial and execution, enemies of emancipation and of black equality reinforced the idea of the black urban presence as dangerous if not carefully managed." Leslie Harris believes that the Rose Butler case made whites confront anxieties about Black emancipation. Harris again, "Whites . . . linked black public life to criminal activity in the postwar period. The most renowned postwar trial, the case of Rose Butler, demonstrated the dangers of black crime to white middle and elite classes." Harris, *In the Shadow of Slavery*, 113-116. De Voe then might have included the case in his market history not only because she was hanged in the markets, but also because the case introduces skepticism about whether blacks could be integrated into the market culture, and hence the city's social life. For more about the Rose Butler case, see Rose Butler and John Stanford, *An Authentic Statement of the Case and Conduct of Rose Butler: Who Was Tried, Convicted, and Executed for the Crime of Arson* (New-York: Printed and sold by Broderick and Ritter, 1819).

De Voe also blamed slaves traveling around town marketing goods with helping to spread ideas of escaping slavery through killing whites. He noted that the North-River landing place, used as a common market, may have attracted blacks to Hughson's Tavern, where they plotted New York City's overthrow. De Voe, *Market Book*, 242. Discourses circulated that unsupervised blacks could not be trusted in the market space. Troubled by the rebellion of 1741, De Voe sought an explanation for the alleged conspiracy to burn down New York in the freedom of blacks who navigated the city as its vendors. The conspiracy trial concluded that Hughson's Tavern, near the Broadway Market, served as the planning headquarters. The tavern proved suspicious and noxious to many, not least because there blacks and whites mingled, drank, and danced together, activities that many thought encouraged uncontrolled and rebellious behavior among blacks. See Daniel Horsmanden, *The New York Conspiracy Trials of 1741: Daniel Horsmanden's Journal of the Proceedings with Related Documents*, ed. Serena R. Zabin (Boston: Bedford/St. Martins, 2004); Jill Lepore, *New York Burning: Liberty, Slavery, and Conspiracy in Eighteenth-Century Manhattan*, 1st Vintage Books ed. (New York: Vintage Books, 2006). De Voe asserted that conspiracies among blacks were furthered when country slaves visited city markets: "We find [city blacks'] influence extended among the slaves of some parts of the country, and no doubt this came from the fact that their landing-place at the North River was near John Hughson's, the headquarters" of the "Great Negro Plot" of 1741. De Voe cited Daniel Horsmanden, New York Supreme Court justice and chronicler of the conspiracy trials, in arguing that when country blacks sold their wares in the city, they circulated subversive information: "There is no doubt but some of the country slaves, in their almost daily visits to the city, while landing so near these

and offered a historical interpretation as prediction and recommendation for future policy. He ultimately argued that blacks could not be trusted as food marketers because of the autonomy it enabled. De Voe remained convinced that food marketing existed merely as a pretext for black supremacy and chaos. In this way, De Voe's texts overtly pronounced his judgments about blacks based on his understanding of their historical relationship to the markets and recent observations he had made about black marketing behavior. De Voe turned his gaze toward blacks from the perspective of someone who had gained skill at discerning people's character from his expertise gained in the marketplace. Because the stakes were often great (relating to black capacity for freedom and democracy), some blacks were eager to submit to the marketplace's judgment. Demonstrating good marketing could lead to higher status. In *The Elite of Our People*, published in 1841, Joseph Willson wrote a sociological profile emphasizing the role of material goods in the lives of wealthy black Philadelphians. Willson intended his portrait to show that blacks had already attained advanced socio-economic status on par with high society whites. As evidence of economic achievement and middle-class belonging, he called particular attention to the existence of market baskets in black homes. Willson considered the basket "an article . . . not to be lost sight of in making up the sum of a happy home!" At the most basic level, ownership of a market basket signified that blacks purchased rather than were purchased at market, a giant step forward from times when blacks were traded in local markets as slaves. But also, to possess one's own market basket meant to stand as the head of one's own household at a time when people of color generally lived in white households, if not as slaves, then as servants.<sup>51</sup>

The market basket represented the freedoms and respect that could flow from purchasing transactions. In introducing the concept that blacks participated as buyers in the market as did whites, Willson identified buying as the act that symbolized class mobility. "The prejudiced world has for a long time been in error," he wrote, "in judging of what may be termed the *home condition*, or social intercourse, of the higher classes of colored society, by the specimens who in the every day walks of life are presented to their view as the 'hewers of wood and the drawers of water.'" For Willson to include consumption in his "Sketches of the Higher Classes of Colored Society in Philadelphia" was to emphasize "the ability of the higher classes of colored society to maintain social intercourse on terms of respectability and dignity." And while he suggested it unrefined to discuss the specific dollar amount and quality of items purchased, he did offer that in the matter of "pecuniary ability," his subjects "gratify themselves . . . to the extent and after the manner that gains observance among other people." The specific items purchased remained irrelevant because the act of purchasing itself, wielding the basket in the market, represented the achievement. In Willson's considered judgment, purchasing was a form of approved and even required social intercourse. Merely the *act* of buying, the more conspicuous the better, improved social standing. The focus on the market basket showed the basket to be a desired object, representing power, knowledge, and control. Inclusion in an activity fundamental to middle-class

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headquarters, became acquainted with this contemplated conspiracy, as 'many cabals of negroes had been discovered, particularly in Queens County, on Nassau (*alias* Long Island.)'" De Voe, *Market Book*, 265. Horsmanden's own account of the trial proceedings lists at least sixteen different occasions when blacks allegedly planned to burn New York City, meeting at various marketplaces, including Fly Market, Wall Street (Meal) Market, and Coenties Slip. Horsmanden had shed doubt on the ability of blacks to be trusted as he inveighed the proceedings of the conspiracy trials be read carefully and preserved so that "those who have property in slaves . . . have a lasting memento concerning the nature of them." Horsmanden, *The New York Conspiracy Trials of 1741: Daniel Horsmanden's Journal of the Proceedings with Related Documents*, 46.

<sup>51</sup> Joseph Willson, *The Elite of Our People: Joseph Willson's Sketches of Black Upper-Class Life in Antebellum Philadelphia*, ed. Julie Winch (University Park: Pennsylvania State University Press, 2000), 98.

life would be crucial to blacks' participation in city culture and to their own inclusion as members of the middle class.<sup>52</sup>

Printed in both Boston and New York City in that auspicious year of New York emancipation, Roberts' manifesto set forth the expectations and duties required by freedom. Roberts advised servants how to remain self-possessed while still working for a family: "There are many young men who live out in families, who, I am sorry to say, do not know how to begin their work in proper order unless being drove by the lady of the family, . . . which keeps them continually in a bustle and their work is never done." Roberts' own text reverberates with a discourse of respectability, and echoing sentiments expressed in the Rose Butler and 1741 rebellion convictions. Roberts' language—"Remember also, that if you keep company with those whose character is not of the best, your character will be censured as much in a manner as though you were as bad as themselves"—warned what whites might say about blacks and the consequences, if servants did not conduct themselves appropriately in public. Roberts addressed a range of audiences—including masters, servants, and cooks—on mutual respect. The text advised that servants should make themselves experts in the workings of the market, thereby gaining skills that could serve them throughout the rest of their professional lives. Servants, Roberts identified, could advance economically through the proximity to the marketplace their work required. To be entrusted with responsibility to purchase foods, even if for an employer, recognized a servant's abilities to bargain in a market environment and the possession of valuable analytical and transactional skills that would earn them both money and respect.<sup>53</sup>

Roberts contributed crucial insights to an ongoing debate about the role of free blacks and their social utility, specifically arguing that they could engage in marketing culture, even as servants. As a head-servant for Massachusetts Governor Gore, Roberts oversaw management of the entire estate, which likely also involved exercising discretion at market several days each week. He had then used his success at Gore Place to advance his professional and political career, and the rights of blacks generally. With his wealth and prestige, Roberts became a leading abolitionist, a delegate to the First Free People of Color Convention. Having amassed a great deal of wealth, property, and respect, Roberts demonstrated that skills, blacks were capable of mastering, could be acquired through market-house business.<sup>54</sup>

De Voe, Willson, and Roberts debated three primary issues about the role of blacks specifically in the marketplace. The first questioned whether blacks possessed the skill and discipline to operate in the markets. Second, they debated questions of order and rank in a democratic society: Should blacks occupy segregated roles in the marketplace? For example, even if blacks were competent enough to function in the marketplace as purchasers, vendors, or butchers, perhaps those roles were whites-only roles, for reasons having nothing to do with

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<sup>52</sup> Ibid., 97-98. Several historians, Richard Bushman and Gary Nash among them, have shown that to the guardians of such categories blackness was considered incompatible with middle-class life. The sketches of Edward Clay show the ridicule to which blacks were subject when attempting to adopt the outward trappings of middle-class culture. Richard L. Bushman, *The Refinement of America: Persons, Houses, Cities*, 1st Vintage Books ed. (New York: Vintage Books, 1993), 434-440; Nash, *Forging Freedom*, 253-259. Not all blacks thought service valuable; there existed tension among blacks about whether and how to participate as servants, for example. Harris, *In the Shadow of Slavery*, 217-246.

<sup>53</sup> Roberts, *The House Servant's Directory*, 11, 13.

<sup>54</sup> The *Liberator* listed Roberts as a Boston delegate to the First Annual Convention of People of Color in Philadelphia, held in June 1831. "Report of the Minutes and Proceedings of the First Annual Convention of People of Color," *Liberator*, October 22, 1831. Throughout the *Liberator* were sprinkled notices of Roberts' anti-slavery meetings and activities in Boston. See also evidence of Roberts' abolitionist activities in Christopher Alain Cameron, "To Plead Our Own Cause: African Americans in Massachusetts and the Making of the Antislavery Movement, 1630--1835" (3427710, The University of North Carolina at Chapel Hill, 2010), 205-206.



competence. Third, could blacks experiment with their newfound freedom in the marketplace, and what would that freedom look like? These questions could likely equally apply beyond blacks to any group who had not been recognized previously for their marketing skills.

The debate over blacks' roles in the market had greater stakes than just whether blacks were fit to purchase goods for their families or to vend herbs there. Those stakes related to whether and to what extent blacks would be included in a city's primary institutions. Previously, the most prominent role for blacks in the marketplace had been as slaves for sale. What a significant transition it must have been from the prospect of being sold, to actually selling goods—from being treated as a marketable good purchasable by anyone with the requisite money to buy, to being able to buy any reasonably affordable good.<sup>55</sup>

The presence of women in the marketplace also presented a challenge. Considered out-of-place and inexperienced, women participants received heightened scrutiny. Junius Browne registered the complaint, “the melancholy duty obviously belongs to the proper head of the family. Women . . . wear petticoats, and bear children. Let their husbands go to market.”<sup>56</sup>

Particularly offensive to some, women shopped for the lowest prices. (The term “shopper” may have just come into existence at the time of the *Market Assistant*'s publication. When referencing the term, De Voe used it in quotation marks, suggesting its newness.) De Voe defined shoppers or “runners,” as they were also called, as indifferent to the relationships they developed with their suppliers; instead they searched for the best value—“the best article at a low price”—wherever they could find it. Because he thought they could not comprehend a product's worth, De Voe characterized women shoppers as insecure, therefore using low price as the only measure of value. De Voe argued that men displayed no such insecurities. Yet, by searching for deals rather than waiting for the market to set prices, shoppers may have gained the skill and power to protect themselves from unscrupulous vendors. If a woman did not like the price of apples offered by one vendor, she could patronize another, improving her bargaining power by emphasizing price over relationship.<sup>57</sup>

The woman boarding-house keeper was known for driving a hard bargain. “She is always looking for bargains in furniture, millinery and provisions, and vaguely expects that, when the World comes to an end, she will be able to buy it cheap, and have the only genteel boarding-house in either hemisphere, said Junius Browne.” The reference to the world ending may have reflected the stereotype that boarding-house keepers waited to purchase until the end of the day. Her skills at gaining the best price often translated into deviant physical portrayals that

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<sup>55</sup> While blacks earned money selling at markets, too, they were not a significant presence. De Voe references “Long Island negroes,” who had sold produce on Sundays, as both slaves and free people, for at least half a century. De Voe, *Market Book*, 370. With the exception of Thomas Downing the famous oysterman, who owned an oyster-house, information about blacks holding stalls in New York City is scarce, yet much more evidence exists of blacks street vending. Logically speaking, the absence of evidence of blacks at market does not mean that they were not there as sellers. However, most times that blacks entered the official market space, they were remarked upon by whites, which suggests that they were an increasing, but not regular presence in the marketplace, and unlikely to be selling goods. Whites could not help but comment on black presence. The preponderance of the evidence—including, but not only, De Voe's commentary on blacks as non-sellers, but hangers-on, and Roberts' need to prove that blacks could exercise skills of discernment and judgment at market—suggests that blacks wanted to break into the market as sellers in New York City, but had not been able to. The overwhelming presence of blacks in the street vending literature would suggest that the actual official market space—with its requirements for a stall license and combined with all of the surveillance and laws against black commerce—would tend to prove the lack of a black selling presence. Also of note, it would appear that Downing's oyster stand was affiliated more with the city's street trades, than the marketing trades. For a suggestion that while black men ran the oyster trade, it was somehow considered a street vending rather than marketing activity, see *The Cries of New-York*, (New-York: Samuel Wood, at the Juvenile Book-Store, no. 357, Pearl-Street., 1814), 36.

<sup>56</sup> Browne, *Great Metropolis*, 407.

<sup>57</sup> De Voe, *Market Assistant*, 23.

emphasized her strong will, either emotionally or sexually: “Any cosmopolite knows a boarding-house proprietress at a single glance. She has emanations that reveal her at once, much as she varies in form. She is generally very thin and haggard, in worn and threadbare attire, with a cold, yet nervous and anxious manner, as if all her blood and sympathy had gone out of her with the last payment of rent. Or she is large and fleshy, tawdry in dress, with high cheek-bones and high color, sharp, gimlet eyes, staring at every man as if he were a delinquent boarder.”<sup>58</sup> Srebnick has pointed out that when women entered public space, they were construed as either masculine (in this case cold and calculating) or hypersexual, and Browne’s quote describes those two perspectives.<sup>59</sup>

Market-goers used “huckster” as both a noun and as a verb, and by the 1820s, it seems the term referenced women almost exclusively. The noun referred to a person who resold fruits and vegetables she had not personally grown, and the verb meant to bargain and negotiate at market. Figures to be guarded against, urban sketches portrayed hucksters by-and-large as disadvantaged women who had little choice but to work in public. While they often described market men as enterprising and upwardly mobile, texts often accounted for a woman’s choice to huckster by recounting a tale of desperation and downward mobility, often widowhood. Woman vendors transgressed notions of propriety and therefore their portrayals emphasized their betrayal of conventional gender norms. In *Big Abel and the Little Manhattan*, the market woman Mrs. Saltus is described intellectually as “penetrating” and “keen-eyed” and compared to an attorney. Physically Mrs. Saltus looms larger than life, “the mightiest of her tribe.” In her case, Mrs. Saltus’ lack of gender normativity did not carry negative connotations, but inspired awe.<sup>60</sup>

By the 1850s, deftly managing business transactions with strangers would become regular urban practice. In urban sketches, mere presence in the marketplace triggered conduct review. Furthermore, how well a person appeared to master market transactions contributed to how urban observers calculated her value. For many, an urban market served as a microcosm of the city itself. Buying food in urban markets often assaulted the senses. Guidebooks described markets as crowded, dirty, smelly, noisy, and unsanitary.<sup>61</sup> The experience involved haggling over prices and the possibility of being cheated or walking away with wilted vegetables. The market experience also involved being judged. It involved submitting oneself to the gaze of the commentators and other market participants. In learning to evaluate the quality, condition, and value of fruits and vegetables, market visitors learned to apply the same methodologies to one another. Unbounded by racial constraints, a process akin to that developed when whites bought slaves at the markets, would turn on everyday citizens. A formative component of a public and modern sensibility, the experience at market influenced how city dwellers would adjust and adapt to city life.<sup>62</sup>

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<sup>58</sup> Browne, *Great Metropolis*, 407.

<sup>59</sup> Srebnick, *The Mysterious Death of Mary Rogers*, 43-46.

<sup>60</sup> Mathews, *Big Abel, and the Little Manhattan*, 27-28.

<sup>61</sup> Browne thought the markets “old, rickety, uncleanly, patched and added to until they seem like old garments.” He found “littleness in bartering with butchers and hucksters.” Browne, *Great Metropolis*, 407.

<sup>62</sup> Advertisements for phrenology and physiognomy instruction—an accepted means of determining character in antebellum America—could frequently be found in the back matter of these texts. See Johnson’s *Soul by Soul*, for arguments about evaluations in the slave markets. Johnson, *Soul by Soul*, 135-161. For more on reading appearance in early America, see Christopher J. Lukasik, *Discerning Characters : The Culture of Appearance in Early America* (Philadelphia: University of Pennsylvania Press, 2011).

## Conclusion

Eaton proposed that the market rendered all equal because “I’ll tell you why./All kinds of folks must *eat* or *die*.” As one potential answer offered by Eaton, he wrote that of all the different market-goers “their object . . . to get/Such things as they can ‘ford to eat—/Some beef, some pork, some lamb or veal” united them. With scant other options for buying a wide variety of unprepared foods, failure to play by market rules could have meant starvation. Furthermore, in Eaton’s estimation cheating butchers determined price by gauging how much individuals could afford and then gouging them, making meat expensive for all buyers. Eaton represented food markets as singular institutions that could remind wealthy individuals that their power remained subject to limits.<sup>63</sup>

Eaton’s contemporaries shared these observations. Although they may have differently interpreted the meaning of the marketplace, they did recognize the markets as a place where all residents converged, marking the space as one of debate and contest. Over the course of the antebellum period, the primary arguments about the role of markets in constructing a vision of the metropolitan public—and the market’s ability to integrate blacks—had been most clearly articulated by Thomas De Voe and Robert Roberts. De Voe, a student and historian of the public markets, drew on “The Market-place” poem as evidence that captured the shifting social landscape.<sup>64</sup> Roberts, on the other hand, envisioned food markets as spaces of liberation. In contrast to Eaton who described the markets as sites of equality, Roberts recognized that while the food markets held the promise of equality, the reality of full and equal participation did not yet exist.

Yet, commentaries by market participants and observers suggest that markets had not achieved the equalizing status Eaton imagined. Markets may have exacerbated difference, in both actual experience and because of the convoluted configuration of the later-stage public markets as a screen onto which urban residents projected social anxieties. As city officials cared less attentively for their markets, markets transformed from objects of civic pride to amusements to mysteries on which observers would speculate—responding to the context of major demographic and social change.

Open to the public, yet bounded by a perimeter and practices that directed the flow of internal traffic, markets served as sites of observation and judgment. Marketplace participants found their roles highly circumscribed. Because markets both facilitated and required contact among strangers, they were critical sites for defining relations among citizens—especially between blacks and whites during this time of transition from slavery to freedom. In the market yard and market house, different racial and ethnic groups encountered one another, and men and

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<sup>63</sup> Eaton, “The Market-Place,” 29-30.

<sup>64</sup> De Voe cites Eaton’s poem in De Voe, *Market Assistant*, 7-9. In the 1850s and 60s De Voe wrote with the authority of a city official, and he would eventually become the Market Superintendent. But at the time of writing, De Voe served as a Jefferson Market butcher, as he had for the forty years prior. Nominated by his fellow butchers, he acted in the capacity as an advisor to a market committee working together with New York’s board of aldermen, part of the Common Council. “Obituary,” *New York Times*, February 2, 1892. It was not until after his publications in 1871, that he was appointed Superintendent of Markets, the post for which he is now recognized. De Voe’s role as a butcher with a political agenda focused on improving the economic rights of other butchers is important to understand because typically De Voe is used as a source not only of information about what foodstuffs could be purchased in the market, but also about the goals of the marketing system, De Voe often representing and embodying the altruistic nature of the New York City marketing structure. Nothing could be further from the truth. In this author’s opinion, De Voe’s economic biases toward the old, transitioning marketing system, where butchers controlled the structure and excluded competitors or threats to that structure like street vendors or other unlicensed hucksters, were apparent throughout his work.

women could mingle. Rich and poor rubbed against one another, generating friction. Yet for all the contact, markets created new structures and practices to maintain social propriety: contact and interaction did not mean equal access or equal treatment.

The market did not offer equality of opportunity; instead, the market enforced new rules of urban conduct and ways of seeing. African Americans, in particular, would test the limits and terms of that inclusion. Descriptions of their lives often mediated by commentators, blacks hoped through markets to gain the opportunity for direct face-to-face interactions and the establishment of positive goodwill, helping to define their future role in social life and to secure political and economic rights. These rights were in flux and at risk despite (or because of) the legal status of freedom being conferred. The emancipatory era opened the question of black rights; freedom secured still required a definition. In the markets city residents experimented with construction of civic identity. Nineteenth-century actors deeply debated participation, inclusion, and identity-framing in the marketplace.<sup>65</sup>

The market functioned as a critical site for the development of an urban middle-class perspective and for defining relations among citizens during this time of transition from slavery to freedom. The skills developed in the marketplace were transactional—about valuing products for purchase and about valuing people. In the markets could be observed fruits, vegetables, meats—and people. Increasingly, to function in the marketplace required a way of seeing the world, including assessing the relative values of different kinds of people. Observers, especially in their discussion of blacks and women, assessed their value and fitness for society, and provided readers an evaluative model that had been honed in the marketplace.

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<sup>65</sup> For arguments that New York and Pennsylvania legislators removed black rights over concerns due to black emancipation—and that freedom in Massachusetts, although technically a right, required the ability to prosecute to attain enforcement, see Higginbotham, *In the Matter of Color*, 91-98; Horton and Horton, *In Hope of Liberty*, 155-176.

## Chapter 2 Mobile Markets: Street Vending, Difference, and Conflict

### *Introduction*

My hoss is blind and he's got no tail,  
When he's put in prison I'll go his bail.  
Yed-dy go, sweet potatoes, oh!  
Fif-en-eny bit a half peck!

—jingle of a Philadelphia sweet potato huckster<sup>1</sup>

Here's your nice Hot Corn! Smoking hot!  
O what beauties I have got!  
Here's smoking Hot Corn,  
With salt that is nigh,  
Only two pence an ear,—  
O pass me not by! . . .  
You who have money, (alas! I have none,)  
Come buy my lilly white corn, and let me go home.

—jingle of a New York City hot corn crier<sup>2</sup>

Entrepreneurs unable to obtain positions in the formal markets, street vendors cried their fruits, vegetables, and prepared foods throughout antebellum cities. Their vernacular markets extended the regulated city markets and served some needs that markets could not satisfy. In 1825, for example, New York City maintained only eight public markets for 150,000 residents, and the city was slow to respond to residents' demands for additional markets. Compounding the market logjam, from 1825 to 1865 New York's population grew to 1,000,000. With few grocery stores and restrictions on private markets until 1843, the city's hundreds of street vendors filled a portion of the marketing gap.<sup>3</sup> As the city grew northward from the tip of Manhattan, unlicensed markets provided a useful service. Unlike public markets, which opened for limited hours and maintained fixed locations, vendors could be found at all times and places in the city. They delivered fruits and vegetables to "those families who live[d] at a distance from the markets." With the exception of meats like beef, pork, and chicken, practically all types of foods could be purchased from street vendors and at a substantially lower prices. Because they performed an important function, customers liked them. Thus, as the structure of the official markets failed to encompass New York City's total trade in foodstuffs and to provide opportunities for the city's citizens to work as marketers, the food trade spilled out onto streets.<sup>4</sup>

Enriching early city life, street vending represented a model of intercultural cooperation and the sharing of information and traditions, which facilitated interactions among city people despite race, gender, and class. For that reason, informal street vending can be recognized as a "vernacular market," more public than the official "public markets." As they shared their food as

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<sup>1</sup> Wright, *Hawkers & Walkers*, 237.

<sup>2</sup> Leonard Marcus, ed. *New York Street Cries in Rhyme*, "Copyright 1825" ed. (New York: Dover Publications, Inc., 1977), 18.

<sup>3</sup> *Ibid.*, xvii-xviii; Lobel, "Consuming Classes," 82, 89-90.

<sup>4</sup> Marcus, *New York Street Cries in Rhyme*, 14.

a means of communication, street selling brought vendors into not only public space, but also into the public discourse. Almost anyone with a small amount of money could purchase something to eat and enjoy. Impromptu and self-created, street vending offered an example of a more democratic representation and arrangement of a city's diverse population, which challenged the model offered in the official public markets. Vendors created an institution where women, non-whites, and the foreign born could act as both buyers and sellers.

Despite their popularity, street vendors remained vulnerable targets. During an especially turbulent period in the 1820s and 1830s, New York City merchants pushed to eliminate street vending. They influenced the city government to legislate reform by characterizing vendors as a threat to safety. Simultaneously, as the era of black emancipation dawned in 1827, many newly free African Americans explored opportunities for self-employment, often through street vending. The same can be said of immigrants, who looked to street vending for income. Because the predominate number of street vendors were blacks or immigrants, curtailing street vending placed limits on black and non-native self-determination.

Throughout the 1820s and 30s as New York City's wealthy merchants attacked, the pre-existing technology of discrimination against street vendors extended to include recent immigrants. Discrimination layered on top of a platform already structured by race. Strategies of exclusion that began in the seventeenth century and developed in the eighteenth century filtered through an early nineteenth-century reform agenda, which culminated in the infamous Pushcart Commission investigation of 1906. Examining earlier iterations of street vending and its regulation in the early decades of the nineteenth century reveals this structure. While vendors had been prevalent from colonial times through the nineteenth century, perceptions of market vendors would change as the city's infrastructure and demographic profile reorganized to accommodate an influx of foreign-born immigrants.

### *Street Vending as Vernacular Markets*

Throughout much of the nineteenth century, but especially from 1800 to 1850, mobile vendors defined the streets of New York City, Philadelphia, and Boston. Sidewalks and streets—up and down which ad hoc vernacular merchants walked, hawking their wares—served as venues for a voluminous trade in fruits, vegetables, and prepared foods. As they aggressively cried their pepper-pot, corn-on-the-cob, and ice cream, vendors expressed their longings for upward mobility in a harsh competitive, urban environment. Thoroughfares like Broadway and Bowery in New York City, Second Street in Philadelphia, and Cambridge Street in Boston developed as sites where people visited with one another, gathered to hear the latest news and gossip, and purchased food from street vendors.<sup>5</sup>

The community formed between street vendors and their constituent customers displayed democratic values. If they were willing to take the risk, men and women otherwise locked out of the labor markets—often blacks, immigrants, and the poor—could enter the street food trade. Those who bought and ate from vendors' carts experienced the diversity of the city's burgeoning cosmopolitan culture, which included foods from Indian, European, and African cultures. The

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<sup>5</sup> Although from the historical record it is difficult to determine the exact number of street vendors, the heightened and persistent attention to vendors in urban guides and sketches and frequent legislative agitation against them shows their significance. See arguments as they further develop in this chapter.

numerous individuals hawking fruits, vegetables, fish, dairy, and pastries from streets, alleyways, parks, and squares, created an institution identified with urban life.<sup>6</sup>

Descriptions of vendors' carts, colorful clothing, and lively calls filled the pages of pocket guidebooks and memoirs. Carts of watermelon, shirt tails of hot rolls and tea rusks, wheelbarrows of cooked crabs, pots of pepper-stew, and steaming corn in green husks represented the variety of fresh and prepared food sold in urban thoroughfares. From glass bottles, vendors occasionally sold milk, which they playfully referred to as "white wine." A Philadelphia oyster pushcart came equipped "with a table attached, equipped with tin plates, forks, vinegar cruet, salts and peppers," like a mini-outdoor restaurant. Sellers of just-picked cherries and strawberries balanced trays on their heads as they approached customers.<sup>7</sup>

The structure of the antebellum provisioning system made street vendors a desirable supplement to (and sometimes altogether substitute for) the public markets. The people's markets, the early antebellum streets rivaled the official markets. In *About New York*, an author recalls his first visit to the city as an awestruck boy and how the street vendors extended the formal markets by selling fruits and vegetables throughout the entire harvest season, from spring to autumn:

In the first place, early in May, boys and girls, and men and women, go about the streets, singing out—

“Rad-shees—Rad-shees”

And most of the people buy their radishes of them, at three, or two, or one cent a bunch. Then, in a month or so, you hear them crying, at the top of their voices, and some of them cry with a rough, gruff voice, and some cry with a sharp, shrill voice—

“Straw-breez—Straw-breez,”—that way.

And from them people buy little baskets of strawberries at ten, or eight, or six, or five cents a basket. Then, by-and-by, they cry raspberries, and then huckleberries, and then blackberries, in the same way. But, besides these, oranges and pine-apples, and potatoes, and peaches, and apples, are sold by the street merchants, many of whom go with an old wagon and horse.<sup>8</sup>

Many city residents (most notably New Yorkers) lacked access to market gardens, kitchen gardens, or any source of commons. Vendors brought the farm to the city. *City Cries*

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<sup>6</sup> Stansell, *City of Women*, 13-14, 203-204.

<sup>7</sup> For illustrated children's books that profiled the vendors, see generally, *The Cries of Philadelphia: Ornamented with Elegant Wood Cuts*, (Philadelphia: Published by Johnson and Warner, no. 147, Market Street. John Bouvier, printer., 1810); *The Cries of New-York*; Marcus, *New York Street Cries in Rhyme*; *Philadelphia Cries*, (New York, Baltimore, and Boston: Fisher & Brother Between 1849 and 1860); *City Cries, or a Peep at Scenes in Town*, (Philadelphia, New York: George S. Appleton, D. Appleton, 1850); *City Cries*, (Boston: Degen & Estes, 1840?). Evidence of street vendors, however, also exists in residents' and visitors' accounts of city streets, including near public markets.

<sup>8</sup> Ross, *What I Saw in New-York*, 50-51. According to Karen Friedman, many Bostonians refused to frequent a fixed formal market, relying on street vending as its marketing infrastructure until 1743. Karen J. Friedman, "Victualling Colonial Boston," *Agricultural History* (1973): 203.

advertised the country-fresh origin of the milk that vendors used to make ice cream: “It is real country ice cream, fresh from the farm, and although cried and sold in the streets, the market, and the public squares, it will please the most fastidious palates.” In providing fresh fruits, vegetables, and dairy for urban residents without direct farm access, the streets restored a lost connection to the country.<sup>9</sup>

Street vending also expanded the range of prepared food options available. For example, a growing number of urban residents lived in boarding houses—Historian Wendy Gamber has called the houses “ubiquitous”—where both obtaining food outside of set hours and exercising choice over one’s diet proved near impossible. Boarding houses adhered to strict eating schedules and programs to accommodate a diverse group of several lodgers. Street vendors with their prepared foods increased available options to those boarding in, which allowed boarders greater choice in where, what, when, and with whom they ate. The price of prepared foods sold in fixed structures reflected costs—for rent, furniture, wait-staff, and reputation—that the proprietor passed on to customers. Therefore, street eating cost less than dining in a restaurant, oyster cellar, or ice-cream parlor, making the thrifty customers of the street vendor, too.<sup>10</sup>

Because they provided greater competition and an outlet for excess rural production, vendors lowered the overall price of goods, which enabled the middle class to enjoy a wider range of foods. *City Cries* explained the expanded presence of fruit vendors using the example of strawberries. Market gardens at the outer reaches of New York and Philadelphia cultivated the massive quantities of strawberries demanded, which resulted in more and bigger strawberries at lower prices. Overstock could be found in hawkers’ baskets paraded throughout the city. *City Cries* explained that “the luxurious” were able to corner the market on the best strawberries, which they purchased at confectioner’s shops. However, “our strawberry-woman . . . [could] accommodate the housekeeper . . . at a very moderate price.” For a quarter, a housekeeper could buy an entire quart of strawberries from a vendor—or she could buy a tiny plate of strawberries with cream at the dessert shops. The example of strawberries shows that the middle class had grown accustomed to more expensive foods once enjoyed only by the wealthy. (Street vendors sold luxury tropical fruits like pineapples for cheap, too.) While food prices decreased with the food transportation revolution described by Cindy Lobel, in the markets many goods remained out of reach. Members of the middle class wanted their new tastes at lower prices, which the enterprising street vendor could provide.<sup>11</sup>

Increasingly starved for time, members of the middle class valued street vendors. Without time to travel home or to dine in a formal restaurant, busy workers depended on convenience foods, which street vendors provided. Clerks and office boys could run downstairs for a snack and bring it back to the office. In Herman Melville’s 1853 “Bartleby, the Scrivener,” the legal copyists Turkey and Nippers ordered their assistant Ginger Nut to procure cookies from the “numerous stalls nigh the Custom House and Post Office.”<sup>12</sup> At one point, the character Turkey accidentally stamps a mortgage document with a ginger cookie. This fictional example from Melville’s tale of a city landscape in transition shows the importance of street vending to growing financial markets. For that reason, primary vending areas sprung up along the financial and business districts. The sidewalk bordering Jay Cooke’s banking-house on Wall Street housed

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<sup>9</sup> *City Cries, or a Peep at Scenes in Town*, 64-66.

<sup>10</sup> Gamber, *Boardinghouse*, 8.

<sup>11</sup> *City Cries, or a Peep at Scenes in Town*, 40-42. For more on the transportation revolution and lower prices, see Lobel, “Consuming Classes,” 8.

<sup>12</sup> Herman Melville, “Bartleby, the Scrivener: A Story of Wall Street,” in *Great Short Works of Herman Melville*, ed. Warner Berthoff (New York: Perennial Classics, 2004), 45.



“the three finest out-door stands in New York,” according to *Scribner’s* in 1870. Among those stands could be found candy, tarts, sandwiches, and “smoking hot coffee.” Printing House Square, the center of the journalism industry, doubled as a home to peanut vendors.<sup>13</sup> Vendors “furnish impromptu dinners and breakfasts for a shilling; prepare oyster-stews while you take out your pocket-book, and bake waffles while you determine the time of day, observed Junius Browne.”<sup>14</sup>

Selling day and night, street vendors could set their own hours. Street vendors had an incentive to start early and end late to attract customers outside of the official market hours. New York City's reputation as the city that never sleeps was bolstered by the fact that vendors sold food around the clock. A history of the Bowery opined that at night was when the best street foods were available. Its author Alvin Harlow longingly desired the strawberries, oysters, and “steaming hot yams served by Negro[es] from charcoal fires, baked pears which you picked up by the stem from a pan or crock of thick syrup and ate standing; and finally and most popular of all, hot corn on the cob.” Hot corn, a particularly attractive street specialty, represented the relationship between night life and street food.<sup>15</sup> Central to the maintenance of the adult amusement industry, stands featuring hot corn and roasted nuts fueled late-night activity. To the delight of customers, snack sellers would often enter underground gambling clubs to feed those too busy having fun to sit down to a meal.<sup>16</sup>

Not limited to any particular district, hucksters and hawkers appeared all over the city. Vendors congregated where people tended to gather: near city markets, ports, coffeehouses, and major thoroughfares. Street vendors found eager customers seeking bargains on the perimeters of those official markets. As early as 1798, some hucksters and coffee sellers were allowed to work the streets near Fly Market, one of New York City's most popular markets of the period, located at a former salt-water marsh near Wall Street. Yet because they were ambulatory, they satisfied desires far beyond the official markets—in tenement alleyways, near offices, and outside of bars and oyster cellars. And when residences and businesses moved farther away from markets, and patrons were not able to attend as frequently, vendors followed customers.<sup>17</sup>

As revealed by when they traversed the city, most striking, street vending made visible the urban populace in a manner resistant to the emerging urban segregation. Shane White has shown that blacks and whites who lived in the same buildings lived on different levels, with the blacks often occupying the basement. Elizabeth Blackmar has shown that the poor and middle classes were also segregated by neighborhoods based on what they could reasonably afford for lodging. In the nineteenth century, no such restrictions cabined vendors, who could more freely roam about the city, transgressing the new spatial order.<sup>18</sup>

Vendors wanted to be noticed. The colorful rags worn by street vendors went beyond personal style to serve a business purpose. They shouted and yelled, they sang and danced, and they wore bright colors to invite customer interest. The more interest they could generate through appearance, the more likely they would be to sell their wares and to develop a regular customer

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<sup>13</sup> “The Street-Vendors of New York,” *Scribner’s Monthly*, December, 1870, 125.

<sup>14</sup> Browne, *Great Metropolis*, 99.

<sup>15</sup> Alvin F. Harlow, *Old Bowery Days: The Chronicles of a Famous Street* (New York: D. Appleton, 1931), 175.

<sup>16</sup> For examples of selling hot corn in oyster cellars and gambling dens, see *ibid.*; Solon Robinson, *Hot Corn: Life Scenes in New York Illustrated; Including the Story of Little Katy, Madalina, the Rag-Picker’s Daughter, Wild Maggie, &C* (New York: DeWitt and Davenport, 1854).

<sup>17</sup> Ross, *What I Saw in New-York*, 17. On the separation between markets and immigrant neighborhoods, see Baics, “Feeding Gotham,” 112-186.

<sup>18</sup> White, *Somewhat More Independent*, 93-94; Blackmar, *Manhattan for Rent*.

base.<sup>19</sup> Visually distinctive, vendors provided much of the city's color. Small pocket-books, often designed for parents to read to their children, provide much of the visual evidence for the street vendors. Among the pages of colored reprints of *City Cries*, vendors wore clothing with richly saturated hues. The women's bright red head wraps and yellow skirts attracted customers. Their dresses were made of striped, plaid, and polka-dot broadcloth. The patterns and colors of their headscarves clashed creatively with those of their dresses and shoulder wraps. *City Cries* portrayed women vendors wearing slip-on mules and sandals. That they wore any color and showed their feet distinguished the vendors by class. At a time when etiquette manuals encouraged middle-class women to wear black "walking costumes" to blend in and not draw awareness on city streets, the vendors would have distinguished themselves as part of a more colorful, jovial lower class, who remained cheerful despite their likely dire economic circumstances. Middle-class women wore thick boots in public spaces, in contrast to the vendors who wore shoes that exposed their feet. As John Kasson has found, respectable ladies and gentlemen of the middle class "each aimed to offer nothing to arouse a strangers' notice or clues to seize upon." Covering up and wearing black allowed middle-class women to move through the streets without drawing undue attention.

Street vendors also made their presence known throughout the city by their distinctive calls. Vendors with intention and playfulness altered language with the primary goal to attract customers. Sounds identified individual vendors from one another. Changing the sounds of words also made it easier to put their cries to song—for example, "watermelyuns" and "butter mill-eck," which allowed the cries to extend over more syllables than the original words could have.<sup>20</sup> On crowded streets, often buyers could hear the vendors long before they could see the vendors. The aural nature of street vending suggested that they catered to customers unable to read, including children. They appealed nostalgically to a time quickly passing, a time focused on auditory delights and prowess, while the era of the written word arrived.<sup>21</sup>

Listeners appreciated the songs of black vendors. According to *City Cries*, "[t]he loudest criers of ice cream, however, are the coloured gentlemen, who carry the tin cans containing it, about the streets on their shoulders." Similarly, *City Cries* anointed the African-American "hominy-man [as] decidedly the most musical of all the criers, and attracts the most attention." Street vending by African Americans may very well have been an abundant source of material for white minstrels. In praise, *City Cries* thought that the ice cream song "Lemon Ice Cream and Vanilla too!" "conclude[d] with a roulade which the Virginia Serenaders, or the original Negro Minstrels, might vainly attempt to imitate."<sup>22</sup>

While publishers celebrated the musicality of black vendors, they nonetheless ridiculed their mastery of grammar. At times, literature singled out black vendors for "yelping" and not speaking appropriate English as they called out their wares. Of the hominy-man's song, "There is but one verse. It is gabbled over with great rapidity, and the words 'Hominy! beautiful Hominy!'

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<sup>19</sup> Kasson, *Rudeness and Civility*, 117-124, 130. Kasson has argued that prostitutes were marked by bright colors, the common theme between prostitutes and female fruit sellers being the desire to attract attention from men in exchange for cash. For further discussions of sartorial conventions in early America among different groups and classes, see Halttunen, *Confidence Men and Painted Women*; Michael Zakim, *Ready-Made Democracy: A History of Men's Dress in the American Republic, 1760-1860* (Chicago: University of Chicago Press, 2003).

<sup>20</sup> Wright, *Hawkers & Walkers*, 236; *The Cries of New-York*, 24.

<sup>21</sup> On the new urban culture of the written word, see David M. Henkin, *City Reading: Written Words and Public Spaces in Antebellum New York* (New York: Columbia University Press, 1998), ix-xi; "City Streets and the Urban World of Print," in *A History of the Book in America: The Industrial Book, 1840-1880*, ed. Scott E. Casper, et al. (Chapel Hill: University of North Carolina Press, 2007), 331-345.

<sup>22</sup> *City Cries, or a Peep at Scenes in Town*, 64-66.

occur more than once; but the remaining words are all Greek to the greater part of his hearers.” Likewise, the words of the crab seller were criticized for faulty pronunciation: “Crabs! Crabs alive! Buy any Crabs? Here dey are, all alive! Werry nice and fresh!”<sup>23</sup>

Street vending facilitated the cross-cultural exchange of foodways. This propensity for street vendors to bridge cultures was not new. The primary functions of the rural street vendor had been to bring Indian-made products to isolated New England towns.<sup>24</sup> Hominy, a food initially enjoyed exclusively by blacks, gained popular acceptance among whites largely due to the enticements of its black hucksters.<sup>25</sup> In examining African foodways appearing in America, geographer Judith Carney has found that “market women,” which including street vending women “promoted a wider acceptance of diaspora cuisines among New World populations.”<sup>26</sup> Pepper-pot, Afro-Caribbean in origin, stretched the boundaries of experimentation with international street cuisine as texts debated the palatability of the spicy stew.<sup>27</sup> Just before serving hot corn, the market women might have sprinkled African spices on the kernels to enhance flavor. Vendors sold the foods native to new American culture like ice cream and cooked crabs. The sale of crabs, raised primarily in the waters of the Chesapeake Bay, reflected that vendors had modernized by connecting themselves to the networks of interstate trade. Buying from black street vendors allowed many whites the opportunity to interact with black strangers in ways otherwise unauthorized. When whites sampled foods blacks prepared, they learned more about black culture and approached social boundaries in an open public space.<sup>28</sup>

Black women dominated the hot corn trade. *The Market Assistant*, which described every food available in or near the New York City markets, observed that “it was the custom for colored women to sit around at the various corners of the market, with their pails and tubs of hot-corn, which had been previously boiled.”<sup>29</sup> Judith Carney found, for example, that “[c]ooking and selling food were common occupations of enslaved and free females, much as it was for African women in Guinea’s traditional markets.” Carney’s research also indicates that African Americans served as the keepers of Amerindian foods and foodways. When black women engaged in street trades in the early nineteenth centuries, they exercised skills and knowledge they had accumulated over generations.<sup>30</sup>

Like the street hawkers themselves, the foods they sold could be classified by race and gender. Texts depicted white women and girls selling delicate spring fruits like cherries and strawberries. On the same pages, white men sold vegetables, and black men sold seafood—crab in particular. Black women and girls were commonly depicted selling cooked foods from pots. They were especially identified with hot corn and the spicy Caribbean pepper-pot stew; etchings

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<sup>23</sup> Harlow, *Old Bowery Days; City Cries, or a Peep at Scenes in Town*, 60-62.

<sup>24</sup> Wright, *Hawkers & Walkers*, 229-236.

<sup>25</sup> Through participating in the street markets, whites could also interact with Chinese, who later in the century sold popular fruit candies (like pineapple suckers) that children enjoyed, which recipes were said to have originated in Chinese family medicinal traditions. “The Street-Vendors of New York,” 121.

<sup>26</sup> Carney and Rosomoff, *In the Shadow of Slavery*, 182. While Carney refers to the hot corn vendors as market women, likely how they saw themselves, Thomas De Voe described them as marginal and random “at the various corners of the market [or] . . . perambulating the streets half the night.” De Voe, *Market Assistant*, 334.

<sup>27</sup> *City Cries* described pepper-pot as exotic, known only to those in the higher classes “curious in gastronomical science” who described it as “a horribly hot mixture of tripe and black pepper, with certain other very pungent spices; and [so powerfully hot] that a single spoonful will excoriate the mouth and through to such a degree as to take away all power of tasting anything else for a month afterwards.” *City Cries, or a Peep at Scenes in Town*, 96-98.

<sup>28</sup> Williams-Forsen analyzes the role of the marketplace in suspending traditional power relations. Williams-Forsen, *Building Houses out of Chicken Legs*, 21-24.

<sup>29</sup> De Voe, *Market Assistant*, 334.

<sup>30</sup> Carney and Rosomoff, *In the Shadow of Slavery*, 2, 182. See also Williams-Forsen, *Building Houses out of Chicken Legs*, 13-37.

show them bent and stooped, ladling portions from steaming metal pots over an open flame. Blacks seemed keenly aware of their audiences and the social gulfs that divided them. When the hot corn woman sang to buy her “lilly white” corn, she contrasted the corn’s hue with her own dark features. While she was not white, her white corn would please a white audience. She hoped to elicit sympathy (and open purses) when she sang of her poverty in contrast to the wealth of her customers.<sup>31</sup>

Notwithstanding the widespread acceptance of street cuisine, sometimes writers remained ambivalent about whether vendors belonged to the mainstream community, instead construing them instead as subjects of intense curiosity, but as outsiders nonetheless. In texts designed to be read by the middle class, that blacks, immigrants, and the poor comprised the majority of vendors added to the sense of distance. Before recommending that readers try ice cream prepared by black vendors, *City Cries*’ authors said, “We have never tasted of the contents of their cans; but we are told by those persons who have been more fortunate in this respect, that although the African article will not bear a comparison with Parkinson’s, it is by no means unpalatable; and considering the half price at which the coloured merchants accommodate their juvenile customers, it is a pretty good ‘fip’s worth.” The authors disclaimed actual knowledge of partaking at the carts of “Africans,” but instead claimed to base their authority on hearsay.<sup>32</sup>

Visual and written accounts featured blacks prominently alongside whites as vendors. The conspicuousness of blacks suggests that blacks were proportionately- or even over-represented in street vending as an occupation. While fascination with black life could account for the extra attention paid to blacks, they were, in fact, overrepresented in the street trades. Historian Gary Nash has found Philadelphia blacks especially active in entrepreneurial street trades, including street vending. (He even uses an image of a woman selling pepper pot stew as evidence of black women’s contributions to a family economy.) In the early antebellum years, blacks faced discrimination in the artisanal trades and professional occupations, and hence found themselves in occupations on the streets and in “retail food.” James Horton has noted that black exclusion from artisan trades extended not only to Philadelphia, but also to New York City and Boston, from the 1830s to 1850s. Horton also noted general discrimination in rejecting blacks’ license applications, which would explain their difficulty finding work as butchers or other licensed market vendors. Therefore, black occupations were on the streets in public view, while white middle-class life, by contrast, had moved indoors or into protected, screened areas. Immediately after emancipation, the increasingly regulated streets would become the primary staging area for black work.<sup>33</sup>

That urban blacks maintained a special connection with street life facilitated their involvement in street vending. Because of the practice of housing slaves and the poor at street level, where there was easy access to outdoor life, this feature of urban design may have allowed blacks to establish easy relationships with neighbors. “Typically, slaves lived in cellars or cellar

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<sup>31</sup> Marcus, *New York Street Cries in Rhyme*, 18.

<sup>32</sup> *City Cries, or a Peep at Scenes in Town*, 66.

<sup>33</sup> Texts show blacks, in addition to selling food, sweeping, chasing pigs, and picking up trash. For examples of black chimney sweeps, see *The Cries of New-York*, 36; *New York Street Cries in Rhyme*, 22; *City Cries, or a Peep at Scenes in Town*, 16-18; for a black white-washer, see *ibid.*, 28-30. See also Harlow, *Old Bowery Days*, 172-189. The vast literature on domesticity supports the observation that middle-class life was conducted indoors. Halttunen, *Confidence Men and Painted Women*; Bushman, *Refinement of America*, 238-279. Cindy Lobel has focused on indoor eating in restaurants, the province of the middle class. Lobel, “Consuming Classes,” 88-178. Shane White has argued that whites were fascinated with blacks; therefore, heightened attention was drawn to blacks, regardless of their numbers. White and White, *The Sounds of Slavery: Discovering African American History through Songs, Sermons, and Speech*, 155. Nash, *Forging Freedom*, 75, 153, 251. Horton and Horton, *In Hope of Liberty*, 117-118.

kitchens located partially underground and had separate access to the street,” which Shane White argues allowed slaves to “develop independent networks” even in bondage.<sup>34</sup> After emancipation, a housing crisis meant that “dank, unfinished cellars, formerly kitchens” would continue to be used as homes for poor blacks.<sup>35</sup> Foods that required preparation—like hot corn and pepper-pot—could be prepared in these basement kitchens.

Street vending was likely not the first-choice occupation of those who performed it, but rather an accommodation. As seasonal labor, street vending did not provide a steady occupation. Depictions universally showed vendors hauling the fruits and vegetables of spring and summer, a relatively short growing season in the Northeast. Wheeling their carts through the snow and ice, vendors would have found this work next to impossible in the winter. And without the attraction of spring fruits and summer vegetables, vendors would have found the work financially futile. In the case of African Americans, vending offered an alternative to the specter of post-emancipation poverty. Many blacks had been not been so much freed by their former masters, as abandoned.<sup>36</sup> Robert Roberts worried about the condition of newly-freed blacks, observing that many former servants were witnessed “going about a city, like vagabonds, diseased in mind and body, and mere outcasts from all respectable society, and a burthen to themselves.”<sup>37</sup>

Many vendors worked the streets because they had been denied the chance to work in New York City’s formal markets. To obtain a market relied on an arbitrary and convoluted provisioning system. The Common Council heard hucksters’ pleas to set-up cake and coffee stands in city markets, yet the Council retained the ultimate authority to determine whether it would grant the licenses. It proved difficult to discern how an applicant might be granted one. A common entry in the Council minutes reads “Petitions of several Persons to continue to vend Coffee in the Street at the Fly Market was read & rejected.”<sup>38</sup> If a vendor established herself on a street corner, she could skip the step licensing process and fees along with the registration hassle.

Despite the difficulties involved, a life of street vending offered independence and opportunity. Although blacks in particular were subject to heavy surveillance in the streets, they may also have found a measure of freedom there, too, away from the watchful eyes of masters and mistresses. Those servants who found the time or the days off to work at street vending, or completely independent blacks, would have relished the opportunity to manage their own businesses and direct their own pursuits.

The texts occasionally found faults with vendors. Common complaints included high prices and noise; the vendors might inflate prices. Even *City Cries*, a champion of street vendors, “confess[ed]” that early in the season vendors charged children too much for penny bunches of cherries. The cost was low, but there was little value early in the season. The situation, however, would be rectified when larger bunches of cherries came in. Later in the season the cherries would compete with “strawberries, raspberries, whortleberries, and even . . . luscious peaches,” yet the cherry-seller retained the penny price.<sup>39</sup> Sometimes the cries disturbed listeners—if they sounded especially plaintive, were called out by children, or came too late at night.

Edgar Allan Poe experienced the cries as annoying. “The street-cries, and other nuisances to the same effect, are particularly disagreeable here,” he wrote of New York City. “It would be

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<sup>34</sup> White, *Somewhat More Independent*, 92.

<sup>35</sup> Horton and Horton, *In Hope of Liberty*, 91.

<sup>36</sup> *ibid.*, 101-124; Nash, *Forging Freedom*, 213-223, 246-253.

<sup>37</sup> Roberts, *The House Servant's Directory*, 15.

<sup>38</sup> June 10, 1800 entry, Arthur Everett Peterson, *Minutes of the Common Council of the City of New York, 1784-1831*, vol. 2 (New York: New York City Common Council, 1917), 634.

<sup>39</sup> *City Cries, or a Peep at Scenes in Town*, 45-46.

difficult to say,” he imagined, “how much of *time*, more valuable than money, is lost, in a large city, to no purpose, for the convenience of the fishwomen, the charcoal-men, and the monkey-exhibitors. How frequently does it occur that all conversation is delayed, for five or even ten minutes at a time . . . until the leathern throats of the clam-and-cat-fish-venders have been hallooed, and shrieked, and yelled, into a temporary hoarseness and silence!”<sup>40</sup>

The majority of the literature that explored life in New York City, however, celebrated street vending as an enjoyable institution that residents and visitors alike should experience. According to the texts, peddling turned anonymous streets into personable neighborhoods. The country person might be alarmed, *City Cries* surmised, “instead of the more quiet scenes he is accustomed to, he now hears the constant rumbling of heavy drays, carts, and carriages over the pavement, and the bawling cries of all sorts of petty traders, and jobbers crying their commodities, or offering their services in the streets.” Despite the nuisance, “these noisy people all perform important uses in society.” *City Cries*, which reflected an awareness of growing class differences, commended the vendors for lowering prices, which allowed people of modest means to enjoy fruit otherwise reserved for the wealthy. Children “begg[ed] some pennies of Papa” so that they could enjoy a treat of twin cherries on a stem when the cherry lady came down the road. Regular customers, including children, appreciated the vendor contributions.<sup>41</sup>

### *Enacting Criminal Legislation Against Vendors*

In early America, itinerant vending constituted a valued and respected occupation. *Hawkers and Walkers* credits mobile vendors for bringing exotic products and colorful personalities to rural towns. But by the early 1800s, the informal street vending system stood at the intersection of major urban cultural transformations: changing demographics and increasingly congested thoroughfares. At a time when cities emphasized sameness as a prerequisite to civic participation, street vending showcased blacks and the foreign-born and their cultures. With the transformation of the city from a walking city to a congested one, which relied on new forms of public transportation, vendors (who were accused of impeding traffic flow) appeared to interfere with urban growth and development. *Hawkers and Walkers* also argued that before transportation technologies better connected the interiors to the coasts, peddlers provided an essential service by connecting the country on foot. The completion of the Erie Canal, however, rendered the vendor network less valuable as more efficient options for internal transportation developed.<sup>42</sup>

In New York City a wave of street food regulations gained momentum in the 1820s and crested in 1833. Before 1833 the existing laws favored peddlers. New York state law exclusively governed street peddling, so that city authorities possessed no jurisdiction. So long as the foods

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<sup>40</sup> Edgar Allan Poe, "Doings of Gotham [Letter V]," *Columbia Spy*, June 15, 1844.

<sup>41</sup> *City Cries, or a Peep at Scenes in Town*, 3-4, 45.

<sup>42</sup> See Wright, *Hawkers & Walkers*, 95. See also W. J. Hamilton, *The Yankee Pedlar* (New York: Beadle and Adams, 1887); J. R. Dolan, *The Yankee Peddlers of Early America*, [1st] ed. (New York: C. N. Potter, 1964); David Wellman, *Pedlers' Advocate and Pocket Companion: A Manual Showing the Unconstitutionality, &C. Of Such State Laws as Prohibit "without the Special Consent of the Congress," except in One Case, Provided in the Constitution of the United States, under Any Plea of Expediency Whatever, the Peddling or Sale of Imports and Exports, in Which Most of the Objections Urged to Support Such Laws Are Answered* (New-York: s.n., 1842). *Pedlers' Advocate* detailed the threats to peddlers of a Connecticut law to tax peddlers and the rationales for resistance. In New York City as the decades progressed, it also became acceptable to shop at private stores selling fruits and vegetables; private meat shops remained controversial and largely illegal for a significant period. For a detailed treatment of the rise of private meat shops, see Tangires, *Public Markets and Civic Culture*, 71-94. For more about New York's transition away from a walking city, see Barth, *City People*, 10-12.

were grown in the United States, New York State declared peddling (with or without a license) a legally protected activity important to commerce and trade. However, under pressure from an increasingly powerful New York City, New York State granted its metropolis the right to regulate street food vendors.<sup>43</sup>

After 1833, the New York City Common Council and its Police Committee described street food vendors as moral and physical threats. The government re-classified vendors as aliens incompatible with city life who did not deserve political, social, or economic consideration, and as outcasts to be tolerated at the city's sufferance. Slave codes had treated black vending as the very embodiment of disorder. In the 1820s immigrants flocked to street vending, but the slave codes did not govern them. Similarly, blacks would soon be emancipated and no longer controlled by anti-vending codes. For those reasons, the Council may have sought to renew its opposition to street vending.

Before the 1820s, the Common Council received relatively few complaints against street peddling. Likewise the Common Council rarely sought to assert formal dominion over non-market activity. Only three inquiries into the regulations of street vending occurred in the first two decades of the new millennium. In March 1802 the Council asked that its recorder examine New York State's law to determine whether it would permit the prosecution of street vendors.<sup>44</sup> At the end of the summer, the Council ordered the city attorney "not to prosecute persons for selling fruit in the Streets" because the city did not have the authority to so regulate.<sup>45</sup>

When between 1802 and 1811 the Council received challenges contesting street vending, its only response was to strengthen the power of its Markets Commission. Imbuing the Market Committee with "the authority to remove from the markets such hawkers, chapmen & pedlars as they shall judge proper," the Council pushed undesirable vendors onto the streets.<sup>46</sup> With its power curtailed to the market house, the Council expelled street vendors who also operated in the official markets. The street vending issue would remain further unaddressed by the Council for another decade-and-a-half.

Attention to the "peddler problem" heightened in the mid- to late 1820s. Beginning in the 1820s, the Common Council heard at least ten formal complaints against street vending. The underlying claims asserted that street hawking deserved re-classification as a nuisance at best and as a criminal activity at worst. The complaints forced the Council to investigate other tactics to discourage street peddling.

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<sup>43</sup> For a short discussion of the licensing of peddlers toward the end of the nineteenth century, see Lawrence Meir Friedman, *A History of American Law*, 2nd ed. (New York: Simon & Schuster, 1985), 454-455. Friedman argues that anti-peddling laws were often designed to protect "small-town merchants" from itinerants. In big cities, bricks-and-mortar merchants might have felt especially threatened by locally-based peddlers who were likely not itinerants, but who instead had strong customer following. Wright, *Hawkers & Walkers*, 229-233.

<sup>44</sup> March 16, 1802 entry, Arthur Everett Peterson, *Minutes of the Common Council of the City of New York, 1784-1831*, vol. 3 (New York: New York City Common Council, 1917), 86.

<sup>45</sup> August 19, 1802 entry, *ibid.*, 111. Hendrik Hartog's argument—that the city may have been reluctant to exercise power it had been granted by charter, but that had not been re-granted or approved by the state legislature—might apply here. When New York City initially declined to prosecute those that sold fruits in the streets, it may have been less an expression that it desired the activity continue and more of a desire to think carefully before stamping out a popular feature of city life without the express grant of that power by a higher governing body. Hartog's argument suggests that from the period of the Revolution to the late 1830s when it reclaimed its authority to govern under the state legislature, the Council relaxed its regulation. This relaxation may have allowed street vending to flourish, identifying the activity with the values of the Revolution, freedom, and the pursuit of happiness. Hendrik Hartog, *Public Property and Private Power: The Corporation of the City of New York in American Law, 1730-1870*, 1st Cornell University Press ed. (Ithaca, NY: Cornell University Press, 1989), 127-129.

<sup>46</sup> August 26, 1811 entry, Arthur Everett Peterson, *Minutes of the Common Council of the City of New York, 1784-1831*, vol. 6 (New York: New York City Common Council, 1917), 688.

In 1824 merchants demanded the city confront the New York State Legislature and obtain jurisdiction. A crowd of citizens led by Mayor Stephen Allen demanded that the Council seek an amendment to the state law. The group recommended that the city assume the power both to license the peddlers and to banish them from the city altogether. To the New York Committee on Applications to the Legislature, the group's leaders delivered a draft bill that proposed "empower[ing] the Corporation [of the City of New York] to license Hawkers & pedlars or altogether to prohibit them in the City." Merchants did not gain the relief they sought.<sup>47</sup>

Not placated, however, the merchants next turned to the Police Committee. Unlike the Market Committee, which had no street jurisdiction, the Police Committee exercised broader authority unlimited to any particular physical jurisdiction.<sup>48</sup> In February 1826 the merchants asked the city to use its police power to regulate vendors based on a theory of noise pollution. On the formal recommendation of the Police Committee, the Council adopted an ordinance "that Pedlers and all others be prohibited from unnecessarily hallowing aloud in the Streets of our City after the hour of 9 O'clock in the Evening and before the break of day in the morning." The Police Committee would enforce the new ordinance.<sup>49</sup>

Nine months later (in November 1826), the Common Council required that anyone who operated a wheeled vehicle register for a license. The Council thought it "expedient to pass a Law requiring all persons who sell fish or vegetables through the streets of this City to take out a License for the privilege of using any Hand Cart, barrow, Horse Cart or Waggon for conveying the same." By regulating their carts, the Council chipped away at the vendors' ability to circulate throughout the city. Without a license, vendors could only carry goods on their backs or lug them in baskets. Their perambulation around the city—and hence their livelihoods—would be further limited by the choice between a high license fee and backbreaking labor.

The 1826 anti-cart law further stated that under no circumstance should a license "be granted to Minors or Aliens—to the end that the monstrous depravity brought upon Minors engaged in these callings." The law, relying on the reader's imagination and cultural understanding, did not describe the disastrous end. But vending was thought to lead to begging, thievery, and, for women, prostitution. The reference to "Aliens" may have reflected a belief that the vending occupation should be restricted to the native-born because vending attracted greater immigration and spread foreign cultures and ideas.<sup>50</sup>

In 1829 the merchants mounted another attack. The Common Council requested the Police Commission review the "Petition of Benjamin Haight & a large number of other Merchants and Traders against the practice of persons Hawking and Peddling goods foreign & Domestic in the City."<sup>51</sup> Recognizing the need for an urgent response to merchant complaints, two weeks later the Police Committee presented its report. The commissioners again concluded that the New York state law would require an amendment to allow New York City to control

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<sup>47</sup> March 1, 1824 entry, *ibid.*, 13: 571. For more on antipathy to vendors from the growing merchant business, see Beal, "Selling Gotham," 229-304.

<sup>48</sup> April 4, 1831 entry, Arthur Everett Peterson, *Minutes of the Common Council of the City of New York, 1784-1831*, vol. 19 (New York City Common Council, 1917), 585. Horwitz argues that in other parts of the United States "regulation of the sale and ingredients of food was traditionally within the police power," so that it would not have been unusual for the city to regulate street vending under nuisance laws, in this case, noise control restrictions. Morton J. Horwitz, *The Transformation of American Law, 1870-1960: The Crisis of Legal Orthodoxy* (New York: Oxford University Press, 1992), 29.

<sup>49</sup> February 13, 1826 entry, Arthur Everett Peterson, *Minutes of the Common Council of the City of New York, 1784-1831*, vol. 15 (Common Council of the City of New York, 1917), 212.

<sup>50</sup> November 20, 1826 entry, *ibid.*, 699.

<sup>51</sup> February 16, 1829 entry, *ibid.*, 17: 643.



street peddling.<sup>52</sup>

Breaking with its prior stance, the Police Committee recommended appealing the extant New York state law. The commission articulated the position that New York City had changed; an urbanized New York City required regulations different from rural New York. Drawing a line between city and country, the Committee argued that while there might be a need for street vendors in the country, peddling was inappropriate to city life. Relying on fears raised by the new world of strangers, advocates argued that street vending acted as a convenient ruse to redistribute stolen goods. Not only could thieving vendors gain access to homes, “insinuating themselves into the entries and habitations of our citizens” so that they might return later to steal, but they might also make innocent citizens the perpetrator of crimes, “dispos[ing] of [goods] in the streets, or in the kitchens or parlours of our citizens.”<sup>53</sup>

Invoking the police power to enforce market laws marked a watershed moment. Police surveillance rendered a traditional method of trade—used primarily by an enterprising poor population—criminal. Criminalizing unlicensed vending activity (especially when licenses were unobtainable by immigrants and otherwise granted at the discretion of the Common Council) called into question the legitimacy of street vending and the entire class of people who worked as vendors. The police could now make arrests and send offenders to jail. While previously market superintendents could impose only fines, now severe sanctions like imprisonment would result from street vending. Although the newspapers revealed little evidence of crime instigated by peddlers, the police articulated an argument that would linger in the public consciousness for decades.<sup>54</sup>

With its 1829 police report, the city of New York defined street vendors as ineligible to the city’s protection. The police reserved their concern for “citizens” as consumers, not considering that street vendors might themselves be citizens looking to make a living. With scant submitted evidence and no public hearing to debate the matter, the Police Committee’s 1829 report transformed street vending from a competitive threat to merchants or a minor nuisance interfering with a good night’s sleep into an issue of public safety.<sup>55</sup>

Despite its best efforts, in the ensuing year the Common Council was unable to achieve success with the New York state government. During a frenzied two-week period in the winter of 1830, merchants presented three more requests, which insisted that the police prosecute

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<sup>52</sup> March 23, 1829 entry, *ibid.*, 744.

<sup>53</sup> March 23, 1829 entry, *ibid.*, 744-745. Elizabeth Blackmar has written extensively of the class separation occurring in New York City at this time. Blackmar, *Manhattan for Rent*, 169-170, 183. See also generally, Betsy Blackmar, “Rewalking the ‘Walking City’: Housing and Property Relations in New York City, 1780-1840,” in *Material Life in America, 1600-1860*, ed. Robert Blair St. George (Boston: Northeastern University Press, 1988), 371-383. If street vendors were allowed to enter the homes of the wealthy, the class separation accomplished earlier in the century could be said to be largely ineffectual.

<sup>54</sup> The popular press realized that easy street-smart solutions other than altogether stamping out street vending existed to safeguard residents from criminal elements. A *Scribner’s* article acknowledged the remote possibility of a break-in or criminal strawberry peddling ring, but advised housewives that the situation could be averted by simply not inviting the vendors into their homes. (*Scribner’s* thought street vending such a tough occupation that most sellers were too worn out to participate in crime schemes.) “The Street-Vendors of New York,” 114.

<sup>55</sup> Blackmar, *Manhattan for Rent*, 170. See also Arthur Everett Peterson, *Minutes of the Common Council of the City of New York, 1784-1831*, vol. 4 (New York: Common Council of the City of New York, 1917), 577. (The 1826 law had already made clear that too many vendors were of foreign birth, and the assertion that street vendors might not be citizens echoed arguments that blacks were not citizens regardless that they lived and toiled in New York City. That the state’s black population resided primarily in New York City, not in the state’s other cities was a critical, although unstated, factor as New York City argued for its difference.)

vendors.<sup>56</sup> Again the Police Committee responded at length, searching for a way to appease merchants all the while struggling to justify directly regulating vendors. The Committee first explained that, while it had presented the case to Albany, because of a technicality (undisclosed in the proceedings) the state legislature denied the relief sought.<sup>57</sup> The Committee agreed that it would diligently present its proposed amendment to Albany yet again. But regardless of whether the law passed in Albany, the city promised that it would find ways to police street vendors.

In its 1830 report the police distinguished food peddling from dry goods peddling. The Police Commission wondered whether food should be permitted to be hawked in the streets after all and proposed to regulate only the trade in non-edible goods. But after internal debate, the Committee resolved that food should not be treated any differently than other commercial articles. In fact, there was some question as to whether the city already enjoyed jurisdiction over food, given that the state law expressly regulated “merchandise,” but not “food” or “victuals.” If it were the case that the state had not assumed jurisdiction over food peddling, then the lawyers for the city were directed to prepare an anti-food vending law.<sup>58</sup>

Building on arguments it had explored in 1829, the Police found that the act of peddling itself, no matter the article, promoted “evil” in corrupting “Public Morals” because children were often employed at the work. Because vendors were not licensed, the Police Committee reasoned that the identities and residences of vendors remained unknowable and proved vendors shadowy figures. Without names and addresses, it was argued that vendors functioned as fences for stolen property, including food robbed of legitimate sellers. Vendors were also accused of using aggressive force to persuade New Yorkers to buy their wares. And finally, the Committee alleged that customers could gain no recourse against a vendor who sold foods of poor quality or in poor condition.<sup>59</sup> Having formulated the clearest articulation of the city’s case since it began grappling with the vendor problem, the Corporation of the City of New York now communicated in language that it needed power to protect the public welfare.<sup>60</sup> And as was now seasonal, in the spring of 1831 when vendors sold early fruits in the streets, “a number of Merchants and Dealers in Fruit praying that a Law may be passed prohibiting the sale of Fruit in the Public Streets and places” petitioned the city for relief, confident of receiving greater protection than when they first complained in 1824.<sup>61</sup>

In January 1833, Albany granted the Council jurisdiction over sale of all wares (including food) on Manhattan Island. The city then used the opportunity to place all food sales (wherever they occurred, including street sales) under the jurisdiction of the Market Commission. Albany specifically endowed the Council with the capacity to regulate food sales outside of the official

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<sup>56</sup> The Common Council heard three similar petitions from January 25 to February 8, 1830. January 25, February 1, and February 8, 1830 entries, *Minutes of the Common Council of the City of New York, 1784-1831*, vol. 18 (Common Council of the City of New York, 1917), 481, 511, 518.

<sup>57</sup> The bill “passed each House [of the state legislature], yet owing to some amendment it never became a Law.” February 8, 1830 entry, *ibid.*, 528.

<sup>58</sup> February 8, 1830 entry, *ibid.*

<sup>59</sup> February 8, 1830 entry, *ibid.*

<sup>60</sup> For a discussion of the transition of the New York City governing model after the Revolution, from one based on the chartered grant of a property right to one based on the popular will of the people, see Hartog, *Public Property and Private Power*. Hartog argues that during this period, the city of New York assumed the legal position “as a subordinate unit of state administration.” *Ibid.*, 157. The city may have legally subordinated itself to the state by requiring permission to regulate in areas where the state had reserved power to itself. However, with street peddling, the city government accomplished the aims of wealthy merchants under the cloak of working to effect the public good by requesting the state’s permission and using the language of public good. This did not mean that their actions necessarily benefited the public. Likewise, the same republican city government drafted into the Plan of 1811 the demise of public retail markets by planning for a public wholesale market that would feed neighborhood retail shops. *Ibid.*, 165.

<sup>61</sup> April 4, 1831 entry, Peterson, *Minutes of the Common Council of the City of New York, 1784-1831*, 19, 585.

public markets, “to pass ordinances regulating the sale of articles of food by hawkers and petty dealers [along with] . . . victualing houses.”<sup>62</sup> Most food vendors would be required to obtain permits from the Market Commission. The law to take effect in June 1833 stated that “no person commonly called a huckster, shall sell, or expose for sale, in any of the public markets, or in any street or place within the city of New-York, any provision, or articles of any kind, excepting vegetables or fruit, without having a received a permit from the sale of the same, from the Market Committee, under the penalty of ten dollars for each offense.” The laws also prohibited streets and sidewalks anywhere in the city from being obstructed at a daily penalty of five dollars. Obstructions could specifically include rolling carts like those preferred by vendors.<sup>63</sup>

The new laws significantly curtailed street huckstering. Without permits and so long as they did not use carts, hucksters could vend fruits and vegetables, but not items like dairy, meat, fish, breads, prepared foods, or candy. To enter the markets to sell fruits and vegetables would require the lease of a stand, the fee to be paid in advance quarterly, or otherwise the offender would suffer a penalty. The jurisdiction of the Market Committee to regulate activity now extended 300 yards in all directions from the perimeter of the actual marketplace, which could include the streets. The new laws emphatically stated that selling “any article or thing, whatsoever” in this extended market without having obtained a permit and paying the required fees would cost the offender twenty-five dollars per infraction. The daily market stall rate for a “female huckster” was set at 25 cents; the daily rate for a male huckster, 50 cents. (To provide some sense of perspective, one bushel of peaches would have sold to a customer for about 25 cents.) Therefore, some significant proportion of produce or profits would be paid for the privilege of selling in or near the market. Furthermore, the Market Commissioners were granted additional discretionary authority to set fees and terms for permits and stall licenses and to decide who could sell in the markets. Merchants also had gained the power to report vendors for blocking streets and sidewalks near their establishments.<sup>64</sup>

The changes wrought to street vending between 1820 and 1833 were significant, with permanent effects. Furthermore, by the 1820s street vending had become strongly identified with New York City’s urban life and trade. But for the first time, the desire to ban vendors altogether from the city was acknowledged as legitimate. Pressed by merchants with an economic interest in the outcome, the commissioners concluded the unlicensed market activity proved threatening to and incompatible with city life, moving vendors outside of the borders of legitimacy. The public may have suffered when vendors were subjected to greater restrictions. When the peddlers could operate at low cost, buyers could haggle. Although the licenses were advertised as protective to the public, they may have been of little utility in providing better food. If a shopper could determine the quality of a fresh head of lettuce by sight and smell, the license would provide little additional comfort or assurance.<sup>65</sup>

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<sup>62</sup> In his notes analyzing the various charters of the City of New York, Chancellor James Kent reported that the Council had previously been granted these powers under the city’s charter of 1730, but now they were made more explicit. James Kent, *The Charter of the City of New York, with Notes Thereon. Also, a Treatise on the Powers and Duties of the Mayor, Aldermen, and Assistant Aldermen, and the Journal of the City Convention* (New York: Childs and Devoe, 1836), 56 (note F.F.), 135-136. If it were true that the powers had been granted, then the Common Council had not discovered nor chosen to exercise that ability until 1833, after much public consternation and repeated efforts and successes at criminalizing street vending. See Hartog for why Kent was correct in deducing that the powers had been granted, but why also the Corporation of the City of New York waited for Albany’s approval, Hartog, *Public Property and Private Power*, 127-129.

<sup>63</sup> *Laws and Ordinances Made and Established by the Mayor, Aldermen & Commonalty of the City of New-York : In Common Council Convened, A.D. 1833-1834*, (New York: Printed by P. Van Pelt, 1834), 32, 65, 71.

<sup>64</sup> *ibid.*, 29-33.

<sup>65</sup> For specifics on the rising interests of the merchant class, see Beal, “Selling Gotham,” 229-304.

While initially the growing merchant class may have only intended the new vendor laws to reduce economic competition, codification of the laws employed pretexts and discrimination. The new legislation painted with a broad brush. The doctrines justifying regulation invoked theories based on nuisance, the inherent criminal nature of vending, and anti-immigrant sentiment. When the elimination of peddling could be expressed as a public good, peddlers were reinterpreted as a public evil.<sup>66</sup>

But the anti-vending laws can be explained not only in the context of wealthy merchants who desired to eliminate competition but also in the context of city legislators who may have feared the prospect of black emancipation. Just as New York's 1821 constitutional amendment, which required \$250 property ownership as a qualification to vote, disfranchised all but sixteen blacks in the years prior to emancipation, increasingly stringent anti-vending laws with their licensing fees and augmented fines divested blacks of economic opportunities upon which they had come to rely. While the period engaged in a discourse about black emancipation, severe anxieties about safety and revenge—reminiscent of debates occurring one hundred years earlier in the context of alleged slave conspiracies to burn down New York City—continued to occupy legislative (and hence public) consciousness. Concepts from the conspiracy trial rulings—to “keep a very watchful eye over [negroes], and not to indulge them with too great liberties, which we find they make use of to the worse purposes”—reverberated in the successive decisions to

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<sup>66</sup> The legal battles to put an end to street vending required the merchant classes to join with city government to assert their contention that New York City was exceptional and significant to the state's economy. After the increase in trade to New York City once the first phase of the Erie Canal had been completed in 1825, city merchants had a stronger platform to insist that Albany listen. The squabbles over street vending in New York City allowed merchants to assert their importance in Albany, creating a precedent for New York City as an exceptional case. Merchants framed their challenge legally and in the republican language of the public good. As Hendrik Hartog has argued, once the state legislature blessed the city's actions in the name of the public good, there was no further need to request permission from any other authority, including the public. He emphasizes, “As a private corporate body and a property holder, New York City's powers would be strictly construed and limited . . . [b]ut [after the Revolution] as a public agency, a subordinate government within a state polity, the legitimacy of its actions became virtually unimpeachable.” Hartog, *Public Property and Private Power*, 126. This interest in the rights of private property, expressed in the language of the public benefit, culminated in street redevelopment and slum clearance efforts that also occurred during the 1820s to 1830s when peddlers were chased out of town. The middling classes were emboldened to assert their authority over the streets of New York after the Common Council adopted the grid Plan of 1811, which re-organized New York City north of Fourteenth Street into rectilinear blocks that could not be developed otherwise without the Council's permission. Historians of the era view the Plan of 1811 as the embodiment of republican philosophy and one that led to the formation of exclusively wealthy neighborhoods in New York City by encouraging the practice of land speculation. For more about the Plan of 1811, the Common Council's role in assuming authority over the city's physical layout, and the role of republican authority inherent in the plan, see *ibid.*, 163; Blackmar, *Manhattan for Rent*, 150. Blackmar convincingly argues that the city's newfound concerns over the immorality of the lives of the poor were economically based; so-called immoral activities by the poor coincided with activities that decreased the property values of the wealthy. Street vending fit this category of activity, where the poor, immigrants, women, and people of color had worked to eke out a marginal living for decades, and yet mercantile interests felt economically threatened, and therefore sought to control their behavior. Blackmar also points out that anti-peddling legislation grew out of, not the desire of the Common Council to assume regulation of all spheres of city activity for the public good, but instead the same desire that motivated the Common Council to re-organize New York City's blocks. She argues that in the Plan of 1811, there was the desire to redevelop New York City full stop, to “eliminate older impoverished tenant neighborhoods that relied on the street economy's marginal (and ‘immoral’) pursuits.” *Ibid.*, 151, 172. Blackmar also explains the intersection between the city's governance and mercantile classes, that the Common Council was reconceived “as the representative body not simply of voters but of taxpayers.” *Ibid.*, 157. She supports this assertion by showing that “[b]y the 1820s, municipal finance had shifted from rents and fees collected from public properties to taxes on private property.” *Ibid.* Finally, Blackmar confirms the view that “[t]he political authority of propertied citizens stemmed in part from the mercantile origins of the municipal corporation itself, particularly the long-standing identification of local governance with the maintenance of the municipal corporation's properties and the city's commercial infrastructure.” *Ibid.* She continues, “How the public officials fulfilled their obligation to organize streets, wharves, and markets was a matter of immediate concern to the city's traders, who transported goods, and to adjacent proprietors, who both bore the costs and reaped the financial benefits of government's actions in organizing the built environment.” *Ibid.*

curtail street vending. New York's street vending laws by imposing new licensing requirements re-classified vendors as vagrants, rather than an enterprising poor.<sup>67</sup>

### *New Attitudes Toward Vendors Following Legislative Change*

The 1830s discourse about street vending as the vestige of the desperate curbed the public's prior enthusiasm for street food. By 1850, the use of children to sell fruits and vegetables represented not upward mobility, but instead the feminization of poverty and vice and the inability of poor parents to care for their children. That street children—and girls in particular—supported their parents and little siblings by selling fruits and vegetables throughout the night ignited passion for reform. Questions about the propriety of street vending would plague new generations of European immigrants into the 1870s and even at the turn of the century.

Mahlon Day's *New York Street Cries in Rhyme*, published in 1825 before the legislative changes, portrayed street vending as a viable and dignified occupation that served respectable customers. Each image portrayed street vending as strengthening community bonds. As each vendor sold to a customer, she worked with a friendly helper, often a child or a pet animal. For example, in one illustration a smiling young man, wearing a top hat, suit, tie, and boots—his manner of dress suggested middle-class status—bought corn from a black woman. In another illustration, a mother and daughter, straw-and-cotton bonnets covering their neatly arranged hair, hawked cherries together. Approaching a home, the mother offered a helping hand to her daughter who held the weighing scales. Without the cherries and scales, there was otherwise no evidence that the two were engaged in commerce. To look at their clothing and collective demeanor, they might otherwise have been out for a Sunday stroll, visiting grandmother in the country. Day's text sanctioned selling radishes because it "afford[ed] business for children most of the summer season." Captions explained that in the country, children had been employed picking fruit, described as more hazardous than street vending.<sup>68</sup> Interestingly, the publisher Mahlon Day himself attended the 1828 American Convention for Promoting the Abolition of Slavery, as a delegate. He pledged that he would promote positive images of African Americans. *New York Street Cries in Rhyme* does show blacks and whites as part of a harmonious community, and blacks as industrious suppliers of community needs when they sold street food.<sup>69</sup>

The 1850 publication of *Hot Corn* introduced a turning point in public consciousness. Written by journalist Solon Robinson, this book of sketches about street life in mid-century New York City transformed vending into a cause for moral reform beyond licensure. After *Hot Corn*, images projected street vendors as solitary, alone with their goods, socially abandoned. Gone

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<sup>67</sup> Horton argues that black disenfranchisement occurred in New York City because of pending emancipation. Massachusetts adopted vagrancy laws prior to giving full emancipation to blacks. Similarly, in 1838, Pennsylvania also stripped blacks of the right to vote. Horton and Horton, *In Hope of Liberty*, 101, 105-107. For Horsmanden's language, see Horsmanden, *The New York Conspiracy Trials of 1741: Daniel Horsmanden's Journal of the Proceedings with Related Documents*, 46; on vagrancy, see Blackmar, *Manhattan for Rent*, 169-170.

<sup>68</sup> Marcus, *New York Street Cries in Rhyme*, 9, 14, 18-19. The image of scales, carried by a child, suggested that the cherry sellers were fair folk, making an honest living by catering to the needs of housewives at home to receive them.

<sup>69</sup> According to the account, Day presented "sundry specimens of composition, drawing, etc. shewing the talent and ingenuity displayed by the scholars in the African Free School, of New York City." These works were exhibited in the rotunda of the U.S. Capitol Building "as evidence of the intellectual improvement of the African race." The conveners also adopted a resolution recommending that "editors of periodical works, as evidence of their determination to assist in abolishing slavery" be supported and encouraged. "American Convention," *Genius of Universal Emancipation*, December 6, 1828.

was any evidence that children sold fruits or vegetables, even under the tutelage of their parents. Instead, the new discourse suggested that vendors preyed on children, now warned to be wary of the vendors and their toxic fruits.

Robinson organized his expose around sympathy for Katy, an eight-year-old “hot corn girl.”<sup>70</sup> In Robinson’s view, if left unchecked street vending led to racial and sexual degeneration. But for the work of street vending, Katy is described as originally “white and delicate” with “soft blue eyes.” Through her life and work on the streets, her complexion darkened. Hot corn girls—the white girls, not the black women—were frequently imagined as future prostitutes who hustled on the streets and learned the life of a nefarious skin trade. An ordinary ear of corn boiled in water, hot corn was encircled with an aura of vice, and could not be separated from discourses about race and sex.<sup>71</sup>

Also reflecting the period’s new discursive turn, *City Cries* of 1850 warned children against interacting with black street vendors. Foods sold by people drawn and shaded as black were said to be offered at the wrong seasons “when children are liable to be made sick.” The crab man laughs in glee as a young white boy’s hands are nipped by the climbing crustaceans; Cudjoe scolded in broken English, “Crab no like meddlesome little boy.” For these reasons, *City Cries*’ authors concluded that “children should do all their eating at home, and at regular meal-times.”<sup>72</sup> Likewise, after describing “old black women screaming” and squawking “Hot Corn,” *Philadelphia Cries* warned children that street vendors might be vultures: “[L]ook at the Vulture, it is a bird of prey, it eats up all kinds of animal flesh, and even will tare to pieces and eat a dead body. It has been known to attack children.” The messages warned against dangerous attractions, that black adults might lure white children to harm through gastronomic or corporal violence when outside of the market boundaries. In these depictions blacks were often contrasted with white street vendors who were more desirable, portrayed as summer delights like the cherries

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<sup>70</sup> Robinson claims to have chanced upon Katy Eaton in the park next to City Hall one evening, her cry floating up to his window once night fell, and continuing until when he left his building to find her and interview her at the “hour when ghosts go forth upon their midnight rambles.” To Robinson, Katy’s food work represented “one of the ways of the poor to eke out means of subsistence in this over-burdened, ill-fed, and worse-lodged home of misery.” Robinson, *Hot Corn*, 44-45.

<sup>71</sup> He described Katy as a product of her surroundings, “an emaciated little girl about twelve years old, whose dirty shawl was nearly the color of rusty iron, and how face, hands, and feet, naturally white and delicate, were grimed with dirt until nearly of the same color.” Of course, Katy was dark from the accumulated dirt of working out of doors, but it is more than interesting to note that Robinson focused not only on the dirt but also on its color and the contrast with her naturally light skin tones. *Ibid.* While some African-American characters figure in *Hot Corn*, Robinson does not evince any specific sympathy for their plight, which had been naturalized. Although observers attributed alcoholism as the source of street vending for whites, blacks were not accused of alcoholism for their work in the streets. With the end of slavery, their presence in the streets seemed natural. An opening scene of *Hot Corn* introduces the reader to Katy, the Hot Corn girl, envying the silk-and-lace dress of a prostitute not much older than herself. Robinson expects that Katy would know about prostitution. He predicts that her precociousness will later land her in a state reform institution: “Why should she not know? She . . . would be a very inapt scholar if she had not learned some of the ways of the street, in thirteen years. In thirteen years more she will be a fit subject to excite the care of the Moral Reform Society, or become the inmate of a Mary Magdalene asylum; perchance, of Randall’s Island.” *Ibid.*, 21. When hot corn vendors were not black women (often compared to untamed animals), they were depicted as depraved, poor white women. *Old Bowery Days* argues that white girls who sold hot corn were “among the most pathetic figures of the ante-bellum period” because they were exploited by men living in slums who put their wives or daughters out to work. This association with prostitution, working for a man who collected a woman’s earnings, without working himself, meant that hot corn was often popular more for its associations with vice and the titillation it caused than for its taste. According to Harlow, the hot corn girls showed up only after dark and “until the small hours of the morning they threaded the street crowds, even entered the bars and dance halls.” The corn was exciting to eat because “some of the more jealous of the husbands or lovers sent their women out to sell corn and followed close behind them with clubs and brickbats to use on the bloods who dared to flirt with them.” Harlow reports that the first man to be hanged in 1839 in the newly constructed Tombs was such an enraged husband who murdered his wife. They had first met when she sold hot corn throughout the Bowery and Five Points districts. Harlow, *Old Bowery Days*, 175-176.

<sup>72</sup> *City Cries, or a Peep at Scenes in Town*, 61, 70.

and strawberries they sold. Published in New York City, *Philadelphia Cries* may have been influenced by those same calls for reform that motivated Robinson to write *Hot Corn*.<sup>73</sup>

Extreme in its opposition toward street vending, New York City expended greater effort to eradicate the practice than either Philadelphia or Boston. Just as New York City formed a negative relationship to vending based on its associations with emancipation, the reasons for Philadelphia's and Boston's more measured acceptance may lie in the absence of anxiety about black rebellion. While New York City did not eradicate slavery until 1827, Pennsylvania and Boston abolished the practice much earlier in their histories, in 1780 and 1783 respectively. Where blacks were already free, vending—its requisite ambulatory, visual, and viral nature—did not threaten legal and social stability.<sup>74</sup>

*Hawkers and Walkers* described Philadelphia as a street food “Mecca” that celebrated diversity. That Pennsylvania had abolished slavery in 1780 allowed greater social freedoms for blacks and hence the acceptance of limited social mixing between the races. While the New York City vendor guides described pepper pot as alternately atrocious and marvelous, *Hawkers and Walkers* asserted that only Philadelphians could appreciate pepper pot, a “gastronomic delight” served in “pretty blue striped bowls” by black women.<sup>75</sup> Beauty clearly was in the eye of the beholder. Also in Philadelphia, at the turn of the nineteenth century, a series of court cases specifically ruled against that city's mayor when he attempted to prosecute hucksters. By requiring a high burden of proof, the courts recognized that people trying to make an honest living, subject to the economic vagaries of an occasional labor market, might have needed to re-sell goods from time to time to earn supplemental income, but that those occasional acts need not be criminalized. The court cases also found that huckstering was an occupation, but not an identity. While a person could be prosecuted for specifically proven acts, he could not be prosecuted, without further evidence, simply because he appeared suspicious or because he appeared to be working as a vendor.<sup>76</sup>

In the century's earlier decades, had blacks accounted for a large proportion of street vendors. As the century progressed, however, the ranks of black vendors decreased, and immigrants almost exclusively comprised the vendor ranks. *Scribner's Monthly* reported the racial and ethnic make-up of vendors, mostly immigrants by 1870, and expressed surprise at the lack of African Americans remaining in the trade: “The Emerald Isle furnishes a large quota to the ranks of these street-merchants. Many of the shrewdest were born on American soil, while there are not a few Italians and other Europeans among them, with a sprinkling of Chinamen, and here and there a negro.” Blacks had all but disappeared from street vending: “A negro newsboy would be as great a rarity in New York as a black swan; and very few of the African race venture

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<sup>73</sup> *Philadelphia Cries*, 7.

<sup>74</sup> On the other hand, the 1850 edition of *City Cries*, published and circulated simultaneously in both New York and Philadelphia, referred broadly to “city” without distinction. *City Cries* made the point that cities everywhere (and certainly New York and Philadelphia) experienced the same phenomenon. It found the vast differences in life to be between country and city, rather than among cities themselves. Bostonians preferred street markets and had resisted the construction of fixed central markets until Peter Faneuil used his private money to build one for the city. Prior attempts to establish fixed public markets in Boston were met with riots, one of which culminated in the tearing down of a prominent market house, the vandalism of another, and a vote to disband the market system altogether. On Boston's earlier acceptance of street vending, see Friedman, “Victualling Colonial Boston,” 202-203.

<sup>75</sup> Wright, *Hawkers & Walkers*, 236. Pepper pot may have been primarily a Philadelphia dish. The *American Heritage Dictionary* notes that pepper pot is also known as “Philadelphia pepper pot.” *The American Heritage Dictionary of the English Language*, 4th ed. (Boston: Houghton Mifflin, 2000), 1303.

<sup>76</sup> *De Willer v. Smith* (2 U.S. 236), *The Mayor, Aldermen and Citizens of Philadelphia Against John Nell* (3 Yeates 475), and *The Mayor v. Mason* (4 U.S. 266). On antebellum occasional labor, see also Seth Rockman, *Scraping By: Wage Labor, Slavery, and Survival in Early Baltimore* (Baltimore: Johns Hopkins University Press, 2009), 1-15.

to engage in ordinary street-vending.” Nonetheless, the association of black women with hot corn persisted: “[T]here are many negro women among the mysterious ‘hot corn’ sellers, whose strangely modulated midnight cry, echoing through the deserted streets, is a sound as unearthly and weird as any wild bird’s scream.”<sup>77</sup>

Later histories associated street vending with New York’s Lower East Side, its Italian, and Jewish immigrants having arrived in the turn-of-the-twentieth-century immigration waves. Yet Italian and Jewish street sellers are noted as existing in New York City much earlier. When in 1850 George Foster described as a fundamental slice of New York, the “Large Roasted Italian Chesnut Man” with his “warming-pan and furnace” typically decamped on Broadway, Foster remained intentionally ambiguous. Was the man Large, Roasted, and Italian? Did Foster poke fun at the vendor’s size, dark coloring, recent immigration from Italy and Italian speech patterns—essentially about his overall difference from the Dutch and English of an older New York City? Or were his nuts large, roasted, and Italian? Foster’s willingness to make light of difference suggests that his audience had become aware of the changing face of New York City’s streets.<sup>78</sup>

As the complexions and languages of street vendors multiplied, the media grappled to understand the new cultures and customs those vendors introduced. The earlier arguments persisted into the 1870s. *The Great Metropolis* feared immigrant infiltration and contamination of American culture, while *Scribner’s* characterized vending as a path to citizenship for the hard-working and honest. Nonetheless purchasing from street vendors continued to create opportunities for interacting with diverse peoples, increasingly rare occasions for members of the middle class, who had stratified themselves into homogenous groups through a cult of domesticity that emphasized privacy and mingling only with like characters, often at home or in rarefied enclosed environments.<sup>79</sup>

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<sup>77</sup> “The Street-Vendors of New York,” 115.

<sup>78</sup> George G. Foster, *New York by Gas-Light and Other Urban Sketches*, ed. Stuart M. Blumin (Berkeley and Los Angeles: University of California Press, 1990), 247.

<sup>79</sup> For a discussion of the insular ideal of middle-class life, see Bushman, *Refinement of America*, 238-279; Halttunen, *Confidence Men and Painted Women*, 1-32.

Buying from street vendors offered native-born whites the chance to type according to race. “The Chinese candy seller” was a common archetype used to describe the state of the vending trade, foreign. Chinese were known to sell candy and cigars, and they were frequently observed in the 1870s. William Junius Browne, the acerbic author of *The Great Metropolis*, critiqued Chinese vendors using physiognomic standards: “They have a strangely forlorn, dejected air. They rarely smile. They are the embodiments of painful resignation, and the types of a civilization that never moves. Their dark, hopeless eyes, their said faces, high cheekbones, square, protuberant foreheads, remind you of melancholy visages cut in stone.” Browne perceived the Chinese to undercut European-Americans, blaming the Chinese for their own impoverishment, denying the benefits of the cheap prices they passed on through their self-denial: “They sell cheaply, and their profit is in pennies. They live by what an American would starve upon; for they are the most saving and economical of their kind. The closest Germans are spendthrifts to them. They have no care for comforts, or cleanliness even. They occupy garrets or cellars in Park or Baxter streets, and dawdle their way through meanness, and filth, and isolation, to an unbought grave.” Browne, *Great Metropolis*, 97-98.

By contrast, the *Scribner’s* article saw street vending as a way to become more American, for example, finding circumstances generally better for the Chinese in America than in China. Just being immersed in New York-style commerce made the Chinese appear more American: “This brown-faced Asiatic discards his national peculiarities and appears upon the street in ordinary American attire, with his thick black hair cut Christianly short instead of dangling in a long braided cue.” *Scribner’s* suggested that street vendors constituted an innocuous and regular part of everyday city life. And the value of the vendor could be found in the value and quality of the foodstuffs he offered. If a customer derived enjoyment from his food and found it well-priced and relatively healthful, then the vendor provided value. The Chinese candy seller encountered here sells a pineapple candy, which “[w]e taste and find the flavor very pleasant, which seems to be the opinion of others, for the purchasers are many. The smiling vender keeps his stand scrupulously clean with a wet cloth, which he politely offers us to wipe our sticky fingers on, and we come away with an improved opinion of John Chinamen’s courtesy and neatness.” “The Street-Vendors of New York,” 121-122.

The *Scribner’s* author framed the act of buying from a vendor as an opportunity to learn more about his life circumstances. In an aside to readers, the author says of a young fruit dealer: “He is shy of talking; but if you buy peaches he will



## *Pushcart Commission Report*

The Pushcart Vending Report of 1906 echoed many of the anti-vending themes that originated in colonial New York and continued into the antebellum and postbellum periods. At the turn of the twentieth century, New York City's mayor authorized a special committee to investigate the practice of street vending, which had grown to encompass an estimated 4,500 mobile peddlers and nearly one million customers. As during the emancipation era, at the century's turn the visibility of foreign-born Americans threatened the city's sense of public community. The commissioners justified their inquiry as required to alleviate "congestion in many streets, especially in the crowded tenement quarters and in some parts of the business sections." They argued that their investigation responded to a public mandate to abolish the practice of street-vending, "a rather strong sentiment for the complete removal of the push-cart peddlers." Yet contradicting the commission's rationale, the vendors themselves cited customer desire for more carts. Requesting that the law acknowledge common custom, vendors recommended that the city allow the popular Lower East Side streets to become one central market where vendors could hawk their wares; for decades residents had bought their produce on neighborhood sidewalks.<sup>80</sup>

The commission exercised broad jurisdiction. Even though not all "push-cart vendors" sold their goods from pushcarts, the commission interpreted its mandate as covering all peddlers—from wheeled to pedestrian. Included within its report were a wide range of "push-carts": carts on two wheels maneuvered through the street by the vendor, horse-drawn carts, and those who "sell their wares from baskets which they carry from house to house." Another expansion of authority, the Commission initiated a "special investigation" of street vending on the Lower East Side during the Jewish holy days. During the "Hebrew holy days," undercover agents stood watch on Bayard, Delancey, Essex, Forsyth, Grand, Hester, Houston, Orchard, Rivington, and Stanton streets, searching for code violations and unlicensed vendors.<sup>81</sup>

The report cited several reasons to justify police intervention. Chief among the rationales was the "attraction to this City of immigrants by reason of the ease and facility with which a livelihood is obtained in this occupation without special qualifications." "Push-carts" had become a euphemism for undesirable immigrants, particularly when the definition of "carts" had been expanded to include individuals carrying baskets. The commission placed under heavy watch those neighborhoods where Jews and Italians resided—in particular the Lower East Side and Little Italy. The commission cited 114 carts simultaneously occupying the two-block stretch of Orchard Street between Rivington and Houston Streets, referred to as part of the "Hebrew quarter." And the commission found a least one cart in every block of the Jewish and Italian neighborhoods.<sup>82</sup>

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answer questions." "[H]e came to this country 'two or three months before last winter,' as the boy oddly phrases it. And ever since he has sold apples, and peaches, and chestnuts, and candies in the streets of the strange city, and gained a more comfortable living for his family from the little stand in free America than from the larger store in sunny Italy." *Ibid.*, 121.

<sup>80</sup> Push-Cart Commission and Lawrence Veiller, "Report of the Mayor's Push-Cart Commission," (New York 1906), 11-79. The commission observed more than a three-fold increase in licensed peddlers in the half decade between 1900 and 1904. In the latter year about 6,750 such vendors were licensed to work in New York City. Many more were unlicensed. For more on the specific construction of late nineteenth-century street vending and its relationship to immigration, see Hasia R. Diner, *Hungering for America: Italian, Irish, and Jewish Foodways in the Age of Migration* (Cambridge, MA: Harvard University Press, 2001); Daniel M. Bluestone, "The Pushcart Evil: Peddlers, Merchants, and New York City's Streets, 1890-1940," *Journal of Urban History* 18(1991).

<sup>81</sup> Commission and Veiller, "Report of the Mayor's Push-Cart Commission," 11-61.

<sup>82</sup> *ibid.*, 16.

The city did not recognize or respect unauthorized markets, the report revealed, despite that they had prevailed for over a century. When discussing the vernacular markets in question, the report frequently put the term “market” in quotes. The commissioners contrasted markets and streets as mutually exclusive: “In certain streets known as ‘market’ streets, there are all day long and well in to the evening, unbroken lines of push-carts on each side of the street extending from one block to another.”<sup>83</sup> In proposing to remove street vending, the city proposed to remove local markets that had for decades been central to immigrant neighborhood structures and which many residents had come to rely upon for sustenance and sociability. The practice of distinguishing between true and false markets revealed the city’s refusal to accept that legitimate market transactions could take place in immigrant communities. And by attacking the vernacular markets, the plans advocated a mechanism for breaking up those immigrant communities.<sup>84</sup>

The city admitted that its “pushcart problem” was actually its problem managing immigration. The commission determined “[t]he push-cart problem is so largely bound up with problems of the nationalities chiefly engaged in it, namely, the Hebrews and Italians.” It found that more than 97% of peddlers were of foreign “nationality,” primarily Hebrew, Italian, and Greek. Describing mobile vending as both alien and anti-modern, the commissioners were “convinced that few Americans in New York City need be granted the right to peddle in the streets. . . . ‘Americans do not, as a rule, engage in such an occupation.’” Therefore, the commission determined that it had the right to inquire into the national origin, citizenship, and “length of residence in the United States” of peddlers. Applicants for licenses would be required to produce recommendation letters and either demonstrate U.S. citizenship or declare their intention to naturalize.<sup>85</sup>

When the Commission denied the universal appeal of street eating, it repressed the realities of New York City life. The attempt to redesign the city without carts aligned with turn-of-the-century New York’s attempts to shape itself into the modern city it envisioned. Modern New Yorkers were supposed to shop at licensed markets, not the vernacular ones that catered to their traditional sensibilities. Modern New Yorkers were not supposed to display racial or ethnic differences as manifested by divergent customs. The city repurposed the language of the common good, first applied to street vending in the 1820s, to fashion the modern New York City resident.

Although it reflected almost the same issues and concerns expressed one hundred years earlier, the 1906 report better incorporated the vendor’s perspective. The historical record embodied in the Commission’s report includes the actual voices of the vendors. (By contrast, almost a century earlier publishers recorded vendor impressions as composite sketches and songs, reproductions of images and sounds not authored by those represented.) Peddlers argued the expense of fixed real estate, that vendors had served as respected *de facto* markets for decades, about the high quality of the goods, and in favor of the free trade they stimulated throughout the city.<sup>86</sup> The city argued the criminal and un-American nature of vendors and the

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<sup>83</sup> *ibid.*, 11-12.

<sup>84</sup> The Push-Cart Commission presumed that street vendors existed purely for the benefit of the poor. Yet people from a variety of social classes frequented street vendors. That the Lower East Side pushcarts experienced more traffic by night than by day could have meant that when uptowners visited nightclubs and oyster cellars further south on the island, they purchased their snacks from carts.

<sup>85</sup> Commission and Veiller, “Report of the Mayor’s Push-Cart Commission,” 16-18, 60. It is unclear from the report from which country the Hebrew-speaking population originated. It is interesting, however, to know that language was the primary criterion by which the commission determined national origin.

<sup>86</sup> *ibid.*, 199-208. Such a strong lunch trade existed among the young office boys, that the “lunch-peddlers in Broad Street” petitioned the commissioners for the right to open a lunch stand at Broad Street and Exchange Place as a public good. They cited

need to limit vendor movement by creating Restricted and Unrestricted Zones. Although the commissioners began their investigation with the intention to end street vending altogether, they ultimately placed further restrictions on the practice, convinced by vendor arguments and public outcry that street vending served a critical function in the Lower East Side neighborhoods. In the end, although the city did further curtail vending, it had little choice but to recognize the power of the street vendors and the institution they had created. Without street vending, many would have gone hungry.<sup>87</sup>

## *Conclusion*

Once a respected trade, by the 1820s street vending contended with ongoing attempts at closure and criminalization. Designated unsafe spaces, streets endured a reform agenda that relied on new definitions of respectability and permanently re-mapped them as unfit for food selling and consumption, in favor of official public marketplaces and later private grocery stores. Despite (or even because of) their desirability among several constituencies, street vendors were marginalized. Pushcarts, baskets, and street stalls were the province of women, immigrants, and blacks because of social restrictions that prevented their full social and economic inclusion in other urban trades. Nonetheless, customers continued to demand vendor food, and portrayals of

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that that specific spot had “been a market for lunch for the last twenty-five years.” They also supported their argument by reference to the “trials and struggles of the young generation to get along on small salaries, and owing to the high cost of living at the present time, you can therefore see that the lunch push-cart men are a public necessity.”

Vendors serviced a population who could not afford to buy at stores—and serviced their customers better: “The peddler sells cheaper. [Unlike the storekeeper, h]e does not pay a cent of rent, but the people who go to these carts could not go into a store and get one cent’s worth of stuff; but they go to a market and come home with a whole basket of stuff for fifty cents. A push-cart man gets his goods at wholesale and he sells more than a storekeeper; in a day he sells more than a storekeeper in a week.” Schwartz thought of the push-carts as markets that came close to the people—providing good value and convenience. Although they did crowd the streets, pushcarts provided an efficient solution to scarce and expensive real estate for food purveyors. When asked why he did not want to obtain a permanent space, J.H. Donovan complained to the commission that his former space in a “cellar ten feet deep” cost \$125 per month. As to the variety and quality of the merchandise, Schwartz argued that carts rivaled stores. He testified, “They have apples, grapes, pears and all kinds of fruit. You will find good fruit on the push-carts that you cannot get in the best stores.” John Freschi, representing Italian-American vendors emphasized the higher quality of the push-cart vendors’ products: “Rescind the push-cart and basket peddlers licenses . . . [and] the people who have been accustomed to make their daily purchases from the push-carts, would, in a major part, be affected, for the products of the push-cart men, especially in fruits and vegetables, are superior in quality, as a rule, to those sold by many of the storekeepers.” He continued, “[T]he quality of the goods and merchandise was, in the majority of cases, better and fresher.” Freschi thought that competition from vendors forced storekeepers to provide better food. And, in fact, the commission’s study did determine that carts provided fruits, vegetables, and meats of the same quality and freshness as stores. *Ibid.*, 199, 207-208, 214.

<sup>87</sup> The commissioners’ proposed solution to the problem involved distinguishing between “tenement quarters” and the rest of the city—and blocking movement throughout the tenement districts. The Commission recommended splitting New York into “two broad districts, to be known as ‘Restricted’ and ‘Unrestricted’ Districts.” The Lower East Side was deemed Restricted, and the entire rest of New York City was designated Unrestricted. On the Lower East the only available peddlers’ licenses would be “Stationary.” Stationary carts would no longer be allowed in the streets, permitted to wander the neighborhood, or to visit customers, as they had done before. Now carts could be found legally only on the corners, subject to a twenty-five foot setback on any given corner. The Commission’s final recommendation to regulate the city by district may be viewed as both tolerant and segregationist. In its decision, the Commission recognized the city’s diversity as an immutable fact: “[T]he city is a cosmopolitan one, the home of representatives of nearly every nation in the world and that the customs and habits of many of its inhabitants are not the customs and habits of others.” The recommended neighborhood-by-neighborhood solution recognized “practices which would not be tolerated in one part of the city [as] necessary and desirable in other parts. . . . [L]aws which are good for one part of the city, may not only be valueless but may even work great hardship in other sections.” The investigation required to create the report may be viewed as a blanket attempt to surveil the Lower East Side immigrant community and gather evidence toward the criminalization and later deportation of immigrants. The investigation was invasive, creating districts to be investigated. The city wanted to know the nationality and “length of residence in the United States” for each peddler. Pretexts for discrimination would be based on arguments related to lack of sanitation, crowded streets, and failure to acquire licenses. *Ibid.*, 93-101.

vendors in print (although they reflected the ongoing contests) continued to show vending as an institution integral to urban life. Just the act of street vending, however, in the face of increasing legislative resistance, possible criminal sanctions, and calls for reform reflected the vendors' entrepreneurial spirit and their desire to achieve social and economic inclusion by pushing against established boundaries designed to render difference either invisible or degraded.

## Chapter 3

### Urban Eateries: Promiscuity, Anxiety, and Waiters

#### *Introduction*

“We may remark, in passing, that one learned professor hints that history might be hereafter written on dietetic principles, and gives us an illustration of the manner in which it could be managed. . . . Cooks, we suppose, are henceforward to write of the chronicles of the times, and waiters will take charge of memoirs and the lighter sketches of manners, morals and customs.”

—“Dietetic Charlantry or New Ethics of Eating”  
in *New-York Review*<sup>1</sup>

By 1830, cooks and waiters held greater sway over the public imagination than at any previous time in the new republic. Public eating establishments had become so important to the urban fabric that “Dietetic Charlantry” envisioned one day kitchen and dining room workers would recount the history of nineteenth-century American life. Its author also feared that a “New Ethics of Eating” would develop as cooks and waiters gained authority in a radical transformation of urban eating customs. Because the new organization of urban work and life encouraged new spaces for eating in public and because public eating led to scrutiny by the press and reformers, urban eaters experienced anxiety.<sup>2</sup>

City dwellers grappled with daily change as hotels, boarding houses, restaurants, and eating houses ushered in new ways and manners of eating. American city eating, often driven by business exigencies and criticized for displaying no interest in the art of conversation or appreciation of cuisine, suffered when compared to eating in London and Paris, cities whose eating cultures commentators regarded as more refined. The *table d’hôte* system—where strangers came together at a common table to eat a fixed amount of food in a limited period of time—was thought to exacerbate bad habits. For that reason, a class of waiters arose to restructure and regulate the *table d’hôte* system, inserting a sense of timing and providing an aura of grace and sophistication to the meal. The reputations of eating houses depended on these waiters—many of whom were African American—despite their marginalization and separation within the eating house space. At the same time, members of an emerging middle class learned to define their status by the restaurant service they received from this newly subordinated class of public servants. Yet waiters also recognized and asserted their own value, reflected in the waiters’ unions and strikes that occurred mid-century.

#### *The Rise of Hotel Dining Rooms and Independent Eating Houses*

At the start of the nineteenth century, taverns defined the indoor public eating experience. But by the 1830s, hotel dining rooms successfully competed for tavern customers. And in the 1850s, even more alternatives dotted the urban landscape: eating houses, lunch counters, ice creameries, and oyster houses opened their doors to customers. Distinct from taverns (which emphasized alcohol service) and hotels and boarding houses (which although they served food

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<sup>1</sup> “Dietetic Charlantry, or New Ethics of Eating,” *New-York Review*, October, 1837.

<sup>2</sup> *Ibid.* For more on the development of eating houses and restaurants as a consequence of the new organization of social life, see Lobel, “Consuming Classes,” 88-130.

concentrated primarily on lodging), eating houses served a middle stratum of eaters who wanted to dine quickly and to choose from a wide variety of *à la carte* options.<sup>3</sup>

In the 1830s, hotels displaced taverns and coffee houses as the primary institutions for entertaining clients and guests, and hence eating out. Early taverns frequently combined business and leisure. Old Boston used taverns as business exchanges, prominent and centrally located meeting points where men conducted their business, “combin[ing] the counting-house, the express office, the reading room, and the banking house.” Boston’s City Tavern served as the “headquarters” of the New England butter and cheese trade—and of the wood and manufacturing trade, too. Just behind the City Tavern, another tavern housed the Shoe and Leather Exchange. The famous New York coffee houses Tontine and Merchant’s had been made obsolete. Tontine ceased operations in 1834. No longer the center of commerce it had once been, Merchant’s transformed into an eating house exclusively.<sup>4</sup>

“The Hotels and Taverns of Boston” noted a change in the 1830s—that hotels had superseded taverns—but found it hard to “draw the precise line which separate[d]” the two. The article attributed the transition to “the introduction of railroads, steamboats, and telegraphs.” It explained that new “social habits”—greater than in any other facet of life—resulted from the abrupt technological shift. “The Hotels and Taverns of Boston” credited the Tremont House as the first hotel introducing a “normal” hotel plan into the United States. Established in 1828, the Tremont House represented a novel gathering place that focused on the art of providing room and board in the most elegant fashion. It also introduced French eating habits that brought a different sense of time and order to the meal. For example, a new manner of coursing the meal emerged: dinners officially commenced with soup. Many thanked, but others resented, hotels for introducing these changes.<sup>5</sup>

What appears to be a fictional story in *The Knickerbocker* described the public perception of the difference between the old and new eating house. “It was more of your new-fangled establishments which aspire to French cookery and clean table-covers,” began the characterization of hotels. While the new hotels announced themselves by their grand architecture in central locations, the tavern-style eating houses had not advertised, but were instead known intimately. Neighborhood locals remembered where to find the eating house, down “a by-street which staggered to its destination with all the devious winding of a drunken man . . . down six steps in a cellar, and with glass doors shaded by scanty curtains of red moreen.” The *Knickerbocker* tale represented the traditional eating house as “a solemn place, dark, damp and smoky, with dingy table-cloths, broken castors, and the regular number of dead flies reposing at the bottom on the oil-cruet.”<sup>6</sup> The old eating house contained the personality, really the accumulated funk, of its owner and patrons.

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<sup>3</sup> See Some historians have attributed the rise of hotels to technological changes in transportation infrastructure, for example Wilk, “Cliff Dwellers: Modern Service in New York City, 1800--1945,” 50-54; Sandoval-Strausz, *Hotel*, 45-74. Carolyn Brucken has attributed the rise of hotels to the need to find a place to house and entertain respectable traveling women, who engaged in public commerce. Carolyn Brucken, “In the Public Eye: Women and the American Luxury Hotel,” *Winterthur Portfolio* 31, no. 4 (1996): 203.

<sup>4</sup> Acorn, “Hotels and Taverns of Boston,” *Spirit of the Times*, March 23, 1861; Meryle R. Evans, “Knickerbocker Hotels and Restaurants, 1800-1850,” *New York Historical Society Quarterly* 36, no. 4 (1952).

<sup>5</sup> Acorn, “Hotels and Taverns of Boston.”

<sup>6</sup> “The Attorney,” *Knickerbocker*, September, 1841.

The rise of hotels also marked a critical transition in the re-structuring of eating from the American to the European system.<sup>7</sup> Plans were often identified exclusively with hotel eating; however, the plan system also carried significant implications for stand-alone eating houses and lunch rooms. A number of aspects—the pricing structure, the service pattern, and the allocation of authority between owners and customers—distinguished the two plans. Although the “plan system” has often been identified solely as a pricing scheme, the difference in systems represented more than just a way to account for payment.

The American Plan included both lodgings and all-you-can-eat buffet-style food. The *table d’hôte* system (translated literally as the table of the host), meant that the establishment owner “hosted” guests at his table. He chose the specific food to be served and the time at which to deliver the meal to table. Everyone shared the same table with the host, sitting down together at the same time to take the same collective meal.<sup>8</sup>

By contrast, the European Plan charged for rooms and meals separately. If in the American Plan the host controlled the setting, in the European Plan guests controlled (or appeared to control) their dining experiences. The European Plan aligned itself along the *à la carte* system whereby guests ordered specific foods from a menu and paid for those items individually. Seeking privacy, guests also ate at separate rather than group tables. Not only individually priced items, but physical separation from strangers characterized the European Plan as practiced in urban America.

The European Plan was often promoted as the most honest plan—“you will get what you *call* for and *pay* what you get *only*.” “Look out for Sharpers!” Advertisements advised travelers to trust the superior accountability offered when items were individually priced. One drawback of the American Plan, patrons often scrambled for food and left hungry. Slow eaters and those who did not seize immediately upon the provisions did not get their fair share or their preferred dishes. They often reported leaving the table feeling unsatisfied and swindled.<sup>9</sup>

Eating houses relied on *à la carte* pricing and eating alone. They also provided a faster alternative to elaborate hotel meals. “Too important a ‘slice’ of New York to be overlooked,” in 1849 Foster identified the eating house as a distinctive form of America’s urban culture.<sup>10</sup> “A New York eating-house at high tide is a scene which would well repay the labors of an antiquarian or panoramist, if its spirit and details could be but half-preserved.”<sup>11</sup> He estimated that around 1850 at least one hundred eating houses existed in the Wall Street area of New York City alone, “within half a mile of the Exchange.” From noon until about four in the afternoon, “the havoc [was] immense and incessant”; Foster approximated that about 30,000 people ate at these establishments daily.<sup>12</sup> In 1857 Boston’s 125 eating houses served an aggregate 25,000

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<sup>7</sup> The two systems embodied crucial distinctions in the philosophy of organizing eating space. While over the years many texts have compared the American Plan and the European Plan, it is worthwhile to cover those differences comprehensively. The best understandings of the plans are found in the primary source literature of the nineteenth century.

<sup>8</sup> Interestingly, *table d’hôte* refers to the American system, even though expressed in French terms. The use of French language to describe a method touted as uniquely American in origin shows the dominance of and re-orientation to French culture in the sphere of culinary life. See Amy Trubek for an explanation of how French standards came to dominate international, and particularly American, cooking culture. Amy B. Trubek, *Haute Cuisine: How the French Invented the Culinary Profession* (Philadelphia: University of Pennsylvania Press, 2000), 1-10. Evans, “Knickerbocker Hotels and Restaurants, 1800-1850,” 382.

<sup>9</sup> “For the Cabinet,” *Farmer’s Cabinet*, April 3, 1856.

<sup>10</sup> Foster, *New York in Slices*, 67.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.* *The Picture of New York* confirmed 123 eating houses in New York City, not including the oyster-houses. Edward Ruggles, *A Picture of New-York in 1846; with a Short Account of Places in Its Vicinity; Designed as a Guide to Citizens and Strangers* (New-York: C. S. Francis & Co., 1846), 80-82. Evans, “Knickerbocker Hotels and Restaurants, 1800-1850,” 396.

patrons and earned approximately \$6,000 per day.<sup>13</sup> Eating house owners sated a hungry need, which made owners of the best-placed and –priced among them affluent. Renowned nationally, Daniel Sweeney—the owner of a mainstay eating house in Wall Street—earned hundreds of thousands of dollars, owned a horse, and subscribed to an opera box. The article entitled “Fortune Making” listed Sweeney among other men with new fortunes, including a real estate magnate, a printer, a cigarette manufacturer, and a translator of the novels of Paul de Kock.<sup>14</sup>

Colloquially known as an “ordinary,” an eating house included most any establishment that served food. Lunch counters, with their customers devouring food to fuel their afternoon work, classified as eating houses. But eating houses also claimed among their ilk fancier establishments known for entertaining high status guests, based on their dedicated emphasis to food and service. Foster claimed the Parisian-styled Delmonico’s the “only complete specimen in the United States” of a restaurant.<sup>15</sup> (In 1870 “the *elite* of New York society” hosted a reception for England’s Prince Arthur at Delmonico’s.<sup>16</sup>) The eating-house category also encompassed “cake and coffee shops” of the Butter-Cake Dick’s variety. As the name suggests, they served cakes—and doughnuts and pies and coffee—into the morning’s wee hours.<sup>17</sup>

Even ice-creameries counted as eating houses of a sort. Many served “an extensive bill of fare . . . ice cream, oysters—stewed, fried and broiled; broiled chickens, omelettes, sandwiches; boiled and poached eggs; boiled ham, beef-steak, coffee, chocolate, toast and butter.”<sup>18</sup> Because ice-creameries served far more than frozen desserts, the name ice-creamery was not entirely descriptive. The name’s reference to sweet desserts attracted a clientele of fashionable women; the world of eating spaces was segregated by gender, among other categories. While downtown eating houses did not welcome women, ice-creameries did seek to attract women, either in pairs or with male companions.<sup>19</sup>

Oyster cellars, according to many, did not qualify as eating houses, but instead as a setting for debauchery. Indicating they peddled more than bi-valves, their red lamps beckoned customers to underground locations. Many were rumored to include private boxes, where forbidden behaviors took place. Foster complained that the “men and women enter[ed] promiscuously [to] eat, drink and make merry, . . . disturb[ing] the whole neighborhood with their obscene and disgusting revels, prolonged far beyond midnight.” Foster accused the women participants of prostitution, by virtue of their mere presence.<sup>20</sup>

Yet an oyster *house* carried different connotations than an oyster *cellar*. The distinction could be rendered all the more confusing because several oyster houses were located in cellar positions. Under antebellum naming conventions, “cellar” generally referred to the low moral position of the space, not necessarily positioning below street level. Customers actually stepped down to enter Thomas Downing’s Oyster House, located at the intersection of Broad and Wall Streets. An influence broker, Downing was thought to be so well-connected at the Custom House, Post Office, and City Hall that those seeking political office and civil service jobs

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<sup>13</sup> “Eating Houses,” *North American and United States Gazette*, September 3, 1857.

<sup>14</sup> “Fortune Making,” *Pittsfield Sun*, September 10, 1846.

<sup>15</sup> Foster, *New York in Slices*, 69.

<sup>16</sup> “The Reception of Prince Arthur at Delmonico’s,” *Frank Leslie’s Illustrated Newspaper*, February 19, 1870.

<sup>17</sup> *New York in Slices*, 69. Jacques Offenbach, *America and the Americans. The Theatres. The Streets. The Cars. The Newspapers. New York. Philadelphia. The Ladies. The Restaurants. The Races. The Waiters. Albany. Niagara* (London: W. Reeves, 1877), 41-43.

<sup>18</sup> Foster, *New York by Gas-Light*, 133.

<sup>19</sup> See Wendy A. Woloson, *Refined Tastes: Sugar, Confectionery, and Consumers in Nineteenth-Century America* (Baltimore: Johns Hopkins University Press, 2002), 77-78, 83.

<sup>20</sup> Foster, *New York by Gas-Light*, 73.



patronized his oyster house in search of positions. Appealing to a less politically-minded crowd, Dorlan's Oyster House served at least one thousand fashionable people per day. Dorlan's respect by virtue of his location in Fulton Market, one of the busiest in New York City, and the proprietor's rapt attention to detail ("[h]e trusts nothing to subordinates; "[h]e delegates nothing").<sup>21</sup>

Foster accused oyster cellars of masquerading as eating houses, masquerading because blacks and whites mingled there. He thought the purpose of "oyster saloons" was to "accommodat[e] . . . thieves, burglars, low gamblers and vagabonds in general." Unlike the cake and coffee houses, which he found respectable due to their Wall-Street clientele, he determined the oyster cellars to serve "the principal class of . . . customers [who] burrow in their secret holes and dens all day . . . , the obscene nightbirds who flit and howl and hoot by night."<sup>22</sup> Located in the Five Points and more specifically in its African-American section Cow Bay, these oyster houses and their customers were likely marred less because of actions occurring there, and more because of their race. "[T]he negroes form a large and rather controlling population of the Points . . . [b]ut they are savage, sullen, reckless dogs, and are continually promoting some 'mess' or other," Foster wrote.<sup>23</sup> Another eating house Foster claimed appealed only to sailors and thieves, he described more like a cavern or dungeon complete with trap doors covered a dance house and gambling den at Water and Cherry Streets.<sup>24</sup>

Downtown lunch rooms, according to the *Last Days of Knickerbocker Life*, invented lunch: "Lunch is a very modern word, so far as New York is concerned." Starting in the 1850s, most businessmen from a variety of backgrounds gathered to take their lunches at eating-house counters. Distinctly American, these "luncheon bars" worried commentators. Instead of sitting across from a companion at a table, lunch counter eaters dragged tall stools to chest-high counters, then sat elbow-to-elbow among strangers. A person seated might look out onto the street, into the kitchen, or across to a brick wall, but not into a companion's face. A non-contemplative consumption experience, counter lunches facilitated quick ordering and even quicker eating.<sup>25</sup>

### *"Community of Feeling," Identity, and Public Eating*

Despite attracting a multitude of customers, eating houses discriminated in who they admitted. Confusingly, blacks might own eating houses, but not be allowed to dine in them. A woman might be invited to attend a restaurant, but only if accompanied by another woman or man. Eating houses often welcomed only individuals who worked in certain professions or industries. Commentators even wondered whether German beer gardens were appropriate for non-Germans to enter. Guidebook descriptions and urban sketches may have both contributed to the sense of exclusion and helped their readers navigate the confusing world of eating houses that classified themselves as open only to certain types of people.

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<sup>21</sup> Matthew Hale Smith, *Sunshine and Shadow in New York* (Hartford: J. B. Burr, 1869), 57-59. McCabe, *Lights and Shadows*. Abram C. Dayton, *Last Days of Knickerbocker Life in New York*, Illustrated ed. (New York: G.W. Harlan, 1882), 104. John H. Hewitt, "Mr. Downing and His Oyster House: The Life and Good Works of an African-American Entrepreneur," *New York History* (1993): 229-252.

<sup>22</sup> Foster, *New York by Gas-Light*, 123.

<sup>23</sup> *Ibid.*, 124-125.

<sup>24</sup> *Ibid.*, 146.

<sup>25</sup> Dayton, *Last Days of Knickerbocker Life in New York*, 43. "The Lunch Counter," *Harper's Weekly*, September 27, 1873; "A Down-Town Lunch-Room," *Harper's Weekly*, September 8, 1888.

Although African Americans numbered as owners of and cooks and waiters in eating houses, they nonetheless remained suspect. Eating houses that included black patrons were suspect. Hughson's Tavern, identified as the birthplace of New York City's 1741 rebellion, gained its reputation as the center of the conspiracy planning because blacks and whites occupied the same space, on the same social level. That blacks and whites ate together signaled a transgressive and revolutionary act in implying that conventions regarding race and social distance did not matter. That blacks and whites shared a table delivered evidence that they were engaged in traitorous behavior, which justified prosecution.<sup>26</sup>

Even Downing did not permit blacks to enter the front door of his restaurant as customers, likely for fear that his white clientele would no longer patronize the restaurant.<sup>27</sup> (Images of blacks and whites mingling connoted "rough" establishments.<sup>28</sup>) While Downing used his assets to aid abolitionist causes, he seemed powerless to change the norms of segregation in his own eating house. In fact, Downing himself fell victim to discrimination on the street-car system, once forced to disembark by the cruel whims of a white driver. Although blacks could ride public transportation, without equal protection under the laws, there was likewise little protection from them being turned away if public or individual prejudice struck. In the Downing example, sympathetic passengers recognized him as the proprietor of their favorite oyster-house and came to his rescue. Nonetheless, outside of the protected environment he created in the oyster house, Downing suffered the same slings and arrows of public humiliation as other blacks. Many felt Downing had little choice. Were he to entertain blacks, it is believed he most surely would have lost his entire white patronage. Were he, instead, to depend on a black patronage with unstable disposable income, his restaurant risked economic loss.<sup>29</sup>

Frederick Douglass in 1846 wrote of his personal humiliation being denied service. He recalled, "On arriving in Boston from an anti-slavery tour, hungry and tired, I went into an eating-house near my friend Mr. Campbell's, to get some refreshments. I was met by a lad in a white apron, 'We don't allow niggers in here!' said he." Douglass found this ban an American custom; he encountered the same rejection at menageries, churches, meeting-houses, lyceums, and on omnibuses. The custom did not confine itself to just restaurants or only certain regions of the country; it was prevalent throughout America, even in the North. In England when he dined with the Marquis of Westminster at Eaton Hall, Douglass experienced relief and justification (essentially he had the last laugh). The servants at Eaton treated him equal to other guests, to the disbelief of the white Americans in attendance.<sup>30</sup>

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<sup>26</sup> Horsmanden, *The New York Conspiracy Trials of 1741: Daniel Horsmanden's Journal of the Proceedings with Related Documents*, 100-101.

<sup>27</sup> Philip Hone paid Downing over two thousand dollars to cater the 1842 Boz Ball. Hewitt, "Mr. Downing and His Oyster House: The Life and Good Works of an African-American Entrepreneur," 232.

<sup>28</sup> Foster's 1849 *New York in Slices* depicted a "dingy, noisome, three-cent cellar on the Five Points," the visible roughness translated as patronage by a white man and a black man, this racial mixing a standard symbol of depravity. Foster, *New York in Slices*, 95.

<sup>29</sup> Hewitt, "Mr. Downing and His Oyster House: The Life and Good Works of an African-American Entrepreneur," 240, 246-267. Another prominent eating-house proprietor with a devoted white patronage, Sam Fraunces, also known as "Black Sam," kept a well-attended tavern in lower Manhattan. No one could be certain whether Sam was of African origin or just "swarthy" in complexion. Fraunces earned his reputation by having served as the steward to President George Washington, when the nation's capital was located in New York City with the "White House" at Cherry Street. Simultaneous to serving as steward, he opened a tavern at Cortlandt Street, and then Broad Street, near the stock exchange. Henry Russell Drowne and Society Sons of the Revolution. New York, *A Sketch of Fraunces Tavern and Those Connected with Its History* (New York: Fraunces Tavern, 1919), 11-12.

<sup>30</sup> Frederick Douglass, "Frederick Douglass," *Friends' Weekly Intelligencer*, February 28, 1846.

Around the same time, the *New York Evangelist* interpreted what blacks sitting down to table with whites could mean. A black minister from New York City attempted to “[take] his seat at the common breakfast table” in an eating house in western New York. Other breakfasters were “offended.” Thinking back on the experience and a few others with similar outcomes, the minister distinguished between sitting and standing at table. He opined, “You notice, that when we stop at those places where we all stood up to take refreshment, I stand eating and drinking among others, and no umbrage is given. But if I sit at the table with white people, that offends.” He deduced, “[T]he reason is obvious; to sit at the table and eat is regarded as a token of community of feeling; while standing to eat is not thus construed.” The journalist who relayed the account indicated that blacks struggled with this practice of exclusion, “colored men investigat[ing] such subjects thoroughly, and search[ing] for *the reasons why*.” The black Presbyterian clergyman was as much troubled by the practice, as was his white companion, the experience of rejection at table “so painful to his feelings as well as to my own.”<sup>31</sup>

Nonetheless black presence in eating houses was ubiquitous. Any eating house seeking to establish or maintain a superior reputation seemed to require black waiters. The minister reflected back on his experiences in other eating establishments. He found that blacks as “*things—‘goods and chattel to all intents and purposes’*” and blacks as waiters or free servants would have caused little commotion, by comparison. He concluded that black presence on “terms of friendship, fellowship, and *equality*” caused the stir, “[t]his was the head and front of the offending.”<sup>32</sup>

Blacks did, however, form informal eating houses where they could talk politics either alone or with whites out of the public eye. The accounts of Maritcha Lyons provide evidence of these practices. The Rémond’s daughter Susan, a resident of Salem, Massachusetts, entered the restaurant trade and kept a much-frequented basement kitchen. Susan’s kitchen served as “a Mecca where gathered free radicals, free thinkers, abolitionists, femal[e] suffragists, fugitives all sorts and conditions of those in doubt and danger of travail; there such found rest and refreshment for mind and body.” At 20 Vandewater Street in Manhattan, Maritcha’s parents Albro and Mary operated a boarding house that served as a stop on the Underground Railroad. Albro called the business “keeping a cake and apple stand,” a disguised reference to the gravity of services offered by his boarding house. African-American patrons could eat, bathe, and change clothes free from suspicion, and they could give updates on the conditions of Southern slavery and learn about recent advances in the freedom struggle.<sup>33</sup>

Within a narrow band of parameters, women ate in public spaces. While women dining out with their families massed scrutiny, city guides otherwise labeled women eating out past dark as prostitutes. *Night Side of New York* said as much: “The Mercer and Greene street eating-houses are patronized by the girls of the town and her lovers. They are mostly fitted up with private boxes.” It continued, “[A]long the avenues, private box saloons can be found at most of the street corners above Sixteenth street. . . . Such bewitching creatures of sweet seventeen, as I have seen going into them places with venerable [sic] old gentlemen. . . . I recollect once seeing a charming young creature, who had a bald-headed foggy in tow, with six pigs’ feet and two plates of pickled tripe—I don’t say nothing of the whiskey she punished in the meantime.” Likewise *Night Side* told its readers that even the “principal up-town restaurants are largely

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<sup>31</sup> De Ruyler, “The Reason Why,” *New York Evangelist*, January 18, 1840.

<sup>32</sup> Ibid.

<sup>33</sup> Maritcha Remond Lyons, “Memories of Yesterdays: All of Which I Saw and Part of Which I Was,” in *Harry A. Williamson Papers* (Brooklyn, N.Y.: Manuscripts, Archives and Rare Books Division, Schomburg Center for Research in Black Culture, The New York Public Library, 1928), 46, 60.

patronized by disreputable classes, [w]omen of the town go there to pick up custom, and men to find such companions.” According to the same text, if a women were to enter a restaurant alone, she risked losing her virtue (“in constant danger of being insulted”).<sup>34</sup> *Lloyd’s Pocket Companion* described Dorlan’s oyster stand as an in-between space, rife with playful sexual intrigue (if not dangerous), where men attended with the purpose of finding women dates for the evening. During the day, *Lloyd’s* reported “between the hours of six and twelve, P.M., no less than between three and four hundred ladies have been known to visit [Dorlan’s oyster stand in Fulton Market], and partake of oysters.” At Dorlan’s, more than 400 men (“cavaliers”) sought the women’s attention. Ice-creameries, on the other hand, were designated appropriate women’s spaces. They were symbolically located upstairs, rather than down, and their rooms were filled with women described as ladies, connoting women well-dressed and of the middle and upper classes. Foster identified many of the women as the “[f]at wives of lean financiers, speculators and tradesmen—we beg pardon, merchant princes. . . whose pride is in their cashmere and carriages.” Women also frequented the German beer gardens with the approval of urban observers. When surveying the German beer gardens, *Night Side of New York* said, “[W]e natives have a horror of seeing women drinking at public gardens, and put them all in a certain class—[although] not so here.” *Lights and Shadows* credited the German character as keeping the space orderly for women, “not tolerat[ing] the introduction of any feature that would make it an unfit place for their wives and daughters.”<sup>35</sup>

Commentators described visiting German beer gardens as welcome excursions into cosmopolitanism. While Germans and their customs were depicted as odd, they commentators judged their traditions to be sufficiently wholesome that women and children might visit. Lager beer gardens—the most famous of which was the Atlantic Garden, next to the Old Bowery Theatre—were construed as family spaces, where German immigrants often picnicked and celebrated. *Sunshine and Shadow* paid them a back-handed compliment: “The vilest of them have a neatness and an attractiveness not found among any other nation.” *Lights and Shadows* reported that [t]here is no disorder, no indecency. The place is thoroughly respectable.” Even though the Germans drank liberally in the presence of children and mixed gender company, they received passing marks, described as an industrious people well-adapted to American society.<sup>36</sup>

Newspaper articles and guidebook entries pointed readers to the places where they claimed readers would feel most comfortable, where readers could eat with people identified as similar. In the process, these sources created and reified categories, defining the personalities who would appear in each space and evaluating the activities that occurred there. Guidebooks and sketches provide numerous examples of attention to color and ethnic background of clientele as the determinant for whether its readers should personally visit an establishment, or otherwise just read about it. In these cases, commentators used the eating houses more as a way to

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<sup>34</sup> Beard, *The Night Side of New York*, 54-55. See also Foster, *New York by Gas-Light*, 133-134. James Dabney McCabe, *The Secrets of the Great City: A Work Descriptive of the Virtues and the Vices, the Mysteries, Miseries, and Crimes of New York City* (Philadelphia, Chicago: Jones, 1868), 44.

<sup>35</sup> Thomas Lloyd, *Lloyd’s Pocket Companion and Guide through New York City, for 1866-67* (New York: Torey Brothers, 1866), 121. Beard, *The Night Side of New York*, 78-79. McCabe, *Lights and Shadows*, 553. Contrast France during the same period, where eating in public did not subject women to the same scrutiny. Historian Rebecca Spang found, “[t]hat there should be women in restaurants was strange enough, but that they should eat, drink, laugh, and smile there was really almost unimaginable” to Americans who visited Paris. Rebecca L. Spang, *The Invention of the Restaurant: Paris and Modern Gastronomic Culture* (Cambridge, MA: Harvard University Press, 2000), 200.

<sup>36</sup> Smith, *Sunshine and Shadow in New York*, 6; McCabe, *Lights and Shadows*, 551. See also Beard, *The Night Side of New York*, 78. McCabe, *The Secrets of the Great City*, 12.

comment on the people who attended, and less on the type of food offered. It seemed that the race and ethnicity of its patrons qualified an establishment as respectable.

A.K. Gardener introduced the notion of class when he wrote that “[o]ne eats to assuage the pangs of hunger, but that dining included ‘an aesthetic’ element of a far different nature,” he.<sup>37</sup> The practice of dividing crowded spaces by time, for example, maintained emerging class distinctions. To avoid the lunch counter crowds altogether, those who considered themselves truly cultured preferred to take their public meals later in the afternoon. *Frank Leslie’s Illustrated* concluded that from a physiological standpoint, lunch was a mere fashionable habit, unnecessary.<sup>38</sup> Epicurus, in *Philadelphia Monthly Magazine*, advised that patrons steer clear of even the one o’clock hour, it being too close to noon and the vulgarity associated with eating among commoners. “To dine at or before noon,” he instructed, “shows an ardency of appetite, that is absolutely rustical and boorish; and betrays a robustious healthfulness, that is entirely incompatible with the delicacy which appertains to gentility and high breeding.” He continued, “Every body dines at one—therefore do not you.” To wait until four o’clock showed self-restraint, but until eight even more. Epicurus may have been writing with his tongue in his cheek. After all, he advised bank clerks to dine as did emperors and other great men. His “Maxims to Feed By,” however, showed the feelings the new practices provoked.<sup>39</sup>

In the public imagination the American Plan may have suffered (guilty by association) from its widespread use in boarding houses. Boarding-house mealtimes were characterized as disorganized mad rushes, where patrons lunged at food to get enough to eat. That atmosphere made it appear that boarding-house keepers and their boarders cared little about food—neither its taste nor freshness nor artful presentation. *The Physiology of New York Boarding-Houses* sarcastically wrote of Sundays as the most calm days, when “a little more leisure is vouchsafed to the meal—it is not disposed of under fifteen minutes. But if you come in any later, only a chaos of fragments, bones, and cold vegetables, awaits you.” It described lunch as event where “[e]very body helps himself at table, and considering the limited space afforded for elbow-movement, the meal is disposed of in a miraculously short space—about ten minutes sufficient to ‘get through’ with it.” Given the need to feed so many in a short period of time, “[q]uantity rather than quality is looked for at the hands of the caterers, and they do their best to satisfy that expectation.” *The Physiology* depicted victuals as dense architectural structures—“pyramids of potatoes, swamps of squash, and acres of collapsed cabbages—all have received extreme unction in liquid grease”—rather than appetizing entrees.<sup>40</sup>

But perhaps that boarding-house eating suffered ridicule had less to do with the quality of food served or even the method of service, and more to do with the characteristics of boarding-house keepers and their patrons. Historian Wendy Gamber has argued persuasively that when critics denigrated the quality of boarding-house food, they actually revealed their hostile feelings toward boarding-house residents and their proprietors. Antipathy toward women working in public or commercial spaces may have influenced the portrayals. Commentaries about marketplaces had frequently depicted the boarding-house keeper stereotype, widows scrounging

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<sup>37</sup> A.K. Gardener M.D., “Dining--Not Eating Dinner,” *Frank Leslie’s Illustrated Newspaper*, August 6, 1870. For details about changing table manners during the nineteenth century, see Lobel, “Consuming Classes,” 88-130; Kasson, *Rudeness and Civility*, 182-214.

<sup>38</sup> “Curiosities of Eating,” *Frank Leslie’s Illustrated Newspaper*, March 31, 1866.

<sup>39</sup> Epicurus, “Maxims to Feed By: Dinner,” *Philadelphia Monthly Magazine: Devoted to General Literature and the Fine Arts*, June, 1829.

<sup>40</sup> Thomas Butler Gunn, *The Physiology of New York Boarding-Houses*, ed. David Faflik (New Brunswick, NJ: Rutgers University Press, 2009), 64-65.

at the end of the day for bargains among rotten fruits and vegetables and fly-blown meat, and commentaries about boarding-house keepers at home in their own establishments followed suit. *The Physiology*, for example, classified and then evaluated at least twenty-five different types of boarding houses, some according to the morals of the keeper, including “Where the Landlady Drinks,” “Whose Landlady Likes to Be Ill-Used,” and “Where You’re Expected to Make Love to the Landlady.” Furthermore, after luxury hotels emerged, boarding houses suffered by comparison. Often run by a widow and her daughters, the prototypical boarding house relied on the less labor-intensive (and less glamorous) American Plan. Because boarding-house keepers tended not only to cooking, but also to cleaning and laundry, cuisine may not have rated a first priority.<sup>41</sup>

Meanwhile, hotels and eating houses with greater financial security and more staffing could experiment with the European *à la carte* system or a modified version of the American Plan featuring expanded wait-service. When hotel and eating-house stewards arrived at the markets early in the morning to supervise procurement the freshest provisions, they bolstered the reputations of their establishments. Their ads often emphasized the “earliest supplies of the market.” *The Great Metropolis* identified the best hotels—the Fifth Avenue, St. Nicholas, Brevoort, Metropolitan, Astor, Hoffman, and St. James hotels—according to the times at which their stewards attended the public markets.<sup>42</sup>

By detaching eating spaces from sleeping places, eating houses allowed patrons flexibility. Eating houses fixed the problem of unappetizing foods and rigid boarding-house table schedules. They enabled a boarder able to “take his meals at . . . any hour during the day that suit[ed] his convenience.” If the boarding-house food were unpalatable, nearby eating houses would promise greater variety. Sweeney’s advertised itself as a competitor to boarding houses and their *table d’hôtes*. Recalling frequent boarder complaints, it focused not on deliciousness, delectability, or delicacy, but instead on a lack of poisonous properties. “[G]ood food properly cooked” served as the standard for Sweeney’s. The *New York Morning Herald* wrote that many of “our worthy and useful young men” had been “seriously injured” by taking their sustenance from the boarding-house table. And if boarding-house residents abhorred the conversations to be had at the group table (“a prolonged agony, in which a deal of commonplace talk is made”), then an eating house eliminated the need to speak to one’s neighbor, a source of relief.<sup>43</sup>

Gardner identified mixing social classes as a problem to combat. Gardener, a medical doctor who wrote regularly about food and diet for *Frank Leslie’s Illustrated*, opined that boarding-house eating “undermin[ed] the health of the greater part of the community.” As did many, Gardener blamed the whipping boy *table d’hôte* system, recommending the social manner of the European *à la carte* plan as preferable, which allowed a person to take his dishes one by one until appetite was satisfied, rather than all at once. Gardener decried the *table d’hôte* system as too democratic, “from the necessity of suiting a great variety of tastes.” According to him, boarding-house clientele lacked discriminating taste, and the manner of eating inculcated

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<sup>41</sup> Gamber, *Boardinghouse*, 80. Gunn, *The Physiology of New York Boarding-Houses*, 7.

<sup>42</sup> “Oyster and Eating Rooms,” *Emancipator*, June 3, 1841. Browne, *Great Metropolis*, 410.

<sup>43</sup> W. Williams and Henry Walker Herrick, *Appleton’s New York City and Vicinity Guide: Giving a Full and Accurate Description of the Great Metropolis and Environs; Public Buildings; Places of Interest; and Location of Churches, Banks, Insurance Offices, Hotels, &C.: Also, a Complete List of the Various Steamboat, Railroad, and Stage Conveyances Diverging Therefrom; with Times of Departure, Fares, Etc.: Illustrated with Maps and Engravings* (New York: D. Appleton & Company, 1851), 41. Robert Burford, *Description of a View of the City of New York: Now Exhibiting at the Panorama, Leicester Square: Painted by the Proprietor, Robert Burford, from Drawings Taken by Him in the Autumn of 1832*. (London: T. Brettell, Rupert Street, Haymarket 1834); “Cooking and Eating Houses,” *New York Morning Herald*, September 28, 1838. Browne, *Great Metropolis*, 209.

bad habits to be exercised in other situations. The typical boarder would eat a sufficient amount in “soup, and fish, and roast, till he has taken all that his appetite calls for.” But then the boarder would continue to eat any remaining food, “a side dish of tempting nature, a roast duck or highly-seasoned stew, invites him to try a little. He eats until he can eat no more stew.” His eyes bigger than his stomach, “[h]e . . . finds he can manage to swallow some pudding and a piece of pie. But it is impossible to get down another mouthful of the pie, but a saucer of cream, cold and well-flavored, is possible.” Next the boarder discovered just a little more room for nuts, bananas and oranges, and finally coffee. Gardner concluded that over-eating resulted from temptations generated by the varieties of people and their diverse wants, which stimulated excessive desire.<sup>44</sup>

Although Gardner accused the boarding house as harboring too much diversity, others accused the lunch counters of the same failing. Eating together—described as “promiscuous eating”—created intimate encounters among unknowns: “Faces become familiar at a table that are never thought of at any other time. You know the face as that of your brother, or father, or partner; but, when it turns away into the crowd, you never suspect, or care, or conjecture where it goes, or to whom it belongs.” Patrons often entertained fantasy conversations with their fellow diners: “I heard an old *habitué* of restaurants say the other day, ‘There’s a man I’ve been seeing for twenty years at Crook’s. Yet who he is, or what he does, or how he lives, I have not the remotest idea. I wonder who the devil the old fellow is? But I suppose he has the same curiosity about me.’” Junius Browne recalled being fooled into a false sense of comfort at an eating house counter. He imagined a fellow eater to be a clergyman, but in fact the stranger “was one of the most desperate burglars in the City,” which Browne only discovered when he witnessed the police carting the man off to the Tombs prison.<sup>45</sup> Likewise, the curiosity to know how an unfamiliar person (a stranger sharing the same space) lived propels the narrative of Edgar Allan Poe’s “Man of the Crowd.” Poe’s tale may have arrested readers because, in attempting to enter the man’s personal world, the narrator transgressed the boundary from fantasy to reality.<sup>46</sup>

Given the wide variety of people who frequented them, eating houses remained subject to the same forces as did other urban spaces. They were not immune from crime. A pickpocket pinched \$500 from a railroad clerk in Boston eating house. More sensational, a stabbing occurred during a Sunday breakfast service in New York City. A customer attacked a meat carver as revenge for a financial deal gone awry. The attacker did not plan appropriately, however. The meat carver, in the midst of dutifully slicing up the evening’s roast, simply responded with a flick of the wrist and inflicted a deadly knife wound on his assailant. Articles advised not to make casual friends in eating houses.<sup>47</sup>

Yet despite its risks, the lunch counter resembled the shared community table, retaining one ideal of the American Plan. The counters unified its eaters, who tended to be middle-class men. Foster credited Sweeney’s (and its reasonable prices) for bringing together professors, policemen, editors, attorneys, and printers in the same space—“all classes who go to make up the great middle stripe of population, concentrate and commingle at Sweeney’s.” Foster remarked

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<sup>44</sup> A.K. Gardener M.D., “What Shall We Eat?,” *Frank Leslie’s Illustrated Newspaper*, January 26, 1870.

<sup>45</sup> Browne, *Great Metropolis*, 263.

<sup>46</sup> Edgar Allan Poe, “Man of the Crowd,” in *The Complete Tales and Poems of Edgar Allan Poe* (New York: Vintage Books, 1975).

<sup>47</sup> “Homicide,” *Newport Mercury*, December 7, 1839. “Large Haul by a Pickpocket,” *Pittsfield Sun*, July 27, 1854. *The Hive, or, a Collection of Thoughts on Civil, Moral, Sentimental, and Religious Subjects: Selected from the Writings of near One Hundred of the Best Authors of Different Nations, but Chiefly from the English Writers: Intended as a Repository of Sententious, Ingenious, and Pertinent Sayings, in Verse and Prose, to Which Youth May Have Recourse on Any Particular Topic: And by Which They May Be Taught to Think Justly, Write Correctly and Elegantly, and Speak with Propriety*, (Hartford, CT: Lincoln & Gleason, 1803), 77.

that the eating house and its low prices spread harmony as different men, even rivals, recognized a common need in inexpensive food. *The Great Metropolis* agreed that eating and drinking together created fellowship. Men who had “abused each other for years in print . . . nod to each other, and drink a glass of ale together.”<sup>48</sup>

Many also continued to enjoy the American Plan in hotels. Hotel eating occurred in the presence of a vast number of people, 100 to 250 people seated at one time. Foreign observers thought Americans preferred eating in public, the more attention they received, the better: “The American prefers a large, gay dining room and the presence of many guests . . . He wishes to see and be seen.” According to Thomas Lloyd, a busy restaurant assured potential patrons of a restaurant’s popularity: “A large rush of customers is a sure criterion that the edibles and drinkables of such an establishment are excellent.” As for the table spread, Asa Greene, in *A Glance at New York*, humorously found that with all the food available to look at one time, the *table d’hôte* system saved any confusion over having to decide what to eat.<sup>49</sup>

### *Anxieties Produced by Public Eating*

Eating houses had also become critical public sites where Americans could compare their new country to other European nations, France and England, in particular. When Americans recognized the proliferation of purpose-built eating houses and beautiful new hotel restaurants exposed their habits, they often did not like what they saw. As Paris had become a stand-in for all of France, eastern metropolises stood in for all of the United States—despite the ill-fitting comparison, considering diverse rural and Southern customs. Urban dining witnessed in New York City, Boston, and Philadelphia either vindicated or indicted American eating culture writ large.<sup>50</sup>

Beginning in the 1830s, numerous articles compared American eating habits and houses, generally unfavorably, to those of the French and English. Often conveying descriptions of European eating habits for Americans to emulate, they implied that if Americans adopted those habits, their abiding collective sense of shame and humiliation would certainly abate. Summing it up best, Professor John Sanderson argued in *Godey’s Magazine and Lady’s Book* that in eating practices “America lag[ged] behind the civilization of Europe.” When Europeans witnessed American eating, they “infer[red] from it a low state of morals and intellect.”<sup>51</sup> The British on several occasions had reported the vulgar habits of Americans while eating. Augustus Murray found “greedy haste and confusion . . . usually observable at American dinners.”<sup>52</sup> To counter that impression, writers on the subject implored Americans to change their customs—if not in private, then at least in public.

Gluttony, dyspepsia, and fast-eating formed the triumvirate of commonly-cited offenses. Cited as evidence of American bad habits and their consequences, “dyspepsia” described discomfort from eating too much or not the right things or in not the right manner. The same

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<sup>48</sup> Foster, *New York by Gas-Light*, 217. Browne, *Great Metropolis*, 264.

<sup>49</sup> Thomas Low Nichols, *Forty Years of American Life* (London: J. Maxwell, 1864), 14. Asa Greene, *A Glance at New York: Embracing the City Government, Theatres, Hotels, Churches, Mobs, Monopolies, Learned Professions, Newspapers, Rogues, Dandies, Fires and Firemen, Water and Other Liquids, & C., & C.* (New-York: A. Greene, 1837), 33; Lloyd, *Lloyd’s Pocket Companion and Guide through New York City, for 1866-67*, 122. For a European visitor’s first-hand account of dinner in an American hotel, see Frances Ann Butler, “September 4, 1832 Journal,” in *W. Johnson Quinn Collection of New York Hotels* (New York Historical Society, 1832).

<sup>50</sup> Regarding Parisian restaurants and their relationship to France, see Spang, *Invention of the Restaurant*, 170-206.

<sup>51</sup> John Sanderson, “The French and English Kitchen,” *Godey’s Magazine and Lady’s Book*, January, 1844, 16.

<sup>52</sup> “Who Eats the Quickest,” *New-Bedford Mercury*, October 4, 1839.



writings characterized gluttony and fast-eating, the causes of dyspepsia, as the unfortunate symptoms of a modern world, conditions of urban life to be begrudgingly tolerated, much like “the accumulation in large cities, the noxious effects of impure air, sedentary habits, and unwholesome employments.”<sup>53</sup> Therefore, a movement arose to counsel Americans about the proper way to eat for health. Titles in circulation addressing dyspepsia included *A Mirror for Dyspeptics*, *Dyspepsy Forestalled*, and *A Defence of the Graham Diet*. The best known commentator regarding American eating habits was Sylvester Graham, who advocated his “vegetable diet.” Food reformer Edward Hitchcock, Professor of Chemistry and Natural History at Amherst, also taught that a vegetable diet would be more appropriate for modern American eaters. Similarly, W.A. Alcott prescribed his *Vegetable Diet*, measuring health by bowel movements and flatulence as they related to the evil of “excessive alimentation.”<sup>54</sup>

Sanderson authored *A Mirror for Dyspeptics from the Diary of a Landlord*. He found the cause of dyspepsia the “destructive habit of *bolting* and throwing into the stomach large quantities of unchewed and undigestible matter.” Sanderson did not want to meddle with individual taste, which he believed personal and cultural (and cities having so many cultures, there was no point to interfere), but he did think the science of digestion needed to be explained. Therefore, he focused on a universal biological process—mastication. Men in the nineteenth century, he observed, swallowed without chewing and watered down their gastric juices “with large and frequent gulps of liquid—an affront to the stomach.” In addition to citing the usual culprits, he speculated that when eating out the opportunity to indulge in preparations not normally served in home cooking induced a feverish excitement. Although home cooks regularly prepared beef, “[f]ish, fricandeaus, sweetbreads, mutton-chops, ducks, chickens, turkeys, geese, lobsters, &c., dressed in all the culinary art, present delicacies that are not often enjoyed by the ‘plain livers,’ who tended to go wild in public.”<sup>55</sup>

Americans ate more than their fair share. Although the notion of calories had not yet been conceived, the *Investigator* launched an inquiry into how much food a person really needed, reporting that “[w]e may safely take it for granted, after long discussion . . . that almost every man, woman, and child in this country, habitually eats and drinks twice as much every day” compared to how much they ate and drank just decades before.<sup>56</sup> Professor Caldwell of Transylvania University in Kentucky agreed. When he compared American eating to that in Scotland or Switzerland, he found that “one American consumes as much food as two Highlanders or two Swiss, though the latter are among the stoutest of the race.”<sup>57</sup>

The easy availability of inexpensive food to the middle class demonstrated the success of the American provisioning system, yet the bounty created anxieties over ungratefulness. Articles recommending a course of temperance in eating multiplied. Most food temperance advice sought to stop the phenomenon of people gorging themselves, never knowing when to stop. In the

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<sup>53</sup> James C. Whitten, *A Defence of the Graham System of Living, or, Remarks on Diet and Regimen : Dedicated to the Rising Generation* (New York: W. Applegate, 1835), 29.

<sup>54</sup> Ibid.; Edward Hitchcock, *Dyspepsy Forestalled and Resisted, or, Lectures on Diet, Regimen, and Employment : Delivered to the Students of Amherst College, Spring Term, 1830*, 2nd corrected and enlarged by the addition of an address delivered before the Mechanical Association in Andover Theological Institution, Sept. 21, 1830, and an appendix of notes. ed. (Amherst, Northampton, New-York, Boston: J.S. & C. Adams; S. Butler and Son; J. Leavitt, J.P. Haven, G. & C. & H. Carvill; R. Lord and Holbrook, Peirce and Parker, 1831). William A. Alcott, *Vegetable Diet: As Sanctioned by Medical Men, and by Experience in All Ages* (Boston: Marsh, Capen & Lyon, 1838), 87. For more about the nineteenth century’s most prominent diet reformer, Sylvester Graham, see Stephen Nissenbaum, *Sex, Diet, and Debility in Jacksonian America: Sylvester Graham and Health Reform* (Westport, CT: Greenwood Press, 1980).

<sup>55</sup> J.M. Sanderson, *Mirror for Dyspeptics from the Diary of a Landlord* (Philadelphia: G.B. Zieber & Co., 1844), 11, 17-18.

<sup>56</sup> “Do People Generally Eat Too Much?,” *Boston Investigator*, February 18, 1861.

<sup>57</sup> “Eating Too Much,” *Boston Investigator*, March 25, 1863.

papers a battle waged over just how much was appropriate to eat. “The Risks of Great Eaters” warned that over-eating led to poor health. A moderate eater could live to the age of 169, as did “Jenkins, a poor Yorkshire fisherman, who lived on the coarsest diet.” Henry Francisco, that same article preached, thrived on a meager diet of “tea, bread and butter, and baked apples” until he reached 140.<sup>58</sup>

“[A]bundant and cheap” food caused not only over-eating, but also poor table manners, according to *Frank Leslie’s Illustrated* and *The Boston Investigator*. Paradoxically, a source of pride for the urban marketing system had become a source of derision. At least for the middle and wealthier classes, it seemed many had difficulty knowing when to stop eating. Or they experienced confusion, not knowing when they had eaten too much in public where they were under surveillance. Americans would need to learn how to manage their public excesses.

The *Boston Investigator* considered indulging too much a fault much worse than drinking too much. *The Investigator* labeled such a person a “Gourmandizer,” a creature “who never stop[ped] eating, till they have tried all the dishes before them.” The Gourmandizer was further characterized by an “obtuseness of perception and clumsiness in [his] mental operations.”<sup>59</sup> The *Investigator* cited evidence that eating too much “is infinitely more common than intemperance in drinking; and the aggregate of the mischief it does is greater. For every reeling drunkard that disgraces our country, it contains one hundred gluttons—persons, I mean, who eat to excess and suffer by the practice.”<sup>60</sup>

Over-eating embarrassed its witnesses. The *Investigator* advised, “Go to our dining-rooms, the nurseries, fruit-shops, confectionaries, and pleasure gardens— . . . and you will find it in abundance. You will witness the innumerable scenes of gourmandizing, not only productive of disease in those concerned in them, but in many instances offensive to beholders.” The author ended in citing the national humiliation experienced when over-eaters presented themselves as “subject[s] for caricature pictures by European tourists of our domestic manners.” Here the author likely referred to writings by Frances Trollope, in which she ridiculed American dining habits. Charles Dickens did the same. But many American observers agreed.<sup>61</sup>

Yet sophisticated eating required eating large amounts of food. As “gourmand” grew to become a dirty word, “epicure” replaced it, imbued with the connotation of selecting from and curating the best eating experiences. Self-styled epicures believed eating demonstrated class and sophistication, the more the better. To taste well, one needed to acquaint himself with a variety of dishes, requiring the ingestion of vast proportions. Articles educating readers in the culture of the eating houses in Paris and London exhaustively listed the names of establishments to visit and foods not to be missed.<sup>62</sup>

As the century progressed, others agreed that the fashion should be to eat less, not for any reason of morality, but simply for fashion’s sake. In 1857, *The Physiology of New York Boarding*

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<sup>58</sup> “Risks of Great Eaters,” *Frank Leslie’s Illustrated Newspaper*, February 17, 1866.

<sup>59</sup> “Thoughts on Eating and Drinking,” *Boston Investigator*, January 23, 1861.

<sup>60</sup> “Eating Too Much.”

<sup>61</sup> *Ibid.*; Frances Milton Trollope, *Domestic Manners of the Americans*, Dover 2003 ed. (London: Whitaker, Treacher, & Co., 1832); Charles Dickens, *American Notes for General Circulation* (London: Chapman and Hall, 1842).

<sup>62</sup> N.P. Willis, “First Impressions of Europe,” *Salem Gazette*, May 8, 1832; Dr. Veron and Bilboquet, “The Cafes and Restaurants of Paris,” *Eclectic Magazine of Foreign Literature*, May, 1854; “The Eating Houses of Paris,” *Philadelphia Album and Ladies’ Literary Portfolio*, November 9, 1833; “London Eating House,” *Atkinson’s Saturday Evening Post*, May 25, 1839; N.P. Willis, “The Streets of London: Shabby-Genteel Eating-Houses at the West End,” *Rural Repository Devoted to Polite Literature*, September 24, 1836; Robert Grant, “London Coffee Houses,” *Brother Jonathan, A Weekly Compend of Belles Lettres an the Fine Arts*, February 19, 1842; “A Gastronomic Survey of the Eating Houses of London,” *Albion, A Journal of News Politics and Literature*, June 15, 1839.

*Houses* profiled “The Fashionable Boarding-House Where You Don’t Get Enough to Eat.” The chapter title contains the argument: The fashion required moderation and restraint. Rather than ringing a bell or yelling an announcement (the “cattle call”) to indicate dinner, the attendant instead knocked on each individual’s room door. The proprietress would then select each diner’s seat at the table, guiding him into it; she even “remove[d] your napkin from its ring and spread it over your knees in preparation.” Guests also engaged in the art of polite conversation while eating. And breakfast would consist of “very small mutton-chops, *patés*, nick-nacks, and French bread and coffee—made also à la Française. In this case, made à la Française likely meant made small.<sup>63</sup>

To manage the excessive quantities of food required under the American eating plan, the *Investigator* called for the adoption of “temperance style” tables. A temperance table first meant no alcohol, but it also meant a limited menu. Alcohol temperance advocates expressed concern that moderation in alcohol could lead to over-indulgence in food. *The Investigator* had blamed the alcohol temperance movement for the rise in over-eating; temperance “convert[ed] . . . from drunkenness to gluttony,” “inordinate eaters.” As men and women eschewed alcohol, some thought they then turned (or were encouraged by liquor-temperance advocates to turn), to food as compensation for the lack of spirituous drink.<sup>64</sup>

In their calls for moderate eating in both volume and pace, temperance movements played a pivotal role in moving the eating structure from the American Plan to the European Plan. Among all the purported causes, the American Plan received the preponderance of blame for most problems witnessed at table. One observer wrote, “I think I have found out the cause of those manners that foreigners ridicule so much in us: it is the universal table d’hôte system—the excitement, the rush, the hurry.” Interestingly, despite foreign condemnation of the *table d’hôte* system, it served as the primary mode of table service in Paris during that time (“little more than a generic appellation”). Perhaps it was the American implementation of the system and its allowance of promiscuous eating that was at issue.<sup>65</sup>

An 1839 article entitled “Who Eats the Quickest?” answered its own question with “The Knickerbocker.” Using the term for Old New Yorkers highlighted the contrast between how New Yorkers’ envisioned themselves (as the scions of culture descended from Europe) and how Europeans saw them. New York had indeed won the contest for quick eating. Some writers thought it showed a lack of respect for the amount of effort that entered into the cultivation, preparation, and presentation of a meal. Yet to others, quick eating represented the accomplishments of urban America. If middle-class Americans ate quickly and showed little respect for the meal, it may have been because they had grown accustomed to food’s wide variety, easy availability, and low cost. Furthermore, Americans focused more on service, than on cuisine, anyway. George Foster thought New Yorkers ate faster than anyone else in the world: “A regular down-towner surveys the kitchen with his nose as he come up-stairs—selects his dish by intuition, and swallows it by steam and the electro-galvanic battery.” The custom of gulping

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<sup>63</sup> Gunn, *The Physiology of New York Boarding-Houses*, 25.

<sup>64</sup> “Intemperate Eating,” *Boston Investigator*, March 17, 1852. While temperance diets might have aligned with Sylvester Graham’s recommended diet, they should be distinguished. Not all recommended a vegetable diet featuring the staple bran bread; they simply counseled to eat less—and especially in public. *The Investigator* declared that vegetarianism had lost its battle for souls: “The necessity for animal diet, in order to develop man’s highest physical nature, seems now almost universally conceded.” Still without vegetarianism as its goal, the *Investigator* pressed for diet reform. “How Often Shall We Eat Meat?,” *Boston Investigator*, August 11, 1869.

<sup>65</sup> “Niagara Falls--Fast Eating,” *New York Herald*, August 26, 1842; “The Eating Houses of Paris.”

down one's food seems to have been shared by most Americans, as evidenced by the avalanche of articles and memoirs remarking on the speed with which Americans ate.<sup>66</sup>

In 1873 *Harper's Weekly* derogatorily described the lunch counter as a "peculiarly American institution," the term used to describe the recently ended slavery. Its complaint reflected concern over commercialized eating. Lunch itself had become business-like in its practice, no longer "a time of rest and enjoyment." It depicted businessmen as choking down their food, gulping without chewing, generally treating "hunger and thirst as impertinences, to be got rid of with as little loss of time as possible," so that they could get back to their real pleasure of making money. The article concluded that "[a] little more attention to the aesthetics of eating would banish the long list of dyspeptic ailments to which American businessmen are so generally suspect." When *Harper's* wrote that lunch counters caused dyspepsia and that following aesthetic prescription might solve a medical condition, the editors linked three themes prevalent in nineteenth-century thinking about eating out: aesthetics, social context, and health. *Harper's* thought aesthetics could prevent the onset of dyspepsia, which begged the question of which aesthetics it preferred. Most commentators found prevalent fashions the cause of overeating and ill health, not the solution to them.<sup>67</sup>

A contagious epidemic is how articles construed bad manners. "Viator" recalled his observations of American life as he traveled across the state of New York. He thought fast eating "travel[ed] like a fire over a prairie; it is epidemic and contagious; and I fear it will become contagious." "The custom of habitually dining together in large bodies throughout the Union has much aggravated this evil propensity of fast eating," he concluded. Comparing the unruly table to a raucous theatre setting (another American institution whose domestic adaptations Europeans had ridiculed), William Cox found that "half-a-dozen voracious persons [could] disorganize a whole table, and induce a contagious fury." "[T]is time that such behavior was frowned down—'tis amazing, as well as disgusting, to see the rate at which people eat, when away from home," he judged. If fast eating could be contagious, the logical (although unstated) conclusion would be to separate eaters, placing them at free-standing disconnected tables so that bad eating could not spread across the table end-to-end. The image of a wildfire suggested as a solution the need for control and moderation, in the form of a figurative firebreak. Americans who focused on manners wanted to restructure the eating house system as a way to restructure internal social relations.<sup>68</sup>

Cox laid out a case for policing fast eating. Echoing fears about how Europeans judged Americans as uncivilized, in 1837 Cox wrote of "an awful stigma, hanging over the United States." Cox thought fast eating showed Americans to be ungrateful, "swallowing . . . without thought, pause, or reflection, the choice treasures of nature." As did so many others, Cox remarked on the noise produced by alacrity in eating. The eater "hears a strange commotion going on around—a rattling of knives and forks—a clanging of plates—entreaties to be helped in an impatient or beseeching tone, and brief or querulous responses." He continued, "if a reform does not speedily take place, the Americans will be forever characterized as 'fast eaters.'" And Cox observed the trait throughout all regions in the United States ("from Maine to Mexico") and no matter the eating location ("in all hotels, boarding-houses and steamboats, the same rash and furious application of the jaw-bone is prevalent"). So while several blamed eating in groups or

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<sup>66</sup> "Who Eats the Quickest." Foster, *New York by Gas-Light*, 215.

<sup>67</sup> "The Lunch Counter."

<sup>68</sup> , *New York Herald*, August 26, 1842.

the boarding-house or the *table d'hôte* system or the pace of the city as the cause of fast eating, it appeared something else was at work.<sup>69</sup>

Although an American, Cox sympathized with the traveler's perspective visiting America. The well-mannered foreign traveler would carefully eat one dish, and only when finished with the first then seek another, but finding instead "fragmentary pheasants, skeleton turkeys, crushed and mangled ducks, and all the unseemly remains and [marks] of a harried and ferocious onslaught upon the provisions, present themselves in every direction." Cox believed this fast eating at hotels, for which foreign travelers were unprepared, left them hungry, miserable and then churlish when reviewing and later writing about the rest of American culture.<sup>70</sup>

Cox furthermore argued that the stakes were higher than mere individual dyspepsia; fast eating signaled a lack of appreciation for the finer things in life, a lack of civilization. "A fast eater may be a man of information [but]," summed up Cox's analysis, "he can never be a man of taste. . . . he may swallow the contents of many books, and gorge any given quantity of facts in the same voracious manner as he gorges his food, but he will never be a man that loves the beautiful, either in art or nature." Using the example of eating a lobster, Cox explained that time and care had been required to cultivate the lobster in its growth, but also in its preparation. He thought the eater should calibrate his behavior to mirror that exhibited at earlier stages, revealing an awareness of the time and attention nature and others had contributed to the lobster. Eating appropriately would have recognized the consumer's role in the lobster's life cycle. Fast eating ignored those efforts, denied their sanctity—either through rejection or lack of recognition. If the point of eating were only to gulp down meat, there would have been no need to cook it. Cox implied that Americans had gone native, eating only for sustenance like the "savages" of the New World. Fast eating reflected a reversal of the civilizing process.<sup>71</sup>

Beyond health concerns, bad eating habits represented the failure of the American system to keep pace with European standards of elegance and taste, portraying the American populace as unrefined. Newspapers therefore looked to Europe to learn more about its eating culture and relayed that information back to American readers, who might decide for themselves whether France and England exhibited truly superior manners, food, and establishments. By the number and frequency of publications on the subject, it was a favorite preoccupation for readers to indulge in the newspaper reviews of the cafes and restaurants of Paris and London. Representative titles included "Travelling Sketches, First Impressions of Europe," "The Cafes and Restaurants of Paris," "The Eating Houses of Paris," "London Eating House," "The Streets of London: Shabby-Genteel Eating-Houses at the West End," "London Coffee Houses," and "A Gastronomic Survey of the Eating Houses of London." Responsible for a number of articles in this style, N.P. Willis worked as an especially prolific travel writer, over the years penning a multi-part series about his European tours.<sup>72</sup>

Americans kept one eye peering back over their collective shoulder. Certainly many writers intended to train Americans in the ways of Europe. On the other hand, some writers apologized for American behavior, seeing it as a rational response to rapid business growth. And even still, a third category of writers denigrated European culture. Somewhere between the

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<sup>69</sup> William Cox, "Fast Eating," *Pennsylvania Inquirer and Daily Courier*, July 6, 1837.

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Willis, "First Impressions of Europe."; Veron and Bilboquet, "The Cafes and Restaurants of Paris."; "The Eating Houses of Paris."; "London Eating House."; Willis, "The Streets of London: Shabby-Genteel Eating-Houses at the West End."; Grant, "London Coffee Houses."; "A Gastronomic Survey of the Eating Houses of London."

second and third category, author Cyril Thornton's "Men and Manners in America" rationalized American behavior and scrutinized European customs. Thornton disputed the universality of fast-eating in America and provided excuses for occasional lapses. Thornton believed Europeans had observed Americans out of context, often while traveling when they were given a limited amount of time to eat—on a short break from the road or river. He thought that if fair comparisons were made, then Americans would be vindicated and their average meals shown to be more wholesome than those in Europe. He imagined the typical Frenchman not as a Parisian diner, but as a rural peasant who ate bread and cheese in the doorway of his cottage, rarely seated for a "meal" of such meager proportions.<sup>73</sup>

Thornton may have wanted to take France down a peg because Paris was almost always construed as first among nations in the quality and luxury of its eating establishments, to be experienced first-hand and then emulated in the United States. An article entitled "The French and English Kitchen" thought it not a "mere accomplishment," but a "dire necessity" to visit Paris to learn its eating culture. Its author Sanderson coached, "[t]o dine on a single dish the French call an 'atrocious.'" London also rivaled Paris for its attention to haute-eating cuisine. On the eating fashions of London, *The Albion* reported back to American readers and laid out a set of rules to be remembered for eating in that world-class city.<sup>74</sup>

Back in America, references to contagious habits spreading like wildfire and the prevalent references to over-eating as a disease raised the social aspect of public eating in large groups. If habits could not be reformed through reasoned persuasion, then the logical solution to a problem conceived of as a raging fire (or rampant virus) would be to impose a quarantine. And that's exactly how many city dwellers and commentators behaved, responding in ways that suggest the perceived underlying social ill may have been promiscuous social mixing. As in most other areas of nineteenth-century life, regimes for separation soon developed and were applied to the eating-house space. If at one time "Americans felt that no man was privileged to eat apart from his fellows," necessitating eating together, that sentiment either no longer held, or the range of fellowship narrowed. The familiar separations were implemented and applied to the concept of eating houses—by race, by gender, by time, by space, and by the emerging categories of class.<sup>75</sup>

### *The Division of Labor in Eating Spaces*

If in Europe, diners celebrated chefs, in the United States diners appreciated service. Masterminds of coordination, waiters constructed the experiences of throngs of hungry men who demanded immediate service and would go down the road (if not next door) to seek a meal at a competitive location. Everyone (including Americans) remarked that Americans ate too much, too quickly, but if that were the standard of the day, then restaurants and waiters who hoped to remain in business needed to satisfy demand. Waiters were the lynchpins of the eating out experience.

While Americans may have talked about dining in terms of cuisine, dining encompassed both cuisine and service. In *Frank Leslie's Illustrated*, Gardener contrasted "eating" with "dining." He described mere eating as ingesting "a quantity of food necessary for the support of

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<sup>73</sup> Cyril Thornton, "Men and Manners in America," *North American Review*, January, 1834.

<sup>74</sup> Sanderson, "The French and English Kitchen." "Dining Out," *Albion, A Journal of News, Politics, and Literature*, May 9, 1846.

<sup>75</sup> Evans, "Knickerbocker Hotels and Restaurants, 1800-1850," 382.

life . . . with little regard to its quality, in a more or less rapid manner.” As for dining, however, it began with the waiter’s call, “the voice of the white-gloved flunky must softly whisper to the hostess that ‘the soup is served.’” Gardener at great length described the serial process of the meal being served at intervals, to waken, tease, and coax the appetite. Also critical to the meal were conversations with and orders to the waiters, fantasized as subservient. The waiter’s call signaled the start of the meal, and he provided the coffee to awaken the guests from their trance at the end: “Waiter . . . [g]ive us a *petit tasse de café fort comme tous les diables*.” Waiters, who orchestrated the entire eating experience from beginning to end, were the only sober parties present.<sup>76</sup> Gardener also wrote an article declaring the boarding house as a scourge, entitled “What Shall We Eat?” A more appropriate title would have been “How, Where or With Whom Shall We Eat?” While Gardener addressed the specific courses that appeared on the table, he ultimately concentrated on the wait service, the company at table, and the course sequences, more so than the actual food.<sup>77</sup>

Eating houses were structured by the waiter captains to distribute the maximum amount of food to a maximum number of people in the shortest period of time. Foster described the floor plan and waiting stations within the space—before he tackled the food. Sweeney’s organized itself like a church, he found, “with tables and benches for four, in place of pews.” At the aisles of each row stood the “attentive waiters,” who delivered orders with “surprising dexterity and precision.” At Sweeney’s even the menu was oral, rattled off to customers at the entrance, so presumably when they seated themselves, they would not need to peruse the menu, but would have already decided what to order.<sup>78</sup> Foster categorized eating houses by service, the class of the restaurant directly correlated with the amount of attention the waiter devoted to his charges. Playing with a Linnaean system of organization, he listed types of restaurants as fitting “Sweeneyorum, Browniverous, and Delmonican”; Delmonico’s represented the pinnacle. Foster distinguished Sweeney’s from Brown’s in that at Brown’s “the waiters *actually do*” pass by you within hail now and then, [while] at Sweeney’s no such phenomenon ever by a possibility occurs.”<sup>79</sup>

Although the American Plan was often blamed for bad habits, those habits often carried over into European Plan houses and lunch counters. Customers hurried to communicate their orders to waiters, their pressured speech causing them to jumble their words. Social commentators joked that waiters heard the menu from their customers as “Haunchavenison, breastervealanoysters, very nice; curry fowl, rosegoose, leggerlamb an’ sparrowhawks.”<sup>80</sup> By 1888 *Harper’s Weekly* approximated some lunch counters accommodated over three thousand people during the common time between noon and 2 p.m. *Harper’s* complimented the waiters for managing the great rush and for their calm under pressure, completing repetitive serving tasks with precision. “To be a carver in a lunch-room of some repute is to attain a high position. . . . It is high art to cut thousands of slices, apportioning to each one the exact proportions of fat and lean, and to add the precise amount of gravy.” As a token of respect, the article equated the skill of the lunch-room waiter to that of a hotel waiter, a higher status job.<sup>81</sup>

<sup>76</sup> Gardener M.D., “Dining--Not Eating Dinner.”

<sup>77</sup> “What Shall We Eat?”

<sup>78</sup> Foster, *New York by Gas-Light*, 216. That Foster compared eating houses to churches described what he may have seen as the displacement of religion by entertainment, of which eating was a significant part.

<sup>79</sup> *Ibid.*

<sup>80</sup> “The Eating-House Waiter,” *Ballou’s Dollar Monthly Magazine*, May, 1856.

<sup>81</sup> “A Down-Town Lunch-Room.”

In 1848 Tunis G. Campbell published his *Hotel Keepers, Head Waiters, and Housekeepers' Guide* in Boston, with a dedication to D.D. Howard, proprietor of Howard's Hotel in New York City. While diners spoke of a new ethics of eating, Campbell worked to establish a new ethics of serving through his novel training method. He viewed waiting as an undervalued and unrecognized science ("waiting becomes what it ought to be—a science") that required study, "the same as in any other profession." Campbell's methods exerted weighty influence in at least Boston and New York City, the two major hotel cities in the United States. Campbell justified the publication of his text because he perceived the "evident necessity which exists for an entire change in hotel-keeping, and working therefor." Campbell identified the problem as "inconveniences" created by servants, which he also thought resulted from the "one great error" in refusing to recognize and appropriately compensate for great service. Without proper pay, he found servants sought additional compensation elsewhere, not putting their full attention into the task and potentially engaging in fraud to make up the widening gap between the wages needed and those provided. Campbell referred to an informal system akin to modern tipping, whereby a servant would lavish favor on any patrons who paid him while neglecting those who did not. This practice of selective attention dragged down both the overall quality of service across all patrons and hence the reputation of the house, in Campbell's opinion.<sup>82</sup>

Campbell pioneered a drilling system, military-like, where men trained daily, except Saturday (cleaning day) and Sunday (church day). The point of drilling was to prevent "the slightest mistake." The men were arranged in squad formations and divided into officers, drill sergeants, and first lieutenants. Campbell counseled the importance of teaching the men "how to step, and how to carry themselves" and how to ensure the neat and clean appearance of each of them. Each Monday the men's conduct as a team would be reviewed, the team itself receiving praise or demerits accordingly. Campbell drafted regulations for the drills.<sup>83</sup>

Under the drill system, men maintained fixed positions one step behind the chair of each diner. Campbell organized the men hierarchically: headwaiter, second waiter, then a set of line waiters. The second waiter called the line waiter to table by blowing a whistle. On signal cues, men filled soup bowls, raised the covers on dishes, and marched around the table to deliver food to each of their charges. The men were to attend to the chime of a "small wire bell," which signaled when to step, the direction to face, when to lift covers, when to clean the table, essentially most parts of the meal's presentation. Headwaiters also conducted the drills to music, to train the servants to march to the same rhythm, to inculcate a coordinated discipline; "[t]hese men should all move as one man."<sup>84</sup> Campbell also advised teaching men to be "attentive, obliging, and gentlemanly in their behavior." "Raw recruits could be fully acclimated to their duties in two weeks," read the *Hotel Keeper's* advice, likening the waiters to military soldiers in boot camp.<sup>85</sup>

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<sup>82</sup> Evans, "Knickerbocker Hotels and Restaurants, 1800-1850," 392. Tunis G. Campbell, *Never Let People Be Kept Waiting; a Textbook on Hotel Management*, ed. D. E. King, 1st ed. (Raleigh, N.C.1973), 6-7.

<sup>83</sup> *Never Let People Be Kept Waiting*, 8.

<sup>84</sup> "[T]he men again take their plates, waiting the signal to remove the castors, salts, water-jugs and trimmings; after which the men will form into squads to brush the table for Dessert,—one man with a fork and plate to gather bread, the next with plates, another with knives, and the other with forks." *Ibid.*, 10-12; 14-15.

<sup>85</sup> *Ibid.*, 24, 26. Of all the courses, dessert was the most elaborate, showing the complexity that had been achieved. The process unfolded: "[A]ll the men on one side must have puddings and jellies, and all on the other will take pies and confectionary. Each man, taking two dishes, proceeds to his station, facing the same way as he came in, and at the signal all face the table. At the next signal they will put on, first with the right, and then with the left hand; and so proceed, until the whole is on that belongs to the pastry, which may be summed up as follows: puddings, pies, tarts, trifles, creams, candies, pyramids, and confectionary of all kinds; and fruit may be put on with this course, such as apples, pears, peaches, plums, apricots, &c." Presentation was equally important as the food, so the men were asked to think aesthetically when displaying the dessert items: "[P]ut your dry fruit upon



The analogy of a headwaiter as a conductor is also apt. Campbell himself described the system as a clock, the headwaiter giving the signals to make the machinery move faster or slower. References to industrial time reveal that the contemporary context affected food service. Hotels were often located near (and serviced those coming from) boats and taverns. The increase in travel and railroad lines and stations led to the construction of more hotels catering to those disembarking passengers. Campbell referenced the need to follow the train schedules, to know when the diner might arrive, so the food would be at the ready.<sup>86</sup> Other commentators frequently cited the emerging relationship between the hotels and trains. “But the ‘taverns’ of Boston have passed away, railroads and fashionable hotels have swallowed them,” read one article.<sup>87</sup>

In the hotel’s pantry, management prominently displayed the rules and regulations governing waiters. The headwaiter had “duties” that included hiring and placing his men into appropriate positions, monitoring their time, and imposing punishments (“fines”) for rule infractions. The waiters were also selected for their physical attractiveness, although few details were provided in the *Guide*. And as a group, to form one unit, the men were chosen to be close in height, ordered from left to right, shortest to tallest, with minimal deviation. The dining-room itself was managed by the second-waiter. He kept control of the linens, cutlery, and plates. And he served as the next-in-line to the headwaiter, like a vice-headwaiter, in case the headwaiter was otherwise indisposed.<sup>88</sup> The head and second waiter determined and assigned the tasks of waiters numbered three through eight. The responsibility list read in dizzying fashion. Numbers two through seven oversaw dairy and dessert, tea, bread and napkins. Number eight “attend[ed] to the dried beef, and whatever meat may be for tea.” Managing the “hot covered dishes” took the labor of five men. One man worked the covers, another the meat dishes, next the lamps, then the stands. Campbell did not spell out the fifth man’s responsibilities; perhaps number five served as a fail-safe, for the unexpected. All contingencies were accounted for by the extensive line-up of waiters.<sup>89</sup> Structuring waiters into platoons and squadrons might have appeared excessive (even ludicrous) to some; five men were needed to lift the cover of a meat tray. Yet if so many customers, up to thousands, sat for dinner each evening, and the restaurant, hotel, or eating house wanted to maintain its reputation for adequacy, not to mention superiority, the competition remained intense.

Campbell confirmed what the articles about fast eating communicated, that pressing business needs, or the perception thereof, rushed the coursing. While technically a full dinner might require eight courses, Campbell thought that he might discourage customers if the dinner took too long; therefore he designed his system to compress together some of the middle courses. In this, Campbell tried to steer a middle way between the customer demands for a harried meal and what was recognized as a more civilized, leisurely dining experience. Interestingly, while many newspaper articles suggested economic interests caused restaurants to turn tables quickly

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the table cover, which may be purple damask, or any other color that you fancy; but bright colors are best. The fruit napkins must correspond with the cloth, the same as the other napkins do with the other clothes. The finger-bowls may be as you fancy, each containing a small piece of lemon.” *Ibid.*, 10-13.

<sup>86</sup> *Ibid.*, 28-29, 62. Andrew Sandoval-Strausz has argued that hotel should be viewed as part of a larger transportation network. Sandoval-Strausz, *Hotel*, 45-74.

<sup>87</sup> Acorn, “Hotels and Taverns of Boston.” In Acorn’s article, taverns resembled “caverns,” showing how time had accelerated to make the old taverns feel prehistoric. And caverns is precisely how Foster described the underground drinking cellars. Many New Yorkers and Bostonians cultivated a new relationship with time and space that made any reminders of the “traditional” versions of the city seem prehistoric by comparison; these older spaces were demonized. Of course, not all commentators felt that way, but there existed a distinct undercurrent of this mode of thought.

<sup>88</sup> Campbell, *Never Let People Be Kept Waiting*, 16-18, 23.

<sup>89</sup> *Ibid.*, 16-18.

—e.g., fish had too many bones and slowed down the meal, compared to hash, which could be swallowed without chewing—Campbell asserted that his customers and their businesses pressured him; they simply would not sit still for a full separate eight courses.<sup>90</sup> A new system, at least in America, of serving courses had emerged. First soup; then fish, meat, and entrees (referring to vegetables accompanying the fish and meat); finally, the dessert course. And while customers may have wanted some system of coursing to help manage their appetites, many complained that what they often experienced was too heavy-handed, leaving them little freedom to choose the order of their dishes, as had once been the case. Campbell may have been sensitive to a plan of service that smacked too much of European style.<sup>91</sup>

In the hands of the headwaiter lay the discretion to regulate the meal's pace and the digestive tracts of eaters. At a big table, certain people ate quickly; others too slowly. The headwaiter determined whether to honor requests for seconds, or to withhold food from the table. The waiter needed to synchronize and bring all eaters into line, yet do so without their notice. Just as the men were required to pad quietly around the table (marching lockstep in slippers), they were expected to fade into the background in other ways, appearing to be as directed by the customer's wishes, yet really following a grander plan and system created by Campbell or the headwaiter, but never the customer. That was the dilemma of waiters: Their greatest skill their least acknowledged, they required more self-control than their clientele exhibited. Although hired for their self-discipline, servants were forced to deny their expertise and power by subservient posturing. When patrons complained about servants, they often projected their own lax habits onto their servants.<sup>92</sup>

Campbell may have fixed the American Plan, yet he was an African-American man. Paradoxically, some of the best waiting work was performed by blacks, who had been banned from eating at tables with whites. Blacks serving whites in a country founded on white racial dominance is not surprising.<sup>93</sup> Central to the new fashionable method of eating included an African-American male waiter, described by *Physiology* as a “colored boy,” compared to a skilled plantation hand, or as a “darkey of butler-like aspect.” Whatever he was called, his presence lent an air of gentility and respectability and fashion-forwardness to the eating festivities. A fashionable style of eating combined an awareness (if not actual adoption) of

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<sup>90</sup> Ibid., 66-69. Acorn, “Hotels and Taverns of Boston.”

<sup>91</sup> Campbell, *Never Let People Be Kept Waiting*, 28. It remains unclear whether Campbell recommended a European system of manners, merely acting as an agent of transmission, or whether he developed the system of his own account *sui generis*. Campbell does mention the need for a hotel keeper to travel around Europe for some extended period (up to two years) before beginning a restaurant. The keeper would need to make “himself acquainted with all the principal places” so that he could offer superior, if not competitive services relative to other city hotels. Otherwise, Campbell claimed to have invented the system himself through trial and error. Campbell likely developed his plan with some inspiration from others, yet tested, perfected, and brought it to fruition himself. He mentions having agonized for years (and being taunted by others) as to whether the plan might work. At publication, the inside cover of his text shows him beaming with pride—erect posture with vest, jacket, and bowtie. His ideas, which he presented first, spoke for themselves without the need for a patron's introduction, as was so often the case with the few books published by black authors. Only at the end of his text—which also included charts, diagrams, and the requisite recipe specialties—did he offer references and real-life evidence of his program's success. Boston's Adams house and New York's Howard's Hotel, among unknown others, benefited from his coaching. Daniel Howard and prominent boarders, including Lewis Easton the Deputy Postmaster General, attested to Campbell's intelligence and thought he might through his example and training “elevate the condition and character of persons of his color.” The Adams brothers attested to the “novelty as well as the utility of [his] ‘Drill,’” and to the happiness of their patrons and waiters both. Ibid., 116.

<sup>92</sup> Ibid., 64, 68.

<sup>93</sup> Just a decade earlier when discussing blacks and food, “A Southerner,” had written that “[e]very one acquainted with the habits of Negroes, knows them to be an improvident race, and if left entirely to the guidance of their own will, would very soon, (even in this country,) sink to the state of savage barbarism, from which their African ancestors were removed.” A Southerner, “Dieting, &C. Of Negroes,” *Southern Agricultural and Register of Rural Affairs*, October, 1836.

European customs and the incorporation of African Americans into the dining rooms to manage the proceedings.<sup>94</sup>

The military modeling employed throughout Campbell's system had political significance for African Americans. Waiting, if it could be made honorable and disciplined, would show blacks willing and able to serve and care for their fellow citizens, in a public forum. Authors of guidebooks and newspapers extended to their readers the dining experience, which included witnessing and interacting with blacks in the eating house, as servers. Many might have thought of blacks as lackeys or obsequious; however, Campbell recognized that he prepared blacks for greater respect due to the training and skills he imparted. If every hotel took his advice, a literal army of young black men (and white men, too) could be created with appropriate training in demeanor and manners. The Campbell method promised another benefit to waiters. They might establish long-term relationships, make more money, and develop a recognized skill. Campbell advertised that they could save time and avoid headaches through greater organization. Through coordination and working together, he thought certain tasks and responsibilities could be completed in two-thirds the time, compared to working alone, compared to working alone.<sup>95</sup>

Campbell's professional work dove-tailed with his political beliefs in black equality. As Campbell referred to his plan in terms of military and scientific training, he envisioned his service as not only a valuable trade, but also an example of black uplift. Historian Doris Elizabeth King found that Campbell demonstrated a long-standing commitment to black freedom activities, founding an anti-colonization society early in his career. Prior to the Emancipation Proclamation, Campbell attempted to enlist in the military, but was rejected. Later in the war, however, he obtained a military post at Hilton Head, South Carolina, and subsequently during Reconstruction worked as the governor of the Sea Islands. Eventually, Campbell was elected to serve in the Georgia state senate.<sup>96</sup>

Like other rights activists Campbell advised employers to treat their servants well and not to abuse them, thereby instilling loyalty and increasing profits. Employers frequently complained about the peripatetic nature of servants, comparing them to runaway slaves, who would not remain long in the employ of one family or business. Campbell, a translator for the frustrations of all servants, explained that servants (who were not slaves) left due to mistreatment, seeking better opportunity and fortune. Hotel owners would benefit from treating their employees better because patrons formed relationships with their waiters, who represented the hotel and its goodwill. In developing and promoting his plan, Campbell proposed a compassionate prophylactic solution to the so-called "servant problems" that plagued the nineteenth-century middle class, who complained in aphorisms that *good help was hard to find* or that *the devil made the cook*.<sup>97</sup>

Campbell placed the responsibility on those demanding good service to communicate their requests with courtesy and respect, to consider servants as rational partners in business, who responded to reason, not the lash. Post-emancipation servitude need not mimic the violence and humiliation inherent in slavery. Turning the tables was in order. Campbell recommended from time-to-time that the hotel keeper serve dinner to his workers. Brutal treatment created "eye-servants," he noted, those who merely appeared to follow the rules and to look out for the best

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<sup>94</sup> Gunn, *The Physiology of New York Boarding-Houses*, 24-26.

<sup>95</sup> Campbell, *Never Let People Be Kept Waiting*, 62.

<sup>96</sup> *Ibid.*, xxiii-xx. For the first-hand account of Campbell's life trajectory, see also *Sufferings of the Rev. T.G. Campbell and His Family in Georgia* (Washington, DC: Enterprise Publishing Company, 1877).

<sup>97</sup> *Never Let People Be Kept Waiting*, 5-8. Regarding the "servant problem," see Wilk, "Cliff Dwellers: Modern Service in New York City, 1800--1945," 38.

interests of the establishment, but no sooner than the owner turned his back would lie and cheat. As part of their duty to servants, Campbell recommended that the hotels take greater responsibility for the presentation of their wait-staffs. If brilliant-white jackets, aprons, and pocket-squares were required, then the hotel should do the washing and supply the uniforms. On low wages, waiters could not afford the daily high prices required for maintenance.<sup>98</sup>

Waiters offered more than regulating eating's pace. Patrons desired interactions with their waiters. In restaurant reviews and urban sketches, descriptions about waiters and client-waiter interactions abounded, making it clear that waiters were featured attractions adding not only organization and sophistication, but intrigue to the eating experience, no matter the type of restaurant.

An 1842 tale called "Snarly-Head, The Amateur Politician: A Sketch from Real Life in Gotham" told the story of a particularly alluring headwaiter, nicknamed "The Caller." His name describing his job function, The Caller transmitted orders from customers to the kitchen. The personality of the waiter truly fascinated. The early lines of the story introduced the waiter as the primary character in the restaurant. The tale began, "Some years ago I used to drop into an eating-house known as 'The Pork Chops,' to get my dinner. The head-waiter of the establishment, or 'Caller,' as he was designated, happened to be one of the most disagreeable beings in person and manners I ever encountered." The author then continued to recount a ten-page obsession with the headwaiter. The author tried to answer the "mystery," as he described it, of how a person he found so unpalatable could manage to run the restaurant. The tale attempts to elucidate the paradoxical qualities of a headwaiter: subservient, yet commanding all at once. The author did not like the looks or demeanor of the waiter, yet respected his expertise and dominance in an unruly space.<sup>99</sup>

According to the author, the Caller's appearance, "peculiarly disagreeable," created problems. The description began with his head ("large and ill-shapen") and facial features ("large eyes of the gooseberry pattern"). His "short, thick, red nose" reminded the writer of the mast of a clipper ship. The author went on about the shape of his mouth, lips, then mid-section and legs, his yellow and sharp teeth. Customers named the Caller "Snarly-head," "Bandy-legs," "Sorrel-top," and "Snaggle-tooth" among other monikers. The author claimed the details explained the reason for the nicknames, all the more to make the reader wonder why "Snarly-head" (that particular nickname derived from his tangled red hair suggesting Irish ancestry) remained unfazed by the attacks. Interestingly enough, Snarly-head, for the author never revealed the waiter's true name, moved into politics. Many of the same skills needed to orchestrate dinner service, please customers, and yell loudly over the din of the kitchen and dining rooms translated into organizing other people and spaces, and their ideas. Snarly-head rose through the ranks of his political party to become a drill-corporal, espousing in public spaces (restaurants and street corners to be exact) democratic ideas about the rights of man.<sup>100</sup>

In a haunting scene, George Foster described the ecstasy an ice-creamery customer might have felt as the object of a black waiter's grin. Foster and *New York by Gaslight* traded on titillation in reading about association—real and imagined—with blacks, in the same way that it traded on titillation when reading about gambling and prostitution. When Foster wrote about Contoit's Garden as the most fashionable ice-creamery in New York City, he highlighted the

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<sup>98</sup> Campbell, *Never Let People Be Kept Waiting*, 21-22.

<sup>99</sup> "Snarly-Head, the Amateur Politician: A Sketch from Real Life in Gotham," *Knickerbocker, or New-York Monthly Magazine*, July 6, 1842.

<sup>100</sup> *Ibid.*

“negro waiter [who] chuckled.” Foster wrote that everyone remembered, really could not forget the setting full of trees where a black waiter teased customers, serving up “ice cream,” which was more like a rich custard, fondly and longingly recalled as a “soft-boiled egg sweetened with brown sugar.” Contoit’s had ceased to operate by the time Foster wrote of it, but in its heyday was “the great place in Broadway, and was patronized by all the aristocracy.” The arboreal setting, eggs and cream, Broadway location, and laughing black waiter marked Contoit’s with aristocratic charm. Perhaps the existence of black waiters proved alluring because conversations with black strangers were taboo. Really, no actual conversation took place between the black waiter and his patrons, just in the fantasy world of the writer. Foster’s description suggests both the relationship between service and slavery and between blacks and entertainment culture. Dayton, author of *Last Days of Knickerbocker Life*, also remembered Contoit’s black waiters, who “bustl[ed] hither and thither, as only excited darkies can bustle.” And that may very well be one of the answers to why blacks were positively associated with Broadway ice-creameries and restaurants, because providing entertainment was an accepted role for blacks—and because eating establishments delivered not only sustenance and sociability, but also amusement. (Guidebooks often listed eating houses and restaurants as amusement destinations.)<sup>101</sup>

Another fictional conversation shows diners depended on waiters not only for sustenance, but also for health. A doctor recommended as a dyspepsia cure that Robert Rueful avoid vegetable diets and starvation; he prescribed steak instead. Rueful needed the waiter, like his nurse, to deliver the steak medicine. Rueful barked commands, and the waiter obligingly confirmed his ability to execute each step of the order. Each reply expressing agreement and ending with sir, the waiter acquiesced to a subservient status.

“ ‘Waiter.’ ”

“ ‘Yes, sir.’ ”

“ ‘Steak to-day!’ ”

“ ‘Yes, sir.’ ”

“ ‘Tender!’ ”

“ ‘Melt in your mouth, sir!’ ”

“ ‘Cut me a small piece of the tenderest.’ ”

“ ‘Yes, sir.’ ”

“ ‘Broil it without the least particle of butter.’ ”

“ ‘Without butter, sir?’ ”

“ ‘Without the slightest approach to it. I want you to take care that even the gridiron aint greasy!’ ”

“ ‘Yes, sir.’ ”

“ ‘And take away that bread. Never bring me fresh bread—have you any two days old?’ ”

“ ‘Yes, sir—I can haunt up some.’ ”

“ ‘Bring it. And, waiter, . . . one glass of best port.’ ”

“ ‘Yes, sir.’ ”<sup>102</sup>

<sup>101</sup> By including them alongside theatres, gambling dens, and museums, Foster treats the ice-creameries and eating houses as amusements. His works were designed to titillate readers who preferred to read their entertainment. Foster, *New York by Gas-Light*, 138. Dayton, *Last Days of Knickerbocker Life in New York*, 124-125.

<sup>102</sup> Theodore S. Fay, “The Adventures of Mr. Robert Rueful,” *New-York Mirror*, April 7, 1838.

Without the waiter, Rueful seemed at a loss to prepare his own meals or to look after his own health.

While many complained of the lack of conversation at the lunch counter, Foster gave evidence, perhaps unwittingly, that the only worthwhile banter occurred between the hired wait-staff and customers, not among and between customers. In the eating houses even talk had been commercialized. Foster begins his chapter on “The Eating-Houses” with a conversation, if it can be called that, between a frantic customer and a waiter. His first line transcribes a customer ordering by number from a menu, demanding food in a jumbled melody, and screaming for the waiter, who scrambles to attend to him. “‘Beefsteakandtatersvegetabes-numbertwenty—Injinhard and sparrowgrassnumbersixteen!’ ‘Waiter! Waiter! WA-Y-TER!’ ‘Coming Sir’ . . . ‘Is that beef killed for my porterhouse steak I ordered last week?’ ‘Readynminitsir, comingsir, dreklysir—twonsixpence, biledamand cabbage shillin, ricepudn sixpence, eighteen pence—at the barf you please—lobstarucensammingnumberfour—yest sir!’” The pressured language reflects the fast pace and high demands to satisfy the customer’s every whim, no matter how unreasonable.<sup>103</sup>

Unlike in other aspects of respectable middle-class life, whites could expect interaction with blacks in eating houses and restaurants. Waiting tables was an occupation where blacks were highly represented. An 1848 study of Philadelphia, cited in W.E.B. Du Bois’ *The Philadelphia Negro*, combined waiters with cooks (“waiters, cooks, etc.”). The statistics showed that seventeen percent (557) of Negro men over the age of twenty-one classified as restaurant employees. Four percent (173) of Negro women worked as cooks.<sup>104</sup>

Blacks as waiters—and also as cooks and caterers—held dominant positions in the restaurant industry. In his 1852 report on *The Condition, Elevation, Emigration, and Destiny of Colored People of the United States*, Martin Delany cited black owners of restaurants as “evidence of industry and interest” who deserved the equal protections of the laws. (He listed black restaurateurs among educators, farmers, tailors, tanners, and butchers.) Delany pled that “[i]f such evidence of industry and interest . . . do not entitle them to equal rights and privileges in our common country, then indeed, is there nothing to justify the claims of any portion of the American people to the common inheritance of Liberty.” Delany named James Prosser and Henry Minton as “proprietors of . . . fashionable restaurant[s]” in Philadelphia. Prosser’s restaurant called to mind “daily hours of recreation and pleasure.” Delany reserved the expression “a bee hive” of activity for Minton’s restaurant, whose tables—“continually laden with the most choice offerings to epicures”—served the best men of Chestnut Street. Robert Bogle, an African-American caterer who ran Blue Bell Tavern and achieved notoriety for his creativity in preparing turtle and pepper-pot stew, was identified as a pioneering figure in developing Philadelphia’s distinctive style of cuisine. Delany could not conclude his summary of restaurant owners without mentioning Thomas Downing, who “commanded great influence” and earned more than “three fortunes” over.<sup>105</sup>

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<sup>103</sup> Foster, *New York in Slices*, 66.

<sup>104</sup> W.E.B. Du Bois, *The Philadelphia Negro: A Social Study* (Philadelphia: University of Pennsylvania Press, 1996), 142-143. In this case because Du Bois summarized the findings from another source, it is difficult to know whether he condensed waiters with cooks and eating house owners, due to the association with food businesses. In “Cliff Dwellers,” Daniel Wilk calculated the number and distribution of New York City hotel workers in 1845 by race, confirming that hotels hired high proportions of blacks, often up to one-third of a staff. Wilk, “Cliff Dwellers: Modern Service in New York City, 1800--1945,” 100.

<sup>105</sup> Martin Robison Delany, *The Condition, Elevation, Emigration and Destiny of the Colored People of the United States, Politically Considered* (Philadelphia: The author, 1852), 100, 103, 146.

While Delany wrote of black restaurateurs during his own day, Du Bois from 1899 looked back to the same time as a golden age of black expression. Fascinated with the phenomenon of a black predominance in successful food businesses, Du Bois published his research on black proprietors in a section of *The Philadelphia Negro* entitled “The Guild of Caterers, 1840-1870.” Du Bois chronicled the origins and growth of the trade guild, explaining it as a transformation from domestic service (“where [blacks] still had a practical monopoly”) into industry. Du Bois’ wrote, “[T]he whole catering business, arising from an evolution shrewdly, persistently and tastefully directed, transformed the Negro cook and waiter into the public caterer and restaurateur, and raised a crowd of underpaid menials to become a set of self-reliant, original business men, who amassed fortunes for themselves and won general respect for their people.” Du Bois proposed that the guild, rather than the individual men, deserved credit: “It was at this time that there arose to prominence and power as remarkable a trade guild as ever ruled in a medieval city. It took complete leadership of the bewildered group of Negroes, and led them steadily on to a degree of affluence, culture and respect such as has probably never been surpassed in the history of the Negro in America. This was the guild of the caterers. . . .”<sup>106</sup> In Du Bois’ account, blacks gained a reputation for service, which helped to build their businesses. (Because he thought owning a building would be difficult for blacks to achieve, Du Bois used the term “catering trades,” which included both restaurants in stand-alone buildings and broader food service enterprises that could be delivered in homes or other spaces.) Others agreed that Philadelphia’s reputation benefited from the renown and skill of its caterers. *The Official Guide Book to Philadelphia* commended the [black] caterers as “historic for their artist-like serving of wild game, terrapin, chicken-salad, reed-birds, chicken-croquettes and soft crabs.” They also excelled at dessert, “[i]n ice-creams, confectionary and fruit-ices this has no superior, not even Europe.”<sup>107</sup> The West Indian immigrant Peter Augustin served “[t]he best families of the city, and the most distinguished foreign guests,” Du Bois noted.<sup>108</sup>

Campbell’s story contradicts Du Bois’ characterization that the guild of catering, like a force of history, caught blacks unaware. *Never Keep Them Waiting* shows that it was not mere coincidence that allowed blacks to excel in the public food service trades, but instead a calculated determination to turn service into a skilled expertise. In a time of limited opportunity, blacks made lemonade out of lemons, literally. Skills gained in private practice translated into public abilities in negotiation, business, and service. Just as Philadelphia caterer Thomas Dorsey prepared dishes and meals for public figures Charles Sumner, William Lloyd Garrison, and Frederick Douglass, Dorsey burnished his reputation as a public servant and allied himself more closely with abolitionist causes. Delany noted the contributions black restaurateurs had made to the freedom struggle.<sup>109</sup>

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<sup>106</sup> Du Bois, *Philadelphia Negro*, 32-33.

<sup>107</sup> Westcott, *The Official Guide Book to Philadelphia*, 65.

<sup>108</sup> Du Bois, *Philadelphia Negro*, 34.

<sup>109</sup> Robert Roberts also demonstrated the same determination in the food trades with his *House Servant’s Directory*. Delany, *The Condition, Elevation, Emigration and Destiny of the Colored People of the United States, Politically Considered*. For more on the divide between black waiters and the black middle class regarding appropriate means for advancement, see Harris, *In the Shadow of Slavery*, 217-246.

## *The Ascension of Waiters' Unions*

Forged in a climate of frenzied business and travel expansion, eating houses sculpted themselves to the demands of their customers. Within the space of these eating houses, class divisions emerged as accomplished waiters (service professionals) suddenly found themselves rungs below those to whom they attended. They labored in the pantry and behind counters, stood at the elbows of customers, jumped at commands, and bowed obsequiously. They worked so that others could enjoy themselves. While for some time race visibly marked exclusion from middle-class society, whites had not always been marked in this same way, their class identified so easily. Theoretically family servants lived within an ecosystem of duties and loyalties running both ways between servant and employer (or master). Yet customers owed no duties to servants; the duties to perform all flowed from the servant to the customer. In learning how to eat publicly, eating-house patrons apprehended with whom they shared similar class and occupational status and should treat as equal brethren, and to whom they should command through their orders. Waiters also recognized the change. White waiters now shared a position previously occupied by blacks, their fluid social mobility cementing as they performed service in public. These realizations led to the formation of waiters' unions in the 1850s.

Waiters recognized their value, and at various times demanded that their labor be compensated commensurate with their acumen. In April 1853, 780 waiters organized on Grand Street to plan how they would advance their agenda. In the nascently forming Waiters' Protective Union, headwaiters agreed to use their positions to negotiate on behalf of their less privileged colleagues, the line waiters. Speakers at the meeting noted their support for the *New York Herald*, which wrote in solidarity with the waiters. Mr. Florey, in addressing the group, said that as a waiter he wanted not only more money, but also recognition, "a more respectable position in society and in public opinion." The group hoped the strike would bring attention to its plight. The waiters imagined themselves slaves, required to neglect their own families to tend to the needs of the wealthy.<sup>110</sup> Both blacks and whites of this interracial union addressed the members, who gathered in support of their common goal. Peter Hickman and John Thomas, both black waiters, assured whites that blacks would support their efforts. In "Cliffdwellers: Modern Service in New York City, 1800-1945," historian Daniel Wilk calculated the strike as a "mixed victory" for the waiters, some of whom received higher wages, but others of whom were blacklisted from working in other hotels. Nonetheless, when blacks and whites drilled together, they had learned to cooperate mutually despite perceived racial difference.<sup>111</sup>

During the early years of the Civil War, black waiters again responded to prejudices against them by forming the "Colored Waiters Protective Association." Although the reasons for organizing occurred in New York City, the *Boston Daily Advertiser* found the development universal enough to publish to its readers, who might sympathize. The association served as a

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<sup>110</sup> It is likely the case they received the greatest support from the *Herald*. *New York Times* articles covering the same meetings, for example, neglected to include the meeting transcripts, or even the songs expressing the sentiments of the waiters. "Meeting of Hotel Waiters and Others," *New York Times*, March 31, 1853. "Waiters Protective Union Meeting," in *The Black Worker: A Documentary History from Colonial Times to the Present*, ed. Robert Cvorneyk, Ronald L. Lewis, and Philip Sheldon Foner (Philadelphia: Temple University Press, 1978), 195-196.

<sup>111</sup> "Meeting of Hotel Waiters and Others." "Waiter's Protective Union Meeting." Leslie Harris and many other scholars have addressed organized labor in New York City's early nineteenth century, writing that most labor movements did not involve interracial cooperation, making the New York City waiters' strikes unusual in their mutual interdependence between blacks and whites. In *the Shadow of Slavery*, 7, 242-245. On the strikes, see also Wilk, "Cliff Dwellers: Modern Service in New York City, 1800--1945," 103-105; Carolyn E. Brucken, "Consuming Luxury: Hotels and the Rise of Middle-Class Public Space, 1825-1860" (9805081, The George Washington University, 1997), 254-286.



safety net where African-American waiters supported those among them who had lost work when growing racial prejudice cost them their jobs. The association covered lost wages suffered by its members.<sup>112</sup>

About six months later in 1863, The Waiters' Protective and Benevolent Association of the City and County of New-York (the WPBA) organized. Fostering an egalitarian environment, the WPBA allowed waiters from different types of dining establishments all to join—"waiters in restaurants and private waiters should be considered in the same position as hotel waiters, and be eligible for membership"—which attempted to level any distinctions between waiters serving in public dining rooms and private homes. Headwaiters were not allowed as members, presumably because their high station in the management structure created conflicting interests. The tactics worked. Both hotel owners and frequent guests supported the WPBA, with the owners agreeing to a set of best practices requested by labor representatives.<sup>113</sup>

At various times between 1865 and 1870, hotel and restaurant waiters struck, and over that time, they achieved a \$16 wage increase to \$30 per month. A few years later, however, striking no longer threatened the proprietors. A *New York Times* reporter in 1873 surmised that the employers learned from prior experience. Instead of increasing wages, they employed a second string of "porters, bellboys, and others, to attend table." For that reason, the reporter thought future strike threats would fail to achieve their aims.<sup>114</sup>

In 1878, the Colored Waiters' Protective Union (meeting at the Bethel Church on Sullivan Street at Bleecker) stepped in to assist aggrieved waiters who worked at summer resorts, particularly in Saratoga, Sharon Springs, and Newport. Earning a monthly salary just reduced from \$25 to \$20, these waiters were expected to pay for their uniform washing and their round-trip transportation between their normal places of work and the remote resorts. The *New York Times* explained that headwaiters, although waiters in name, compromised themselves by identifying more closely with management. They received financial compensation in proportion to what the businesses saved in lower salary payments, which (the line waiters feared) led headwaiters to encourage their charges to agree to lower wages.<sup>115</sup>

An early leader in the movement, the 1853 Waiters' Protective Union had contested the gap between waiters' pay and that of the hotel and eating house proprietors. Demanding a slice of the figurative pie they had baked, servers sought redress. The union, unusually, joined both whites and blacks. The collaboration across racial categories demonstrated common interests. When whites agreed to partner with blacks, whites showed their understanding of the leadership blacks had demonstrated in seeking fair wages. Initially black waiters had organized and attained their wage increase; when white waiters saw the positive results that blacks had obtained, the whites enlisted support of blacks in strategizing and negotiating.

When the WPU first met, the attending waiters sang to conclude their meeting:

"Waiters, all, throughout the nation,

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<sup>112</sup> , *Boston Daily Advertiser*, September 3, 1862.

<sup>113</sup> "Waiters," *New York Times*, March 25, 1863. It remains unclear whether the Waiters' Protective and Benevolent Association included blacks and whites together, or only whites. Typically, though, without color as an adjective, as in so many realms of antebellum life, the default assumption would be a whites-only organization. Furthermore, blacks had previously formed a "colored" association. On the other hand, to the extent blacks made up the preponderance of the city's waiters, perhaps it was not necessary to place the adjective "colored" before the general name of the association, for it to be understood as the province of blacks. The Public Caterers' and Waiters' Association—founded in 1870 and profiled in the *New York Times* under the title "Our Colored Friends: Interesting Facts about the Negro Population of this City"—did not include the adjective "colored" in its title. "Our Colored Friends: Interesting Facts About the Negro Population of This City," *New York Times*, March 13, 1871.

<sup>114</sup> "The Threatened Strikes," *New York Times*, March 28, 1873.

<sup>115</sup> "Colored Waiters' Protective Union," *New York Times*, April 26, 1878.

Why will you ever be  
Overburdened by oppression  
Overawed by tyranny?

Wait for the good time coming no longer;  
Claim at once what is your due;  
Toil no more like slaves, and hunger,  
To support an idle few.

Chorus:  
Be of good cheer, and do not fret.  
A golden age is coming yet.

See your wives and children tender  
Badly clothed and pine for bread.  
While your bosses live in splendor,  
And of dainty dishes fed.

If united, you are the stronger,  
Why not to yourselves prove true?  
Toil no more like slaves and hunger,  
To support an idle few . . ."<sup>116</sup>

As the language of the song made plain, realizing that if they did not exercise it, they might continue to be exploited like slaves, many of the men recognized their collective power. The actions of waiters' unions in attaining higher pay made it clear that by 1853 the value of servants black and white, in hotel eating houses and in hotel dining rooms, had been widely acknowledged by all as the glue holding together American eating in public.

### *Conclusion*

Faced with the reality that they could not manage their own eating habits, Americans desired waiters as skilled professionals to manage the entire eating experience. Therefore, in hotel restaurants and eating houses, waiters (primarily black and immigrant men) invented and implemented strategies that allowed American diners to eat according to new social customs and to compare themselves favorably with Europeans, often deemed more sophisticated. Yet despite the skills demanded, waiting as a profession could not escape association with slavery and servitude and subsequent downward mobility. Nonetheless, waiters did recognize their own value to strike together for a more just wages, respect, and recognition as part of the middle class. And furthermore, as restaurateurs and headwaiters, more privileged African Americans exploited a long-standing relationship between food and service to advance in the catering trades and to advance the cause for black social and economic rights through food provisioning.

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<sup>116</sup> "Waiter's Protective Union Meeting."

## Chapter 4 A Free Produce Network: Promoting Labor-Conscious Markets

### *Introduction*

“SLAVES[,] HORSES & OTHER CATTLE TO BE SOLD AT 12.00.”

—*The Liberator’s* masthead text<sup>1</sup>

William Lloyd Garrison first published the *Liberator* in 1831 with the goal to end slavery. Behind the paper’s title words, an illustration showed a family being torn apart and an auctioneer’s podium from which hung the sign “SLAVES[,] HORSES & OTHER CATTLE TO BE SOLD AT 12.00.” That slaves could be classified as “cattle” seems nonsensical and inhumane. That was the *Liberator’s* point; markets facilitated the treatment of men as cattle, the transformation of men into animals. From the image itself, readers might have wondered whether the image referred to markets past or present or to a particular market; the *Liberator* presented no location information. Nonetheless, the title art underlined the *Liberator’s* contention that the public markets writ large continued to uphold slavery. Although by 1827, Northern blacks were no longer commodities to be bought, sold, and traded in the municipal markets, nonetheless when they participated in the broader provisioning system, they supported the buying, selling, and trading of blacks in other regions. Recognizing the irony in this confluence of both emancipation and market expansion, even Thomas De Voe observed that although slaves were no longer sold or hired out in New York City markets, “now a very large business is done there with the products of slave labor.”<sup>2</sup>

The completion of the Erie Canal, the end of slavery in New York, and the opening of the first free produce stores all happened in a span of three years, from 1825 to 1827. Shopping in the public markets, eating in restaurants, and buying street food made Northerners (including free blacks) the customers of slaveholders. When food production became more efficient through mechanization and when transportation networks linked the vast Northeastern marketplaces to the rest of the country and the world, the products of slave labor flooded the markets. As a response, free produce stores developed just as this integrated marketing system cohered.<sup>3</sup>

Free produce supporters addressed a problematic food economy that promoted slavery. But more than reacting to slavery, free produce proponents promulgated a theory that the public markets failed to meet a moral calculus premised on observing fair labor practices. In so doing, free produce sketched out the power of a marketing system to change the political economy. Blacks and whites worked together to create alternatives to the public markets, alternatives that would provide food grown, processed, packaged, and shipped without the use of slave labor.

Although the concept of a free produce economy was certainly part of antislavery and abolitionist strategy, the free produce strategy can also be viewed as part of the larger project

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<sup>1</sup> For an example, see the issue of the *Liberator* bearing the featured article “Products of Slavery,” *Liberator*, April 23, 1831.

<sup>2</sup> *Ibid.*; De Voe, *Market Book*, 242.

<sup>3</sup> Outside of the formal markets, poor blacks, many of whom might have recently escaped from slavery, sold fruits and vegetables grown by Southern slaves. When *The Cries of New-York* argued for the value of middlemen and jobbers, it may have supported the growth of a cheap food industry propped up by a debilitating institution. See its image of the black Carolina sweet potato huckster (“here’s your Sweet-Carolinas”) as an example. *The Cries of New-York*, 19. The friendly portrayals of street vending in and the city cries texts like it may have unwittingly promoted a food system that relied on abusive working conditions, the smiling, “true to life” portrayals putting a happy face on systematic abuse. While the vendors brought liveliness to the city and vending helped to finance their own independence, as the century progressed and food increasingly came from slave states, the walking markets may have relied on the enslavement of others, just as did the stationary public markets.

seeking freedom and inclusion through the provisioning system, shifting the model that structured the public markets. Most important, it relied on tracking and making public the provenance of foods. In this way, the proposed free produce economy entailed more than a boycott. It advocated substitution; established new farms, distribution networks, and retail stores; and made publicly transparent the means of food production. Among its advocates, suppliers, supporters, and customers, the free produce network included whites and blacks, and men and women.

Of late, historians have turned their attention to the free produce “movement,” but few have examined it beyond the terms of an antislavery discourse. (One exception has been Lawrence Glickman, who has recognized the desire for free produce as a formative moment in American consumer activism akin to the Boston Tea Party protests against Britain.)<sup>4</sup> Free producers did more than rail against slavery or try to insulate themselves from its influence, they also proposed and developed an alternative market structure, by recommending a new model to displace the old one. To understand their contribution to the provisioning system, it is important to examine not only the ideas, but also the culture of free produce, to recognize it as a political response to the failure of the markets to truly incorporate all citizens into a shared moral economy, seeking rights through participation in a more inclusive market structure. Although proponents did not share the same motivations, in their criticism of non-local and adulterated foods, they exhibited concerns similar to those of critics like Sylvester Graham. Free produce advocates availed themselves of market language and solutions to change food culture as did other food reformers.<sup>5</sup>

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<sup>4</sup> Lawrence B. Glickman, *Buying Power: A History of Consumer Activism in America* (Chicago: University of Chicago Press, 2009). Free produce shared beliefs and strategies in common with other alimentary reform movements: namely, temperance and Grahamism. Both advocated abstinence from offending substances. Free produce advocates frequently acknowledged its reliance on temperance strategies. The Friends' Intelligencer suggested pursuing the same abstinence path for free produce as used against alcohol, using “the same course that we pursue towards the distiller and the rumseller.” “Free Produce,” *Friends' Intelligencer*, April 29, 1854. Free produce shared certain principles in common with temperance. S.T.U. asked, “Is the taste for sugar more unconquerable than the taste for rum? . . . A moral effort has undeniably checked the trade of distillers; why may it not that of the employers of slave labor?” S.T.U., “Free Goods,” *Liberator*, January 21, 1832. For other examples, see also “Free Produce.” Anti-slavery and the alcohol temperance movements had been previously aligned. For example, temperance eating houses (those eating establishments that eschewed alcohol service) frequently advertised in anti-slavery newspapers, expecting to find a sympathetic audience among abolitionists. And like other food reformers, free produce associations promoted the circulation and transfer of food knowledge and expressed fear of deception and adulteration. Food knowledge was critical to the effective functioning of the marketplace, whether municipal or free produce. De Voe, for example, complained that foods no longer passed through “first hands,” and the people no longer could judge the quality of their foods. He argued that in the public markets, a consumer was more likely to interact with the first producer, or to encounter a reputable licensed dealer, who could attest to the salutary nature of the food, although increasingly less so, and he offered *The Market Assistant* as a solution. De Voe, *Market Assistant*, 7.

<sup>5</sup> For over seven decades, Ruth Nuernberger's *The Free Produce Movement* has remained the only book addressing the origins and development of free produce as its subject matter. Nuernberger defined free produce as a Quaker-led “movement” protesting slavery. The origins of the mid-century American free produce movement stem from the anti-slavery politics of the international abolitionist movement headquartered England. The movement then expanded to the Quaker population in Pennsylvania, who may have introduced free produce ideas to a wider American audience. In the United States, members of the Quaker faith and William Lloyd Garrison were some of the first to adopt free produce philosophies and strategies. Ruth Anna Ketring Nuernberger, *The Free Produce Movement: A Quaker Protest against Slavery* (Durham, NC: Duke University Press, 1942), 30-59. In recent years, however, there has been renewed interest in free produce. Historian Carol Faulkner's 2007 article “The Root of the Evil” asks why the movement has long been ignored, given her findings that it contributed central ideological positions to the antebellum anti-slavery cause. Approaching free produce from a perspective interested in the history of ideas, Faulkner's work concentrates on its relationship to and later conflicts with Garrison's American Anti-Slavery Society. Because of their immediatist stance and the intimate participation of blacks and women prior to William Lloyd Garrison's conversion to radical abolition, Faulkner posits free produce advocates as the true radicals of the anti-slavery movement. Carol Faulkner, “The Root of the Evil: Free Produce and Radical Antislavery, 1820-1860,” *Journal of the Early Republic* 27, no. 3 (2007): 377-405. Clare Midgley has written about the transatlantic free produce movement in the context of British women's involvement in anti-slavery and cooperation with American activists like William Lloyd Garrison. Clare Midgley, *Women against Slavery: The British*

Provisioning and eating in public also meant that American diets were publicly displayed, which revealed America's dependence on slaves to produce food. Represented in the creation of a different yet parallel production, marketing, information and distribution structure, and network, a free produce system would have served as an alternative to those food systems embodied in hotels, eating houses, and official city markets. Free produce was not just a way of thinking conscientiously, but it was additionally a set of interconnected spaces that enabled conscious practice in purchasing and eating decisions. Just as the "underground railroad" was not literally a railroad, but a series of safe places in the Southern to Northern geographical transition from slavery to freedom, so was free produce a constellation of markets, retailers, and meeting-houses where the tenets of an anti-slavery diet could be formulated and practiced. Its advocates showed how public markets (and hence urban consumers) explicitly promoted slavery. If they came at the cost of human enslavement, sweet products and exotic variety were not what all consumers valued most. In creating an international network of food producers and markets separate from the city-run public markets, free producers demonstrated the atrophied definition of the public markets, which positively sanctioned slave-produced fruits, vegetables, and staple goods. The existence of a culture resistant to the established market structure permits an alternative analysis of much of the literature celebrating the market.

The market's inability to satisfy the moral and spiritual needs of its residents fueled free produce. Because the public food markets failed to reliably supply free produce staples, consumers took matters into their own hands to reshape the public markets and develop alternative ones that satisfied their nutritional and moral requirements. In 1846, *The Emancipator* reminded its readers, "in eating, we must remember we have two guests to entertain, body and soul; let us then never so overload the former, as to starve, sink and ruin the latter."<sup>6</sup> As food labor receded beyond an urban dweller's everyday involvement and powers of observation and easy comprehension, awareness and knowledge of production practices declined. An active anti-slavery movement alerted consumers to the consequences of the new food tastes they had developed—and the relationship between food and slavery.

In 1827, the Free Produce Society of Pennsylvania sought to create "a ready market" to ensure that consumers would choose free produce over the food available in the regular public markets.<sup>7</sup> Because free producers suspected the markets might deceive them as to the origins of the goods, they insisted on establishing produce depots outside of the public markets. They thought that, in welcome contrast to the public markets, private merchants "guarded with the greatest care" their suppliers and "bestowed much labour and expense" in prospecting for the goods, receiving only "scanty remuneration."<sup>8</sup> Many association members believed that the general public would eagerly buy free produce if it were made available and identifiable. Because they believed there existed (or would exist) a vast market for free produce, they set about creating the supply to meet consumer demand. Therefore, they determined that their work lay in facilitating free produce market openings through any variety of means.<sup>9</sup>

Transforming the markets ranked as the first tenet of the *Liberator's* six-prong strategy—that also recommended establishing the American Anti-Slavery Society and striking the 3/5ths

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*Campaigns, 1780-1870* (London: Routledge, 1992), 127-132. See also Julie Lynn Holcomb, "'There Is Death in the Pot': Women, Consumption, and Free Produce in the Transatlantic World, 1791--1848" (3419751, The University of Texas at Arlington, 2010).

<sup>6</sup> *Emancipator*, May 8, 1846.

<sup>7</sup> "Free or Slave Labor," *Genius of Universal Emancipation*, July 4, 1827.

<sup>8</sup> Silas Cornell, "Abstinence from the Products of Slavery," *Friends' Review*, July 27, 1850.

<sup>9</sup> "Constitution of Free Produce Society of Pennsylvania," *Genius of Universal Emancipation*, July 4, 1827.

representation clause of the U.S. Constitution—toward improving black life and establishing equal rights, beyond ending slavery. The *Liberator* issued a call to action that relied on competition with the public markets. “Let us open a market for free goods, and encourage conscientious planters to cultivate their lands by free labor, and the present system of bondage will be overthrown.” To bypass the public markets, it was recommended that private retailers be frequented to obtain “free groceries—such as sugar, coffee, molasses, rice . . . &c.” Underlining its belief that the public markets upheld slavery, the *Liberator*’s permanent cover art depicted the cattle market that included slaves for sale like animals.<sup>10</sup>

### *How the New Urban Eating Culture Relied on Slave Produce*

Central to understanding the rise of free produce culture is recognizing one of the most important stories of the mid-nineteenth century: the intense globalization of food markets, which intensified slavery’s role in the food provisioning system. Markets integrated foods of international origin and from the domestic south into urban diets. After the War of 1812, the Northern markets became principal outlets for the crops of Southern and transatlantic growers. Southern-grown foods also kept costs affordable in the North, stabilizing prices and enabling Northerners to enjoy a better quality of life than just ten years hence. “Before the introduction of early vegetables from the South,” De Voe found the price of vegetables was “very high” and the availability meager, “every green thing . . . bought up at an early hour in the morning.” Most striking, the more tightly connected marketing system increasingly relied on trading with strangers—with the attendant benefits and risks, allowing access to exotic goods and yet also the dangers associated with near-anonymity; the origins of the new foods could not always be traced.<sup>11</sup>

The extensive market network that enabled New Yorkers to procure goods from around the United States and the Atlantic world caused them to rely on slavery: “Now the Southern States, Bermuda Islands, etc., send their early supplies to our markets—not only vegetables, but fruits, fish, nuts, etc.—for months anticipating our native supply. From Charleston, Norfolk, Savannah, and the Bermudas, tomatoes, potatoes, peas, cabbage, onions, strawberries, cherries, are brought at least twice a week during their seasons. Some of these articles are brought by hundreds of barrels at a time.” The constructed market environment overshadowed the natural world, severing connections with nature’s rhythms and growing cycle: “Early in the spring from the South . . . many rare vegetables and other edibles are brought to market by the facilities afforded by the rail cars and steamboats, thus inducing, as it were, in these latitudes, artificial seasons.”<sup>12</sup>

The new cultural life of cities celebrated tastes highly dependent upon subjugating peoples in distant places. When transportation technologies like railroads and steamships delivered foodstuffs from all over the world, they also delivered foodstuffs that relied on slave labor. Sugar and molasses—along with foods like tea, coffee, and chocolate that required sweeteners to make them palatable—were all products made popular to new audiences through

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<sup>10</sup> “What Shall Be Done?,” *Liberator*, July 30, 1831.

<sup>11</sup> De Voe, *Market Book*, 502. For an account of how capitalism and market relations may have led to the development of humanitarian sensibilities including anti-slavery sentiments and actions, see Thomas L. Haskell, “Capitalism and the Origins of the Humanitarian Sensibility, Part 1,” *The American Historical Review* 90, no. 2 (1985); “Capitalism and the Origins of the Humanitarian Sensibility, Part 2,” *The American Historical Review* 90, no. 3 (1985).

<sup>12</sup> De Voe, *Market Assistant*, 321-322.

European expansion and colonization of Africa and the Caribbean, processes that chained black populations to hard labor regimes.<sup>13</sup>

Compounding the problem, the average purchaser expressed less curiosity about the provenance and history of the foods she consumed. In 1869, Junius Browne described a process begun years earlier whereby city residents delighted in “total ignorance” of the food system, of “the price of marketing, the place of its sale, and the mode of its preparation.”<sup>14</sup> De Voe similarly complained that the widespread lack of food knowledge motivated him to write the *Market Assistant*.<sup>15</sup> Eaters had come to fully identify as consumers, wanting to know nothing about production. If one focused on only the aesthetic qualities of food, then the issue of slavery was unlikely to be broached.

Factors beyond a transportation revolution introduced taste patterns with an emphasis on sweetness. While the market brought the goods to the city, an entertainment culture and urban eating-house infrastructure circulated the sweet goods and introduced the pleasures of sugar on a massive scale. To facilitate its consumption, businesses erected physical structures like ice creameries, confectioneries, and coffee houses. Consuming sugar and sweet treats developed into a social custom intimately connected to enjoyment and socializing. Transformed urban landscapes and personal routines reflected the incorporation of sugar into the daily diet. An engraving in 1857’s *About New York* depicts an iconic portrait of New York City social life; a gang of dock workers stands to drink their morning coffee (likely spiked by sugar, as was the custom) at Fulton Market.<sup>16</sup> George Foster’s *New York by Gaslight* gives evidence that by mid-century celebrating with sugar had become an essential element of big city culture. In the mornings, “[t]he coffee-and-pie stands [were] already crowded with their hungry customers, he found.” All-night cake and coffee houses like Butter-cake Dick’s catered to the entertainment needs of night owls.<sup>17</sup> Part of hospitable culture in private homes, dessert and coffee were expected by guests and visitors. In the turn to food as entertainment, sugar emerged as a staple ingredient, no longer a luxury. Sugar took hold of the entertainment and consumer culture in a permanent way, becoming part of the urban structure and fabric. As Wendy Woloson shows in her book on the rise of sugar consumption *Refined Tastes*, by the end of the nineteenth century Americans had developed a deep emotional attachment to sugar. Slave labor made the products more desirable because they became sweeter.<sup>18</sup>

Given the new marketing and eating culture, free produce arose not only in the context of slavery and emancipation, but also when the developing food culture visibly displayed blissful, if possibly ignorant, dependence on slave produce. Eating could be experienced as entertainment because city dwellers did not grow their own food, but rather experienced eating as a break from their work as artisans or office workers in an economy that relied on the agricultural labor of

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<sup>13</sup> Cindy Lobel’s work explains how changing food tastes in New York City linked New York’s port to internal agricultural routes and markets—although Lobel neither focuses on sugar nor emphasizes the connections to slavery inherent in the new agricultural goods arriving in New York City. *Slavery in New York*, however, does powerfully demonstrate the relationships between New York City and the South, the South acting as a primary exporter to New York’s ports. Ira Berlin and Leslie M. Harris, *Slavery in New York* (New York: New Press, 2005), 21-25. For a background on slavery and worldwide food production (especially sugar), see Sidney Wilfred Mintz, *Sweetness and Power: The Place of Sugar in Modern History* (New York: Penguin Books, 1986), 19-73; for the emerging relationship between slavery and American taste preferences, see both Woloson, *Refined Tastes*, 18, 112, 209, 223-224; Kyla Wazana Tompkins, *Racial Indigestion: Eating Bodies in the 19th Century*, America and the Long 19th Century (New York: New York University Press, 2012), 97.

<sup>14</sup> Browne, *Great Metropolis*, 406-407.

<sup>15</sup> De Voe, *Market Assistant*, 21.

<sup>16</sup> Wallis, *About New York*, 10.

<sup>17</sup> Foster, *New York in Slices*, 69, 71.

<sup>18</sup> Woloson, *Refined Tastes*, 4, 10-13.

regions increasingly far away. Unaware of the identities of those individuals who had grown, processed, and packaged their foods, antebellum consumers valued food for its sense of pleasure and adventure, taste and palatability, and status. *The Great Metropolis* judged the New York City markets' success by whether their foods would "delight the most jaded appetite."<sup>19</sup> In 1837's *A Glance at New York*, Asa Greene classified eating choices as a personal right: "Here most persons . . . do as they please; and eat and drink what they please, or what they can get; holding themselves amenable to the law only, and caring very little about their neighbor's opinion."<sup>20</sup> Access to a variety of food tastes were experienced as freedoms.

### *Tenets and Beliefs of the Free Produce Network*

Free produce adherents hoped to change culture by building their own structures—societies, information flows, markets, eating practices, and manners of production. Individuals from various walks of life—newspaper editors, authors, head servants, and church-goers—supported the cause. Leaders like Lydia White, an African-American trader, sought not only to boycott existing markets, but to create and expand free markets. Organizing activity concentrated in the major Northeastern cities (namely New York City, Philadelphia, and Boston) that relied on vast anonymous trading networks to supply their markets. Philadelphia acted as the home base for most of the societies. In Boston, the *Liberator* broadcast arguments to a wide audience; the paper even arranged for the sale and marketing of goods at its Boston headquarters. New York City served as a supplier and large market maker. Beyond the Northeast, free produce activity occurred (although with less intensity) in Ohio, Indiana, and North Carolina, too.<sup>21</sup>

In the narrowest sense, the term "free produce" meant commodity products—including cotton and edible crops—grown, harvested, and brought to market by free people. By supporting independent farmers who paid their workers a reasonable wage, free produce advocates sought to increase representation of free blacks (and free labor generally) as market producers. More broadly, the term recognized free produce's relationship to an international anti-slavery movement. Free produce adherents used Americans' newly developing identity as global consumers to raise awareness, promulgating the theory that personal consumption practices could end international slavery. Free produce strategies enabled Northern abolitionists to impact slavery even though they did not own slaves and could not personally vote to change the laws of Southern states. Nevertheless they could exercise economic influence because the objectionable foods knew no political limits. The theory asserted that Louisiana sugar might be prevented from entering Boston Harbor if enough Bostonians stopped absent-mindedly adding sugar to their teas, coffees, and hot chocolate. In this way, free produce preached mindfulness.

At the crossroads of both market and personal consumption, food served as the perfect cultural target for abolitionist strategy. To advocates, the introduction of slave-produced foods to the North was an unwelcome byproduct of the expanding market. So long as slavery continued in lands beyond the legal jurisdiction of the North, free produce advocates reasoned that laws interdicting human enslavement on Northern soil would have little impact on ending the objectionable practice in slave territories. Unable to abolish Southern slavery by appealing to the

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<sup>19</sup> Browne, *Great Metropolis*, 408.

<sup>20</sup> Greene, *Glance at New York*, 192.

<sup>21</sup> L.S., "Free Produce Meetings in North Carolina," *Friends' Review*, December 8, 1849. For a reference to meetings taking place in Indiana, see "Fifth Annual Report of the Board of Managers of the Free Produce Association of Friends of Ohio Yearly Meeting," *Friends' Review*, November 18, 1854.



rule of law, abstainers instead used the market as an extra-legal measure. By attempting to banish slave produce from Northern tables, they extended their own social and cultural jurisdiction into lands that practiced slavery.<sup>22</sup>

Free produce adherents exposed the connections between international slavery and food, especially sugar. In 1849, the Philadelphia Free Produce Association of Friends found U.S. ships transplanted slave produced goods and even slaves, long past the 1807 international slave trade ban.<sup>23</sup> Adherents argued that the “tears and blood of the oppressed [were] mingled” with slave products. Frederick Douglass campaigned against slave goods with the phrase “Return the goods—they are the price of blood!”<sup>24</sup> A reporter discovered one Brooklyn boat regularly sailed to Havana (engaging in the sugar and molasses trade) and would soon be on its way to the St. Thomas markets. During the 1857 financial panic, so much slave-produced molasses rested in kegs on U.S. docks, waiting for the market prices to rise, that molasses leaked several inches into the ground. To avoid getting stuck in the syrup, dock workers were required to wear rubber boots.<sup>25</sup>

Advocates argued for abstinence until more free goods could be cultivated. As part of an abstinence strategy, people were taught to expect to have limited desires: “We can get *some* sugar, molasses, coffee, a little cotton, and, perhaps, rice—raised by freemen. And should we fail to get *enough*, no matter at how low rate the slave article may be procured, *do without*” [emphasis in text].<sup>26</sup> Campaigners asserted that while merchants might claim the ability to deliver free products, there were certain products that could never be absolutely guaranteed. Sugar (especially refined white sugar) was especially suspect. While it was possible to acquire free-labor sugar (and merchants would certify to its authenticity), sugar symbolically retained the taint of slavery. In their most stringent view, reformers argued that the only sweet product that could be guaranteed slave-free was derived from maple syrup, which could by rule only have come from Northeastern trees, the sap processed on local family farms in slave free states. Coffee, tea, and desserts (because they required sugar in their common preparation) were redefined as off-limits. Ingesting these treats was thought to cause the body to take on the characteristics of both slave and slave-owner.<sup>27</sup>

Free produce advocates targeted sugar above all else because of its rising popularity and domestic image that belied the severity of the work regime demanded. As a mild condiment, sugar accompanied an abundance of everyday food products like coffee, tea, and chocolate. As a commodity, sugar’s prices grew cheaper as it became easier to produce and ship at low price. An addictive substance, its supply expanded to not only satisfy, but to further create and stimulate demand. As sugar underwent domestication and consumers embraced it en masse—associated with women, children, and a happy leisure culture—awareness of the abusive nature of its production process receded.<sup>28</sup>

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<sup>22</sup> Although free producers boycotted cotton, edible goods took center stage. Foods, because they were eaten and absorbed into the body, were considered more of a moral hazard than clothing. Ingesting and then digesting slave-produced foods produced a more visceral and disturbing effect.

<sup>23</sup> “Extracts from the Fourth Annual Report of the Managers of the Philadelphia Free Produce Association of Friends,” *Friends’ Review*, June 2, 1849.

<sup>24</sup> Lea W. Gause, “The Products of Slave Labor,” *Liberator*, April 9, 1847.

<sup>25</sup> “Sugar--Molasses--the Slave Trade,” *Liberator*, November 13, 1857.

<sup>26</sup> “Are You Opposed to Slavery?,” *Liberator*, July 16, 1831.

<sup>27</sup> James L. Peirce, Peter Wright, and Joseph Parker, “Produce of Free Labor,” *Liberator*, June 11, 1831. “Use of Slave Productions,” *Liberator*, August, 1831.

<sup>28</sup> In *Sweetness and Power*, Mintz argued that sugar served as a necessary high-calorie source in industrializing England. Mintz, *Sweetness and Power*, 177-181. Mintz’s account differs from how historians have characterized the American attraction to sugar, as a cheap source of amusement and pleasure. Woloson, *Refined Tastes*, 4, 10-13, 222-226.

The taste of sugar, more than any other, proved sour to abolitionists because the growing culture of sweetness further symbolized the degradation of black life. New Orleans sugar, the reporter Gertrude reminded her readers, was “undrinkable; for there are associations connected with it, which its sweetness cannot cover.” That sugar was referred to as “undrinkable” reveals its close associations with coffee and tea, that its most common method of ingestion at the time was through dissolution in hot drinks. In its ability to disappear into food, sugar behaved insidiously; it became invisible as it dissolved, its sharp crystals rendered smooth and then melted into formlessness as they mixed into cake and pastry batters. Gertrude sympathized with those who felt social pressure to indulge in sweets, when “some less scrupulous friend laments the stern rule which dooms the delicacies before you to remain untasted, and your tea to be swallowed *sugarless*” [emphasis in text].<sup>29</sup> The taste of slavery was sweet, but not just because of sugar. Market observers noticed that, as Southern transportation networks strengthened, each year strawberry season arrived earlier and stayed later. Fruits and vegetables ripened in the hot Southern sun, tasting sweeter.<sup>30</sup>

To produce sugar required a back- and spirit-breaking work regime. “The great pillar of Slavery,” sugar cultivation helped lifelong bondage flourish in Louisiana, Cuba, and Brazil long after the Haitian and Jamaican sugar plantations had been emancipated. Requiring hazardous work, sugar cane planting, harvesting, and processing carried high death rates and disrupted any semblance of slave family life.<sup>31</sup> The “waste of human life is, therefore, one part of the cost, at which the slave grown sugars of Cuba and Brazil are brought into the market.”<sup>32</sup> The Union Free Produce Society reported that the quest for sugarcane caused the enslavement of seven million Africans, and that slavery existed primarily to market sugar: “The sugar of Cuba comes to us drenched with human blood; so we ought to see it, and turn from it with loathing.”<sup>33</sup> The *Friends’ Review* believed the market in sugar to be endless, supplying limitless profit to the planter, therefore incentivizing him to acquire more land to grow more and to hire more slaves. Making money by growing sugar was limited only by land and slaves. Only stopping slavery could check the creeping wealth—and the perverse incentives—of the sugar cane planter.<sup>34</sup> News features graphically depicted the abuses suffered for a little sweetening. To appalling effect, the Friends’ societies circulated a story from a slaveholders’ convention in Louisiana, where delegates agreed to work slaves to death—rather than allow them to retire or purchase replacement chattel—if demand for sugar remained high.<sup>35</sup>

Rice was also to be avoided at all costs. An article in the *Genius of Universal Emancipation* described rice as “[s]o laborious and destructive to human life, is the manner of its cultivation, that it is characterized by Thomas Jefferson, as ‘a plant which sows life and death

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<sup>29</sup> “The Use of Free Produce,” *Genius of Universal Emancipation*, January 1831. Lady, “On the Use of Free Produce,” *Genius of Universal Emancipation*, January, 1832.

<sup>30</sup> *A Stranger’s Guide Around New York* said, “The daily arrival of steamers in New York, from all parts of our own country, enables the men engaged in that business, to offer for sale vegetables more matured by the more genial sun of the South, at a season when ordinarily our own soil is covered with snow, while those from the Gulf enable them to exhibit tropical fruits in the greatest profusion.” *The Stranger’s Guide around New York and Its Vicinity : What to See and What Is to Be Seen, with Hints and Advice to Those Who Visit the Great Metropolis*, (New York: W. H. Graham, 1853), 53.

<sup>31</sup> Samuel Rhoads, “To the Philadelphia Free Produce Association of Friends,” *Friends’ Review*, June 18, 1853.

<sup>32</sup> *Liberator*, May 13, 1848.

<sup>33</sup> “Union Free Produce,” *Liberator*, August 4, 1848.

<sup>34</sup> John Candler and Wilson Burgess, “A Visit to Brazil to Present an Address on the Slave Trade and Slavery, Issued by the Religious Society of Friends,” *Friends’ Review*, January 21, 1854.

<sup>35</sup> A.L. Benedict, “An Address on the Use of Slave-Labor Products, by the Board of Managers of the Free Produce Association of Friends of Ohio Yearly Meeting,” *Friends’ Review*, September 3, 1859; “Free Labor Goods,” *Friends’ Intelligencer*, February 25, 1860.

with almost equal hand.” Its author thought that “all the arguments which have brought forward against the use of slave cultivated sugar, apply equally well to this article.” It also cited an “Adams” (possibly John Adams) to say “[n]o work can be more laborious, or prejudicial to the health. They can be obliged to stand in the water often times middling high, exposed to the scorching heat of the sun, and breathing an atmosphere poisoned by the unwholesome effluvia of an oozy bottom and stagnant water.” “Like [sugar, rice] is a staple product of slavery; and like that, a source of severest suffering to the slaves,” the *Genius* continued.<sup>36</sup>

Free produce advocates well understood the context of a food and transportation revolution that expanded the market’s reach, drawing on those associations to reach their audience. It was not domestic slavery in the South, but domestic freedom in the North that injured slaves the most, they found. News articles identified demand for commodities like sugar and coffee not the use of slaves in a domestic setting, as the cause of continued slavery. Free produce posited, therefore, that ownership of individual slaves was not the complete picture. When slaves worked on large plantations, they worked for the ultimate consumer of cheap sugar.<sup>37</sup> Exposing the link between Northern consumer culture and slavery, the *Friends’ Intelligencer* of Philadelphia argued “it is obvious that non-slaveholders are the principal consumers of the cotton, sugar, and rice which are the great staples of slave production. We may therefore say that the slave toils for us non-slaveholders.” The article insisted that to increase the number of consumers of slave produce would increase the market for those goods and ultimately “render more active the domestic slave trade.”<sup>38</sup> Similarly, the Philadelphia Free Produce Association of Friends asserted that “slaveholding . . . is mainly supported by traffic in and the consumption of the productions of slave labor.”<sup>39</sup>

According to free produce, the institution that connected individuals to slavery was the market. Statements like “[w]e cannot make our week’s purchases over a grocer’s . . . counter without giving a positive monetary contribution to either slavery or to freedom” and “[f]ree labour is essentially a ‘home question’” summarized the free produce stance. Actions taking place in the domestic sphere (including public spaces like restaurants that sought to imitate aspects of the domestic sphere) encouraged slavery. In this instance, the “home” often stood in as a euphemism for personal actions and decisions. A *Friends’ Review* dialogue concluded “that one end of the negro’s chain is in our own hands.” It continued, “[w]e cannot sip our coffee, or sweeten our dinner, without either promoting or discouraging slavery and the slave trade. . . . We cannot escape our responsibilities if we would: then surely this must be a ‘home question.’”<sup>40</sup> The role of the Northern home in supporting slavery also raised the question of what role blacks

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<sup>36</sup> "Rice," *Genius of Universal Emancipation*, December 18, 1832. Still the Northern states never developed the rice kitchen or cuisine of the South, which may account for that staple’s secondary role to sugar in the movement. For further information on both the rice kitchen and the abusive conditions under which rice was cultivated, see Judith A. Carney, *Black Rice: The African Origins of Rice Cultivation in the Americas* (Cambridge, MA: Harvard University Press, 2001). Karen Hess, *The Carolina Rice Kitchen: The African Connection* (Columbia: University of South Carolina Press, 1992).

<sup>37</sup> "A Short History," *Liberator*, November 26, 1831.

<sup>38</sup> "Free Produce."

<sup>39</sup> The Philadelphia Free Produce Association of Friends, *An Address to Our Fellow Members of the Religious Society of Friends on the Subject of Slavery and the Slave-Trade in the Western World* (Philadelphia 1849), 13. In its Address to Fellow Members, the Philadelphia Free Produce Association of Friends argued that an economic rationale would better motivate individuals to convert their behavior, than religious or moral arguments, given that people really owned slaves for economic, not religious or moral, reasons. In other words, it was important to determine the motivating rationales and to fight fire with fire. For similar arguments, see also "Free Produce Society," *Genius of Universal Emancipation*, October 30, 1829. The Philadelphia Free Produce Association annual reports maintained this line of argument, stating that “[s]laveholding and slave-trading, foreign and domestic, owe their vitality to the market for slave-cultured products.” “Third Annual Report of the Managers of the Philadelphia Free Produce Association of Friends,” *Friends’ Weekly Intelligencer*, June 3, 1848.

<sup>40</sup> "The Tariff of Conscience: Free Trade in Slave Produce Considered (Part 2)," *Friends’ Review*, September 15, 1849.

contributed to slavery as part of household production. Choices made or enabled by black household managers (including household servants) might continue to keep Africans in other parts of the world enslaved.

The *Liberator* showed how slavery impacted everyday private acts in the homes of Northern families, often with the compliance of those families. As one subscriber expressed it, “There is no way that will keep folks thinking and talking about the slaves, so much as having them brought . . . to our minds at every meal.” The *Liberator* opined that one need not own slaves to encourage and foster its growth, that any support of slavery, no matter how seemingly miniscule, would serve to further embolden slaveholders to continue the system.<sup>41</sup> To the extent that Northerners intentionally benefited from slavery by paying lower prices, they were considered no better than Southern slaveholders. Advocates relied on a Lockean argument that mixing labor with raw products created personal ownership. By that theory, once the slaves contributed their labor, they acquired an ownership interest in the goods created. That their products ended up on the market through no marketing effort of their own meant that the products had been wrested from them by enterprising middle-men who contributed little effort although nonetheless usurped all profits.<sup>42</sup>

Yet despite the number of abolitionists who supported market reform, free produce was not necessarily a central tenet of the antislavery or radical abolitionist causes. Free produce itself was a food campaign within the anti-slavery cause, one that required persuasion to adopt. For example, because not all abolitionists were abstainers, the American Free Produce Association (AFPA) repeatedly asked abstainers to support free produce as part of its anti-slavery agenda.<sup>43</sup> After their first convention in November 1839, the AFPA adopted a resolution that non-abstainers “reflect on the glaring inconsistency of protesting against slavery as an immorality, and yet paying for its support.” To push the resisters to adopt the food platform, the conveners further directed the AFPA Executive Committee to “prepare and publish a list of the places or countries where articles, the result of remunerated labor, are raised, or whence they can be obtained, together with a list of Stores in the United States, at which free goods can be purchased.”<sup>44</sup> On the difficulty of achieving complete abstinence, the *Genius* reported “[i]t must not be expected that we, who have engaged in a social capacity to promote this work, are entirely clear of participating in slave produce; but we look forward with the hope that the time is not far distant, when as there is a willingness to circumscribe our wants within such limits as are consistent with our profession as a society, we will be enabled to wash our hands in

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<sup>41</sup> "What Shall Be Done?," Adam Arator, "Letter to the Editor," *Liberator*, May 7, 1831.

<sup>42</sup> "Products of Slavery." "Free Groceries (October)," *Liberator*, October 29, 1831. For further rationales supporting free produce, see "To the Friends of Immediate Emancipation," *Liberator*, January 28, 1832; "Remarks on the Use of Unrequited Labor and Its Produce," *Friends' Weekly Intelligencer*, July 16, 1846. "Circular: To the Anti-Slavery Societies and Individuals Throughout the United States," *Liberator*, April 13, 1838. "The Free Produce Question," *Liberator*, March 1, 1850. Isaac H. Allen, "Report of the Board of Managers of the Free Produce Association of Friends, New York Yearly Meeting 1854," *Friends' Review*, June 17, 1854. "Free Labor Association," *Liberator*, October 16, 1840. The "Free Labor Association" article also provided evidence that free produce needed to be integrated into anti-slavery reform; free produce was considered "a branch" but not the entirety of anti-slavery reform. Lady, "On the Use of Free Produce." "Products of Slavery." "Disuse of the Products of Slavery--New York Yearly Meeting," *Friends' Review*, June 14, 1851." Henry Mills, "Come and Look through My Telescope," *Frederick Douglass' Paper*, February 9, 1855. The Mills article emphasizes the hypocrisy of "partaking of tropical productions that have been wrung from the trembling limbs of the very objects of their compassion." It also references a "Free Produce warehouse in Philadelphia, although it is difficult to discern whether that warehouse was existent or hoped for. For more on the efficacy of abstinence in the face of resistance (including ridicule), see "Free Produce Societies," *Liberator*, June 25, 1831; Jonathan Walker, "Free Produce," *Liberator*, February, 1850.

<sup>43</sup> Daniel L. Miller Jr., "Free Produce Question," *Philanthropist*, June 30, 1841.

<sup>44</sup> "Free Produce Convention," *Liberator*, November 15, 1839.

innocency.”<sup>45</sup> In March 1847 Garrison changed his mind about the effectiveness of free produce as an anti-slavery strategy, abandoning the hope that every abolitionist would adopt the practices, which he found impossible to achieve.<sup>46</sup>

### *Structure and Design of the Free Produce Network*

Between roughly 1825 and 1865 association members, newspapers publishers, and private grocery store owners designed the free produce network. The network developed strategies, disseminated information, tracked the advance of international slavery, and most important facilitated the exchange of free produce goods. Societies provided a dedicated space and time to discuss and advance tactics for what needed to be done. Newspapers like the *Liberator*, the *Genius of Universal Emancipation*, the *Friends' Review*, and the *Friends Intelligencer* published opinions, articles, and committee reports drafted by association members. The grocers sourced the goods and certified their provenance as slave-free. Both the societies and the newspapers promoted patronage of the private groceries; sometimes free produce merchants even joined as members of their local societies. Before 1847, the *Liberator*, while fervently promoting private groceries, also organized its own free produce depot, at its headquarters and around the country.

Given expanding anonymous trading networks, the free produce cultural commitment required vigilance about a food's provenance. If it were impossible to guarantee the provenance of a good, then the recommended course of action was to abstain. Because abstinence proved difficult, free producers created a network to provide certified goods—also called “substitution” or “replacement.” Permanent replacement of slave- with free- produce was the strategy ultimately envisioned. In free produce “markets,” shoppers could buy sugar, molasses, rice, and chocolate certified as free. Newspapers allowed readers to post their desires for free produce goods and provided them a means to find free produce, to attend free produce association meetings, and to keep up-to-date on the shifting provenances of their goods. Until the end of slavery, free produce planned to support the alternative sourcing network by encouraging free labor grocery stores, farms, and crops. More than a theoretical concept, free produce responded with concrete actions to real change in dietary experience that resulted in significant ramifications for world labor organization.

Free produce societies recommended reliable merchants from whom to purchase safe goods. Distance, inability to monitor cultivation and processing, and fear of impurities raised concerns about fraud. The network required trusted dealers in a world of uncertainty. Buying from private merchants who specialized in importing free produce and would certify to its authenticity allowed people to gain comfort about their food choices. In big city urban markets, buyers were promised a comprehensive array of products, yet free produce staple goods (like sugar, molasses, flour, and rice) could not always be found or identified in the public markets. They were likely unavailable.

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<sup>45</sup> "Free Produce Society." On using slave-cultured goods when impossible to be completely abstinent (a common refrain), see Lady, "On the Use of Free Produce."

<sup>46</sup> "Union Free Produce." In June 1847, in a corner of the paper, Garrison described the “slave produce question” as “unprofitable and uninteresting to an equal extent” and the paper’s “unwilling[ness] to prolong a controversy . . . which is allowed on all hands cannot be fully carried out.” “Ransom of Frederick Douglass--Free Produce,” *Liberator*, June, 1847. Garrison eschewed free produce as an impractical anti-slavery strategy, finding that “no men could strictly reduce [it] to practice.” “Union Free Produce.” Nonetheless, the *Liberator* continued to publish the perspective of free produce adherents, and the societies continued to supply information.

Starting in 1826, dedicated free produce stores multiplied throughout the mid-Atlantic and Northeast, expanding to more than fifty across the United States before the end of the Civil War. Located next to export routes, free-produce merchants flourished. New York and Philadelphia boasted the most reputable traders. Charles Collins, Robert L. Murray, Lindley Hoag, George Wood, and Joseph Beale purveyed rice, sugar, coffee, tea, and molasses from New York storefronts. Charles and James Peirce, Lydia White, Zebulon Thomas, and George Taylor managed Philadelphia's provisions. These New York and Philadelphia dealers in turn supplied goods to local stores throughout the United States, smaller stores in New Jersey, Delaware, and Ohio.<sup>47</sup>

The urban marketing system attempted to locate public markets within convenient walking distance of neighborhoods where people lived and worked. Free produce markets, on the other hand, were more difficult to access because they were few and far between. Because most free produce was sold through a merchant system that relied on wholesale rather than retail, free produce exchanges were less accessible to the public, which represented a drawback. Newspaper subscribers in the countryside often posted appeals requesting retail stores open in their neighborhoods. As an example, a woman living in Kennett-Square, Chester County, Pennsylvania bemoaned inconvenient travel to distant Philadelphia and Wilmington, Delaware, the closest free produce stores.<sup>48</sup>

Patrons appreciated the lengths to which their agents would go to obtain free goods. The Peirces, Collins, and White were among the most renowned traders. In 1831 the Peirces sold sugars from West India and East India, coffee from Santo Domingo and Java, chocolate from Santo Domingo, and molasses from West India. Collins retailed free brown sugar, white sugar, molasses, and wheat flour; for his efforts, he received numerous customer endorsements. White was celebrated for her fortitude and quick thinking when in an urgent situation, she was "compelled to visit the Free Islands in the West Indies, and make arrangements on the spot for supplies."<sup>49</sup>

Non-specialists also participated in marketing activities typically reserved for merchants. Allowing its Boston office to be used as a makeshift market, the *Liberator* facilitated the circulation of free labor goods by accommodating the purchase and delivery of free produce at no additional charge. The *Liberator* took the Boston orders for Charles Peirce of Philadelphia. Peirce furnished sugar (white, lump, loaf, and maple) from the Caribbean, India, and China. He provided coffee, chocolate, molasses, spices, and tea. Through the paper, families could place orders, which could then be collected from the *Liberator's* offices. By this method the paper facilitated small lot purchases, otherwise difficult for wholesalers to accommodate. The lower cost benefits of bulk purchasing could be shared among the members. The *Liberator* also regularly published merchant advertisements. Devoting office and advertising space to the distribution of free produce allowed it to shape not only ideas about slavery but also cultural practice.<sup>50</sup>

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<sup>47</sup> Lawrence Glickman describes the first free produce store as having opened in Baltimore. Glickman, *Buying Power*. The December 1832 issue of *The Liberator* called for the opening of an anti-slavery grocery store, asking that potential customers write to the paper to show their interest. "Free Grocery Store," *Liberator*, December 1, 1832. Charles Collins of Franklin Square in New York City sold to customers in Providence. Collins provided brown sugar, white sugar, molasses, and wheat flour amid other provisions. "Free Groceries," *Liberator*, August 6, 1831; "Free Groceries, October 29, 1831." The same article recommended Lydia White's Philadelphia store.

<sup>48</sup> "Free Produce Stores," *Genius of Universal Emancipation*, July, 1831.

<sup>49</sup> "Liberator," May, 1831; "Free Groceries." "Free Groceries, October 29, 1831." "Free Labor Goods."

<sup>50</sup> *The Liberator*, May 1831. "Peirce's Free Grocery Store," *Liberator*, June 11, 1831; "Liberator."

The backers of free produce organized their network through associations and chapters. Pioneers in the American effort, the Quakers' Friends societies established free produce strongholds in New York and Philadelphia with the aim to convince Americans "never to taste . . . any more of the sugar . . . in the production which Slaves have wept, grounded and been scourged."<sup>51</sup> According to the *Liberator*, the first society was formed in 1827 in Philadelphia and the number of societies proliferated quickly thereafter. At least three additional societies had been founded in Philadelphia between 1827 and 1831. By 1832, approximately 835 members existed among the four Philadelphia societies.<sup>52</sup> In the state of Pennsylvania, the center of free produce organization, there were close to ten organizations at any given time. Just in Philadelphia, there existed a Free Produce Society of Philadelphia, a Philadelphia Free Produce Society of Friends (including its offshoot the Society of Females), the Philadelphia Free Produce Association of Friends, a Philadelphia Friends Society, and the Colored Female Produce Society. With the prominent exception of the American Free Produce Society, which welcomed women and men, black and white, most societies generally organized themselves by region, by race, by gender, and by religion. When they did work across gender or race lines, they did so by coordinating among groups, rather than by diversifying within.<sup>53</sup>

Aims of societies were primarily four-fold. The 1849 Address of Friends succinctly stated the aims, which most societies shared. First, they sought to obtain information about the conditions of slavery in regions (both the U.S. South and foreign countries) that supplied Northern markets. Second, they aimed to show the world the harmful effects caused by buying slave produce. Third, they taught shoppers to discriminate between free and slave goods. Finally, societies created markets for free produce. The Constitution of the Free Produce Association of Philadelphia noted that individuals on their own could "not readily . . . procur[e] . . . through the ordinary channels of commerce or manufacture." Therefore, societies organized funds for the purchase of and cultivation and distribution of goods.<sup>54</sup>

Notable societies included those founded by blacks, who emphasized their greater desire to end slavery due to their own continuing experiences with racial discrimination. Free produce and abolition had not been simply about ending slavery. More broadly, both strategies advocated human rights and respect for all people, regardless of color. The *Liberator's* Issue No. 2 initiated a series commenting on black life, called "The Colored Population of the United States." Arguing for the need to elevate black experience generally (not only that of slaves), it asserted that ending slavery would do much to improve the status of blacks, who "inherit[ed] in their color a constant badge of disgrace," part of the American caste system. Thus, attention to food labor practices highlighted the plight of free African Americans, too.<sup>55</sup>

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<sup>51</sup> "Fifth Annual Report of the Board of Managers of the Free Produce Association of Friends of Ohio Yearly Meeting."

<sup>52</sup> V.W.X., "Free Produce Societies," *Liberator*, March 10, 1832. In October 1839 in Philadelphia the American Free Produce Association held its first annual meeting. Abraham L. Pennock, "American Free Produce Association," *Friend; A religious and literary journal*, October 12, 1839. For a list of other free produce societies, see Appendix in Nuernberger, *Free Produce Movement*, 117.

<sup>53</sup> It is unclear whether generally free produce societies maintained separations in membership by color. The Chester County Free Produce Association allowed any person membership "without distinction of sex or color." "Constitution of the Free Produce Society of Chester County, Pa.," *Genius of Universal Emancipation*, July, 1833. While there may have been exceptions, the names of the organizations suggest that the practice was for blacks to join one group and whites another, as tended to be the custom with benevolent organizations in the nineteenth century. Nonetheless, the groups certainly cooperated with one another.

<sup>54</sup> Friends, *An Address to Our Fellow Members of the Religious Society of Friends on the Subject of Slavery and the Slave-Trade in the Western World* (Philadelphia 1849). "Constitution of Free Produce Society of Pennsylvania."

<sup>55</sup> "The Colored Population of the United States No. 1," *Liberator*, January 8, 1831; "The Colored Population of the United States No. 2," *Liberator* 1832.

Blacks seeking rights and social justice during this critical moment of emancipation included free produce marketing as part of their strategy. Earlier in 1831, Robert Purvis had helped to form the Colored Free Produce Society, which shared similar ideals—achieving rights and citizenship by focusing on the market economy. Then, at the First Annual Convention of the People of Color in June 1831, symbolically held in Philadelphia, Robert Roberts, Thomas Downing, James Forten, and Robert Purvis were appointed as Provisional Committee members to carry out the duties of the Convention. The convention focused on the conditions of “free people of colour,” concluding that the Declaration of Independence and Constitution together created a foundation whereby “all the rights and immunities of citizenship” belonged by guarantee “to every freeman born in this country.” The Committee thought “Education, Temperance, and Economy” would further promote these aims, bringing attention to self-control and rational behavior as part of a strategy whereby blacks could achieve full citizenship.<sup>56</sup>

In 1831, the Coloured Female Free Produce Society of Pennsylvania (CFFPSP) was introduced to readers by the *Genius of Universal Emancipation*. The *Genius* distinguished between the bravery of the black women, and the cowardice and complacency of their white counterparts. In doing so, it scolded white Americans for lagging behind the English in their failure (“inactive carelessness”) to abstain from slave goods. It said it “kn[e]w of no ladies’ society in England that ha[d] not resolved to reject the use of West Indian sugar, because it is the great staple and support of British slavery in their colonies.” The *Genius* reported the proceedings of the CFFPS meetings “partly to inform our white sisters of the regular manner in which they transact business” and found “[t]heir promptness and numbers a reproach” to the white women. Blacks needed white support, but the *Genius* felt that white Americans had contributed too little, too late.<sup>57</sup>

Also in 1831, at Richard Allen’s Bethel African Methodist Episcopal Church, five hundred black men met to form the Colored Free Produce Society (CFPS). Two hundred thirty men signed its constitution, explaining they felt a greater duty to intervene than whites because they were “more closely allied to the sons of Africa.” Among its members included community leaders, merchants like Charles and James Peirce, and abolitionists Robert Purvis, James Cornish, and Frederick Hinton. Its founders intended the market, in the U.S. Constitution’s absence, to end slavery. Proceedings at an April 1831 meeting revealed the society’s understanding that brutal economic self-interest, supported by politics, but in contravention of the Constitution, remained the sole reason for American slavery’s continuation. The CFPS proposed their own alternative constitution, a challenge to America’s founding document.<sup>58</sup>

The CFPS’ constitution introduced a withering critique of the American political system’s hypocrisy, noting that slavery existed due to wealth and self-interest:

Whereas, the Constitution of the United States expressly declares that ‘all men are born free and equal,’ but in consequence of the superior wealth and influence of the white population, they have deemed themselves justifiable in establishing and pursuing the

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<sup>56</sup> “Minutes and Proceedings of the First Annual Convention of the People of Color,” *Liberator*, October 22, 1831. Back in Boston, Roberts (along with Samuel Snowden and James G. Barbadoes) convened subsequent meetings to enact the business initially conceived at the Convention of the People of Color. “Notice,” *Liberator*, October 22, 1831.

<sup>57</sup> “Coloured Female Free Produce Society,” *Genius of Universal Emancipation*, August, 1831. “Colored Females’ Free Produce Society,” *Genius of Universal Emancipation*, May, 1831; “Coloured Female Free Produce Society.”

<sup>58</sup> “Colored People in Philadelphia,” *Genius of Universal Emancipation*, February 31, 1831. Frederick A. Hinton and Robert Purvis, “Colored Free Produce Society,” *Genius of Universal Emancipation*, May 31, 1831.



notorious practice of holding their colored brethren . . . in the most abject servitude and oppression—trafficking in their flesh, separating parent from child, husband from wife, and brother from sister, without any regard to those social and domestic enjoyments, which they themselves profess to esteem so highly;

And, whereas, it is well ascertained, that self-interest will induce individuals to perform acts for which reason and humanity have long been appealed to in vain; . . .

And, whereas, the substituting of the produce of freemen for that of slaves, is a sure method of lessening the value of slave-labor and destroying the gains of the hardened oppressor, and will, therefore, induce him, sooner or later, to restore to the oppressed those inalienable rights, of which they have been so cruelly and unjustly deprived;

And, moreover, as it particularly becomes us, who are more closely allied to the sons of Africa, to use our influence to change their present degraded condition, and restore them to the rank which nature and nature's God designed they should occupy;

Therefore, we, . . . agree to form ourselves into an association to be called the "Colored Free Produce Society of Pennsylvania," that we may the more easily obtain and impart such information, connected with this subject, as may promote the objects above stated.<sup>59</sup>

In its attention to economic advocacy, the CFPS viewed alternative food markets as a solution to slavery that politics could not provide.

The societies acted through newspapers to publish their constitutions and proceedings, to promote debate, to spread knowledge about the conditions of slavery, and to advertise the food itself. Most societies had a duty to spread knowledge, which translated into frequent publication and collaboration with newspapers to communicate the word. The Constitution of the Free Produce Society of Pennsylvania required the Society to publish—"through the medium of the public newspapers, or such other means as they may deem best"—the names of free produce vendors.<sup>60</sup> The *Friends' Review*, *Friends' Intelligencer*, and the *Genius of Universal Emancipation* kept readers apprised of the international conditions of food production. Part of an international strategy, American activists were also eager for foreign news and gained

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<sup>59</sup> "Colored Free Produce Society."

<sup>60</sup> "Free or Slave Labor." The mission to promote knowledge about the origins of food (and its relationship to slavery) frequently appeared in free produce association preambles, charters, and writings, prevalent across organizations. The Free Produce Society of Chester County, Pennsylvania, declared knowledge central to its arsenal against slavery ("[k]nowledge is power"). In its Article 1st, it declared its objective to "promote a knowledge of the numbers and circumstances of slavery" and to publish and distribute materials to further such investigation and understanding. "Constitution of the Free Produce Society of Chester County, Pa.." For a few more examples, see also Friends, *An Address to Our Fellow Members of the Religious Society of Friends on the Subject of Slavery and the Slave-Trade in the Western World* (Philadelphia 1849); "Constitution of Free Produce Society of Pennsylvania."

momentum through international alliances with like-minded groups in Britain. Although the *Liberator* was not linked to any specific society per se, it regularly printed articles promoting a growing food culture of resistance. In concert with the *Liberator*, the society papers served a need left unaddressed by typical city newspapers.

Societies and newspapers provided a valuable service in making available greater information about food provenance. Early nineteenth-century views of the marketplace had emphasized unity between producers and consumers, describing the market as a venue where the two halves of a divided whole could come together. Theoretically, the market existed as a site of transparency and insight where information could be exchanged by producers and consumers on equal footing. But a considerable number of Americans worried that chasms (real and metaphysical) between production and consumption had widened. In their market interactions consumers were commonly defrauded. In its focus on provenance, free produce set about to establish the idealized market about which De Voe himself fantasized, a market where buyers knew their producers and purveyors.<sup>61</sup>

Newspapers also supplied the market information consumers needed to understand the organization of international slavery and how to avoid its influence, even thwart it. Reporters served as the eyes and ears of their faithful readers, who needed expert guidance navigating the ever-evolving structure of the global markets. They additionally facilitated the efforts of free produce societies to keep the public informed by providing a framework for understanding the relationship between local food culture and the global structure of slavery. Newspaper articles did so by reporting accounts of free produce meeting proceedings and their investigations and plans. The Friends' papers kept Americans abreast of developments in the international anti-slavery movement while the *Liberator* remained laser-focused on the end of American slavery. The *Friends' Review* and the *Friends' Weekly Intelligencer* were both published by the Society of Friends (the Quakers) in Philadelphia. These papers tended to publish reports from other society members worldwide, with special attention to the investigations conducted by sister societies in Britain. Free produce was a central strategy of abolitionist William Lloyd Garrison and his *Liberator*. While the *Liberator* published the reports of the societies, it did much more. Based in Boston, the *Liberator* aimed to end slavery by broadcasting its message nationally and pressing a range of strategies, not only free produce.

Encouraging individuals to learn the specifics of agricultural geography and food sourcing, the papers demonstrated how the food transportation chain worked. To enable a better understanding of provenance, societies closely monitored the labor conditions at origin, the newspapers supplying reports of conditions. These reports recirculated in the papers. A recurring story because of its appalling nature, at a Louisiana sugar planters' convention, for example, slave owner's declared they preferred to "use up" (i.e., work to death) their slaves and then buy new ones, rather than to treat them more humanely and allow them to live longer.<sup>62</sup> Brutal treatment of slaves in Louisiana, Puerto Rico, Cuba, and Brazil earned sugar its moniker the "great pillar of Slavery." (The Philadelphia association even wondered whether after slavery had ended, sugar from a former enslaved region would be fair to consume, "the evils of slavery . . . too deeply impressed on the character and habits of the people be suddenly obliterated.")<sup>63</sup>

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<sup>61</sup> De Voe, *Market Assistant*, 7.

<sup>62</sup> Benedict, "An Address on the Use of Slave-Labor Products, by the Board of Managers of the Free Produce Association of Friends of Ohio Yearly Meeting." "Free Labor Goods."

<sup>63</sup> Rhoads, "To the Philadelphia Free Produce Association of Friends." For a description of abusive treatment of Puerto Rican slaves at the sugar mills, see "The Tariff of Conscience: Free Trade in Slave Produce Considered (Part 1)," *Friends' Review*, September 1, 1849. For further examples of perverse treatment of slaves, including whippings to the death and examination like

Eyewitness accounts circulated about inhuman treatment in Brazil. One reporter witnessed “an unfortunate slave cutting his throat at a dinner-table at which [he] was a guest.” The same reporter was invited “by a proprietor, to witness the boiling alive of a slave in the cauldron of his estate!” These Brazilian slaves toiled an average of twenty hours per day, with barely proper rest for eating.<sup>64</sup> Cuban slaves reportedly worked seventeen hours per day, which limited their life expectancy to ten years after beginning field work. This led the Philadelphia Free Produce Association of Friends to conclude that what consumers saved on sugar was “actually the price of blood.”<sup>65</sup> S.B. corrected an article published in an earlier version of the *Liberator* to clarify that free coffee could be obtained from Africa and St. Domingo, but not Java, which used Malaysian prisoners of war to cultivate coffee. The confusion resulted because while Javanese sugar was deemed free, the coffee was not. In Java slaves raised some crops, but not others.<sup>66</sup> In the *Friends’ Review*, the Free Produce Association of Friends of Ohio celebrated “with pleasure the abolition of slavery in the Republic of Venezuela [hence] another facility is thus added to the means of supplying ourselves with articles in daily use, for which the markets have been mainly dependent upon countries where Slavery exists.”<sup>67</sup>

The strategy to increase the supply of free produce staples evolved into funding the development of free labor farms and staple grocery stores. In 1838 the American Free Produce Association experimented with two funding methods: voluntary contributions and joint-stock associations, seeking contributions of \$25 per person.<sup>68</sup> Such investments were directed toward free-labor farms in the South. A free rice farm in Southampton County, Virginia, produced thirty bushels.<sup>69</sup> One optimistic report predicted Germans immigrants would populate Texas and provide the labor needed to cultivate sugar, thus replacing African-American slaves. A New Orleans merchant “hired thirty Germans, and propose[d] to plant one hundred acres with sugar cane.”<sup>70</sup> In 1829, the *Genius of Universal Emancipation* reported that advocates had contracted to buy enough rice from farmers in North Carolina to create a “new market” in free rice.<sup>71</sup> CFPS members bought allocations of twenty-five to fifty pounds of free sugar at a given time, for personal use and to distribute to friends and family, another method of applying pressure to the market.<sup>72</sup> Lydia White and associates from Pennsylvania, New Jersey, and Delaware founded the Free Produce Association of Friends to create a fund of several thousand dollars, designed to

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cattle, see “A Short History.” For an address describing the increase in abuse with increase in consumer demand for sugar, see Benedict, “An Address on the Use of Slave-Labor Products, by the Board of Managers of the Free Produce Association of Friends of Ohio Yearly Meeting.”

<sup>64</sup> Candler and Burgess, “A Visit to Brazil to Present an Address on the Slave Trade and Slavery, Issued by the Religious Society of Friends.”

<sup>65</sup> “Third Annual Report of the Managers of the Philadelphia Free Produce Association of Friends.”

<sup>66</sup> S.B., “Free Produce,” *Liberator*, May 12, 1832. John Candler of the Ohio society reported his findings from a trip to the “West Indian Islands,” which he circulated in the *Friends’ Review*. “Annual Meeting of the Ohio Free Produce Association of Friends,” *Friends’ Review*, October 12, 1850. For other reports, see also Samuel Rhoads, “Third Annual Report of the Managers of the Philadelphia Free Produce Association of Friends,” *Friends’ Review*, May 20, 1848; “Third Annual Report of the Managers of the Philadelphia Free Produce Association of Friends.”

<sup>67</sup> “Fifth Annual Report of the Board of Managers of the Free Produce Association of Friends of Ohio Yearly Meeting.”

<sup>68</sup> Daniel L. Miller, *Philanthropist*, December 18, 1838. For other examples of contributions, see “Free Produce Association,” *Liberator*, November, 1843.

<sup>69</sup> Rhoads, “Third Annual Report of the Managers of the Philadelphia Free Produce Association of Friends.”

<sup>70</sup> *ibid.*; “Third Annual Report of the Managers of the Philadelphia Free Produce Association of Friends.” Candler and Burgess, “A Visit to Brazil to Present an Address on the Slave Trade and Slavery, Issued by the Religious Society of Friends.”

<sup>71</sup> “Free Produce Society.”

<sup>72</sup> Hinton and Purvis, “Colored Free Produce Society.”

seed a market for free produce staples like sugar and molasses, which were difficult to find in Philadelphia. White often visited the Free Islands in the West Indies to procure directly.<sup>73</sup>

Free produce advocated awarding premiums to promote free labor, pursuing a variety of strategies. Most commonly, they offered premiums as an inducement to hire free labor, an incentive paid only to the landowner, to get him to bring his goods to market. “S.T.U.” suggested awarding premiums to producers who had recently emancipated their slaves or more importantly could guarantee they would do so in the immediate future. He imagined that paying those who would free their slaves could make a greater impact than paying a premium to existing free producers, whose slaves had already been freed.<sup>74</sup> At times, the premium was otherwise described as allocating the proper price for unbound labor, which translated into a fair wage. For some the extra fee represented a payment made to help free men bring their goods to a level on par with slave-produced goods, which received a perverse subsidy because of the forced labor. Surprisingly while the slaves themselves were devalued, their products were considered superior to those of free men. Those against paying a premium for free produce invoked the latter argument, that free produce cost too much and that slave goods were of higher quality and cheaper.<sup>75</sup> Often times, however, the inducement benefited the merchant who took the extra trouble to source the hard-to-obtain goods, and to store those separately from slave produce. CFPS members offered a premium to rice producers to stimulate the market; the merchant Charles Peirce matched their incentive with an equal investment over market price.<sup>76</sup>

Businessmen, not apparently part of any societies, also sought to establish alternatives to cane sugar. Samuel Blackwell and James Ludlow, who both wanted to end slavery, partnered to profit from the introduction of beet sugar to America. Blackwell, a recent immigrant from England, planned to replicate the French manufacturing process. Ludlow of Cincinnati entered the beet sugar trade for both financial and moral remuneration. Because the French had been extracting sugar from beets for some time, Ludlow was confident that he could make the business work in America despite the prohibitively high capital investment. Ludlow imagined in 1837, “If the Beet will yield the percentage of sugar with *us* which it does in France, there is no branch of business in which capital can be so safely invested [and] that will yield so great a profit as the combined culture of the Beet—manufacturing sugar—and fattening cattle.”<sup>77</sup>

An article in the anti-slavery *Antislavery and Colonial Journal* offered that morality through sugar beets could be profitable. Its author certified that despite their counterintuitive red color, “for whiteness and beauty . . . when refined” beets yielded refined sugar “unequaled by other” sugar sources.<sup>78</sup> A *New-York Journal of Commerce* article reported that, in the twenty years since their initial introduction by Napoleon, France had developed one hundred sugar refineries. France produced approximately five thousand tons of sugar each year, still satisfying the need for “whiteness and beauty.”<sup>79</sup>

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<sup>73</sup> "Free Labor Goods."

<sup>74</sup> S.T.U., "Free Goods."

<sup>75</sup> Friends, *An Address to Our Fellow Members of the Religious Society of Friends on the Subject of Slavery and the Slave-Trade in the Western World* (Philadelphia 1849).

<sup>76</sup> The *Liberator* also noted that the Colored Free Produce Society worked in concert with Charles Peirce to seed the market using premiums. Hinton and Purvis, "Colored Free Produce Society."; Peirce, Wright, and Parker, "Produce of Free Labor."

<sup>77</sup> James E. Ludlow, "Letter to Sam Browne," in *Blackwell Family Papers, 1832-1981* (Schlesinger Library, Radcliffe Institute, Harvard University, 1837). Sam Browne copied Ludlow's letter, and sent it on to Samuel Blackwell. Sam Browne, "Transmittal Letter from Sam Browne to Samuel Blackwell," in *Blackwell Family Papers, 1832-1981* (Schlesinger Library, Radcliffe Institute, Harvard University, 1837).

<sup>78</sup> "Free Labour Vs. Slave Labour," *African Repository and Colonial Journal*, October, 1829.

<sup>79</sup> "Sugar from Beets," *African Repository and Colonial Journal*, October, 1829.

In addition to his goals for pecuniary gain, Ludlow acknowledged his desire to enter the beet business to defeat the cruel slave labor system and to mend growing sectional rifts, goals both shared with Blackwell. In a letter to his friend Blackwell, Ludlow surmised: “Independent of its pecuniary profits, great moral benefits will flow from the successful introduction of the Beet culture among us—its tendency will be to equalize the profits of agriculture throughout the union [and] the result will be less of that sectional feeling which now prevades [sic] our country [and] threatens its desolation—It will also tend to reduce the profits of slave holding, and this you know will be a feeling argument with the slave holder for—abolishing the system of slavery—a system brought to overflowing with cruelty—Injustice [and] inequity.”<sup>80</sup>

Blackwell’s personal communications included vehement denunciations of the slave trade and the political system that supported it. He clipped Southern newspaper advertisements promoting sales of enslaved families. And he despised Andrew Jackson, who he thought responsible. Blackwell fantasized, “Would that an American Hogarth might arise to pourtray A Democratic President’s Program in the 19th Century in Republican America. The events of the man’s life would furnish fine materials for sketching.”<sup>81</sup> Sketches would include that president “enterprized in exterminating Indians in their native soil, and committing acts of Piracy from Coloured people” and “the regimen of a Slave Plantation applied to all the Departments of Government as the only true Democratic Usages according to the Constitution.”<sup>82</sup>

### *Teaching and Learning Everyday Free Produce Practices*

Mixing foods of different and unidentified origins illuminated the failures of the Northern marketing system. Most produce sold in the official markets was of unknown provenance, but it seemed that increasingly, most fruits and vegetables originated in the South. In 1833, Lydia Maria Child feared that enslaved blacks cultivated all Southern produce: “What is the *occupation* of the white population of the planting States? I am at a loss to know how this population is employed. We hear of no products of these States but those produced by slave labor” [emphasis in text].<sup>83</sup> “V.W.X.” estimated that “there is a considerable quantity of even free produce thrown into the market among slave produce.”<sup>84</sup>

Because there were few ways to discern and fewer incentives for ethical producers to self-identify or brand their goods as free, free produce relied on its network of trusted merchants. Charles Peirce and the Colored Free Produce Society offered to purchase five to ten casks of North Carolina rice at twenty dollars above market price both to incentivize a trader to import rice and to prevent that free rice from being mixed together indiscriminately with “slave rice.”<sup>85</sup> Speaking on behalf of Free Produce Societies generally, V.W.X. reasoned that all members (and even non-members) would be willing to pay a premium as “an inducement” to use only free labor and to “keep their produce separate from that which is polluted with the blood of our fellows.” In the *Liberator*, S.T.U. wondered whether free produce recommended engaging in total abstinence or using free articles on an as-available basis. V.W.X. responded that all slave-

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<sup>80</sup> Ludlow, “Letter to Sam Browne.”

<sup>81</sup> Samuel Blackwell, “Manuscript Notes,” in *Blackwell Family Papers, 1832-1981* (Schlesinger Library, Radcliffe Institute, Harvard University, 1832-1838).

<sup>82</sup> *ibid.*

<sup>83</sup> Lydia Maria Child, *An Appeal in Favor of That Class of Americans Called Africans* (Boston: Allen and Ticknor, 1833), 80.

<sup>84</sup> Peirce, Wright, and Parker, “Produce of Free Labor.”

<sup>85</sup> “Free Produce Society.”

raised goods should be immediately identifiable, and then called into question (“Where is it? How came it here?”). Once informed, consumers armed with accurate knowledge could make their own decisions, presumably to abstain.<sup>86</sup>

Concern about fraud meant that everything was staked on the reputation of the merchant. For that reason, societies and their papers played a crucial role in evaluating and recommending reputable merchants. In its Address to Fellow Members in 1849, the Philadelphia Free Produce Association of Friends included a list of items offered by Philadelphia’s George W. Taylor.<sup>87</sup> The *Genius* recommended Lydia White of Philadelphia and Joseph H. Beale, with locations on both Pearl and Fulton Streets in New York City.<sup>88</sup> Joseph Beale sold approximately two thousand dollars in sugar and molasses over the first nine months of 1829.<sup>89</sup> The *Genius* said of the merchant Beale that “full confidence may be placed in his intelligence, integrity, and attention to business in which is engaged.”<sup>90</sup> The *Genius* described Beale’s inventory as the “most extensive of any kind in the United States.” He supplied smaller distributors by providing rice to Charles Collins in New York City and Zebulon Thomas of Philadelphia.<sup>91</sup> Charles and James Peirce belonged to the Free Produce Society of Philadelphia, which both enhanced their credibility and provided a ready market for their goods. They purchased twelve hogsheads of sugar and ten hogsheads of molasses from Puerto Rico and personally attested that the “planter . . . will neither keep nor hire slaves.” They also provided cocoa and chocolate from St. Domingo and had developed a relationship with a rice planter in North Carolina. Between October 1829 to April 1831, Charles Peirce reported selling \$5,370 of goods, strong revenues for a relatively new enterprise.<sup>92</sup> The papers also carried the advertisements of the recommended merchants.<sup>93</sup>

So that women could make informed marketing choices, the *Friends’ Review* also sought to train housekeepers. Women were taught to ask for certification of origin, but they were also taught to learn to distinguish without a certificate, an important skill in an era of adulteration. The paper declared that slave produced sugar could not mimic “Bagel, Dhobah, Cossipore, or Crystallized Demerrara” sugars. Maple sugar could be identified because of its ready familiarity; “it has a peculiar taste, smell and appearance, by which it is easily known.” Similarly, the Italian varieties could be picked out from those grown in the Carolinas. When all else failed, the housekeeper was advised to read the custom-house papers, which would indicate the country of origin of the goods. “[A] glance at the list of free and slave-produce, which has been widely circulated, will generally solve the question,” the article explained.<sup>94</sup>

The *Liberator* trained a younger generation to suspect the origins of staple goods commonly identified with slavery.<sup>95</sup> It recommended family members inquire further into the

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<sup>86</sup> “Produce of Free Labor.” The same article found the only free U.S. sugar to come from New York, Ohio, and Pennsylvania.

<sup>87</sup> Friends, *An Address to Our Fellow Members of the Religious Society of Friends on the Subject of Slavery and the Slave-Trade in the Western World* (Philadelphia 1849), 13.

<sup>88</sup> The Pennsylvania Free Produce Society also supported trading with Lydia White. “Pennsylvania Free Produce Society,” *Genius of Universal Emancipation*, April, 1831.

<sup>89</sup> “Free Produce Society.”

<sup>90</sup> “Wholesale Free Produce Store,” *Genius of Universal Emancipation*, April, 1833.

<sup>91</sup> “Free Produce Stores,” *Genius of Universal Emancipation*, December, 1832; “Free Produce Stores.”; “Free Produce,” *Genius of Universal Emancipation*, January, 1834; “Wholesale Free Produce Store.”

<sup>92</sup> “Pennsylvania Free Produce Society.”

<sup>93</sup> G.W. Taylor on Fifth and Cherry in Philadelphia advertised reduced price sugar and tea. Lindley Hoag and George Wood of New York City were located at 377 Pearl Street. “Free Labour Goods,” *Friends’ Review*, November 13, 1847; “Free Produce Store in New York,” *Friends’ Review*, January 15, 1848. The Philadelphia Free Produce Association of Friends also recommended Taylor. Samuel Rhoads, “The Philadelphia Free Produce Association of Friends,” *Friends’ Review*, May 15, 1852. The *Genius* promoted Lydia White. “Free Produce Stores.”

<sup>94</sup> “The Tariff of Conscience: Free Trade in Slave Produce Considered (Part 1).”

<sup>95</sup> S.B., “Free Produce.”

head of household's marketing decision, demanding to know where the produce had originated. A farmer's daughter complained that coffee from Puerto Rico was "slave coffee." Baltimore flour, she followed, should be avoided because the wheat had been grown and processed in Maryland, a slave state. The farmer's college-educated son taught him "it needs a good deal of learning to know justly about everything, whether it is slave or free." The article demonstrated the value of subjecting everyday practice to re-evaluation and reason and encouraged women and children to speak out against injustice practiced in their own households, supposedly for their benefit. The practice of children questioning their parents (and more specifically girls questioning their fathers) challenged more than just slavery. At issue was also the dominance of men and an older generation as experts.<sup>96</sup>

Designed as a didactic tool to convince skeptical adults fearful of wasting energy on a goal with dubious chances for success, the *Liberator's* articles often highlighted children's acts of resistance. Sometimes children would ask naïve yet provocative questions, forcing their parents to explain the paradoxical condition of adding further injuries to enslaved people purely for personal pleasure. At other times children would suggest eating a different diet. An especially poignant letter to the editor shows a parent's transformation by his own children's sensitivities. Initially the father was outraged when his children prepared a broth from coarse ground corn, a diet on which slaves and pigs subsisted. As though the food they ate could explain why blacks were in chains, the father argued that eating so-called slave food would make the children themselves subservient. He "scolded out . . . to see my children eating swine's victuals so." The children wanted to connect sympathetically with slaves by eating what they imagined to be the same foods, "the broth was somehow connected, in their minds, with the pitiful stories they had heard of the slaves." The children's acts caused their father to have a change of heart: "I never had the whole set of half-starved, miserable slaves brought so before my mind before . . . and I could have lived on bread and water, all my days, to do them good."<sup>97</sup> In "Edward and Mary" a sister instructed her brother about the dignity of the enslaved as people and the need for abstinence to support their freedom struggle.<sup>98</sup> The *Liberator* also published a section called "The Family Circle," which modeled how parents should teach their children abstinence.<sup>99</sup> The paper framed family time (especially mealtime) as the perfect intergenerational teaching moment.

The *Liberator* suggested how families with hungry mouths to feed might have navigated the difficult shoals of a free produce course. A family could make substitutions rather than choose between hunger and supporting slavery. A farmer's wife explained how to stretch wheat: "We need not spend any more for the flour, it is only to put a little more Indian [meal], or a few more potatoes, into the bread, and in this way, we may make the wheat last longer to make up the difference in the price." If the father bought free-produce flour, the mother would then compensate for the higher price with a more resourceful use of ingredients. With children to feed, families complained of their inability to afford free-labor groceries, their decisions driven by price. To buy the more costly free produce threatened to erode a family's economic

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<sup>96</sup> "The Family Circle--No. 9," *Liberator*, May 12, 1832.

<sup>97</sup> "Free Productions," *Liberator*, May 7, 1831.

<sup>98</sup> "Edward and Mary," *Liberator*, February, 1831.

<sup>99</sup> "The Family Circle--No. 9." In "The Root of the Evil," Faulkner explains that due the sense of "separate spheres" and questions of women's proper place, a family discourse allowed women to become involved as legitimate actors in radical abolition. Faulkner, "The Root of the Evil: Free Produce and Radical Antislavery, 1820-1860," 385, 392-393.

security—revealing both anxieties about class identity and the shaky economic position that characterized the middle class.<sup>100</sup>

Families may have considered their ability to buy slave produce essential to maintaining a precarious middle-class status. Use of slave goods marked the achievement of a respectable lifestyle. Heads of household took pride in their ability to put status foods on the table.<sup>101</sup> Some associated the white glow of dry goods with cleanliness, healthfulness, and purity. In reality the alabaster look indicated the probable use of slave labor in intensive refining techniques. (The color may also have indicated adulteration by poisonous substances like chalk and arsenic.) These associations linked white social climbing, black bound labor, and the need to bake cakes and cookies with pale interiors. Adam Arator, a self-described “plain hardworking farmer,” penned a letter to the *Liberator* explaining his resistance to free produce despite his sympathies with anti-slavery. He felt an obligation to maintain appearances with neighbors. Arator explained, “I [bought] the whitest New-York flour I could find, for my wife is pretty particular to have her cake, for company, look white.” Arator feared buying coarser or darker flour would subject him to ridicule and isolate him from his community: “[I]t will do no good for just one family to make themselves uncomfortable only to be laughed at.”<sup>102</sup> To shame the middle class, the *Liberator*’s articles contrasted the heroic acts of Northern servants willing to sacrifice. A hired worker surreptitiously avoided molasses during company lunches, “always pass[ing] the sweetening along, very sly, without pouring out a drop.”<sup>103</sup>

Because social mobility required the delayed recognition (or outright denial) of others’ claims to equality, free produce articles highlighted the fact that an emerging consumer consciousness turned a blind eye to conditions of production, when it emphasized only consumer experience. Free produce sought to render more visible those people who manufactured the products that Americans used every day, bringing awareness to labor conditions to change abusive consumption patterns. Thus, the reporters and publishers who promoted free produce introduced the idea of food as a gateway to empathy, understanding, and knowledge. Alongside the minutes of free produce societies, newspapers printed articles espousing the feelings of whites about their diet and exposes about the dirty provenance of everyday food items. Newspapers helped readers gain sympathy for the experiences of slaves. They often showed how whites adopted new sourcing and eating practices. In this way, free produce culture expanded the meaning of food, introducing it, not as a source of pleasure democratized from the royalty and aristocrats of Europe, but instead as a portal into another’s suffering and experience.

People not part of an acknowledged political group may have adopted free produce practices independent of any organizational affiliation. As an example, African-American families like the Lyonses of New York City kept a boarding house on Vandewater Street, where they promoted free produce culture through everyday eating habits and food service practices. They subscribed to a set of standards that suggests the existence of a free produce culture shared by many African Americans. During the New York City Draft Riots, protestors destroyed the Lyons’ house. The family’s list of missing inventory included items necessary for their boarding house: “three dozen breakfast plates, a dinner bell, frying pans, iron stew pans, copper kettles,

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<sup>100</sup> Arator, “Letter to the Editor.”

<sup>101</sup> In *Tasting Food, Tasting Freedom*, Sidney Mintz remarked on the associations between white food, racial domination, and purity, but in this case associations between white food color and economic advancement can be drawn. Sidney W. Mintz, *Tasting Food, Tasting Freedom: Excursions into Eating, Culture, and the Past* (Boston: Beacon Press, 1996), 84-91.

<sup>102</sup> Arator, “Letter to the Editor.”

<sup>103</sup> “Free Productions.” For another example of a non-standard (vegetable) diet attracting unwanted attention, see Alcott, *Vegetable Diet: As Sanctioned by Medical Men, and by Experience in All Ages*, 72.



pudding dishes, a barrel of brown sugar, coffee, tea, flour, rice, potatoes, hominy and cornmeal.” This inventory list showing brown sugar, rather than refined white sugar, suggests that the Lyons’ abstained from the most labor-intensive sugar.<sup>104</sup>

The examples of the family practices are instructive. In her memoirs, Maritcha Lyons, a girl during the times she described, never identified her family and friends as belonging to any “free produce movement” per se. Her memoirs recall how the Rémond family, also black, of Newport, Rhode Island designed their consumption patterns to prevent harm to the enslaved and entertained local community meetings to consider how best to bring about social change. In the summers the Rémonds operated a confectionary store, where Maritcha’s mother worked as a sales clerk. She recounted, “For their personal use the Rémonds never used products of slave labor; when they could not get ‘free labor’ sugar, molasses or rice, they used substitutes or went without.” They also “replaced cotton goods with silk, linen or woolen materials” and “devoted the mill ends—their requisites—to replace the rags of fugitives who often reached the North with little more than their lives.” Maritcha’s account explicitly discussed the difficult process in obtaining free produce.<sup>105</sup>

While the Rémonds desperately tried to stem their connections to slavery, they may have continued to use non-free labor products in their public business. Maritcha distinguishes the foods the Rémonds kept for their “personal use” from those used in their confectionary store. Maritcha acknowledges the separate practices, but does not provide a rationale for them. Perhaps there was little profit selling ice creams and candies made from free labor sugar. Or perhaps it was difficult to obtain free labor goods already manufactured; maybe the Rémonds did not make their own candies and ice creams. The dilemmas of this one African-American family as it attempted to live slavery-free demonstrates just how tightly the Southern plantation system was linked to northern consumer practices. As Northerners stopped producing their own foods, they lost control of the process. Many were limited to boycotting, protesting, or abstaining, and they feared it would not be enough.<sup>106</sup>

African-American free produce culture reacted to locating freedom in the marketplace with its many contradictions. First, Northern blacks could work to end slavery by demanding free purchasing practices, and then withholding their patronage from businesses that refused. But, equally important, if standard markets did not exclude slave produce, then purchasing power and rights for African Americans in the North were gained at the expense of enslaved blacks. The situation called into question whether market participation was truly a net gain for blacks overall, whether enhancing the position of already free blacks was ever possible when ongoing slavery continued to degrade black life. While market trading represented an achievement for Northern blacks, Southern blacks continued to live in slavery. Free blacks like the Lyons family realized that through their own voluntary participation in the market, they inadvertently contributed to the enslavement of other peoples of African descent. Free produce activity sought to call attention to, among other issues, not just whites’, but blacks’ unwitting participation in slavery.

The intersection between blacks in the culinary and service professions and their interest in equal rights manifested in theories organized around alimentary knowledge and skill as a platform for justice. The author of the instructional manual *The House Servant’s Directory*, Robert Roberts worked tirelessly to expand black rights, serving as a delegate to the first People

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<sup>104</sup> "Inventory List," in *Harry A. Williamson Papers* (Manuscripts, Archives and Rare Books Division, Schomburg Center for Research in Black Culture, The New York Public Library), 31-32.

<sup>105</sup> Lyons, "Memories of Yesterdays: All of Which I Saw and Part of Which I Was," 59, 62.

<sup>106</sup> *ibid.*, 62.

of Color Convention. In 1827, Roberts had theorized that black purchasing power and decision-making authority in the public markets would precede true black independence. The crux of this seminal idea re-emerged in the evolving Northeastern free produce culture. Except that in the context of free produce, not only did servants need to refine their skills, but so did everyone in Northern society, and especially free blacks. The stakes could not have been higher; the exercise of conscious purchasing power held the power to transform not only the provisioning system, but also America's social structure and the lives of millions worldwide. As blacks comprised a significant number of household servants and restaurant stewards, and ranked among prominent eating-house owners and caterers, they could wield a powerful influence on consumption practices. Among the most prominent street vendors in print and in person, blacks established new taste preferences with their prepared goods: hot corn, hominy, and pepper-pot stew. But as the CFPS identified, when slaves in the Southern states produced cheap fruits and vegetables, the marketplace perpetuated a brutal inequality. To reverse the trend, free produce advocates promoted conscientious sourcing and purchasing practices to rectify the accommodation to slavery fostered by increased Northern demand.<sup>107</sup>

### *Conclusion*

Northerners outraged not only with the continued existence of slavery, but also that the traditional urban marketing system and popular dietary trends promoted demand for bound labor, created an alternative set of food distribution spaces reflective of their values. Not a traditional physical space like the public market, the free produce market existed in newspapers, anti-slavery association meetings, a growing network of free-labor farms, and in makeshift depots distributing staple goods. Its advocates were public figures, regular citizens, newspaper readers, and traders who recognized that overhauling the urban food marketing system to incorporate anti-slavery and anti-discrimination principles would improve the economic and social condition of blacks and the moral health of Americans as a whole. For just as free produce sought to improve decision-making through better information, all participants (and especially blacks and women) could directly avail themselves of the opportunity to structure a counter-cultural marketplace.

That urban residents thought they could build a system operating outside of the physical and intellectual boundaries of city markets and eating houses showed that the municipal markets had not yet grabbed complete hold of public imagination and consciousness, that some people preferred information and fairness to low prices and sweet taste, that cost and flavor competed with a morality based on fair labor. Inconvenient and slightly more expensive, free produce delivered a moral certainty that could not be found in the public markets, streets, or eating houses. Advocates wanted an alternative that traded on transparent pricing information, ethical treatment of workers, ideals based on wages rather than forced labor, and a window into cultivation and processing practices, where the shared values could be evaluated and witnessed. Most important, beyond theory, free produce reacted to the existing market culture to construct a new system with practices that involved learning about the provenance of goods, engaging in methods of abstinence and substitution, working together in societies, creating free labor farms and distribution hubs, and constructing a network of free produce wholesalers and retailers.

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<sup>107</sup> Martin Delaney and W.E.B. Du Bois also documented that blacks, as the catering class of Philadelphia, set standards in food service and preparation. For more, see Chapter 3 herein.

Each of the chapters of this dissertation has explored how a particular space and its social context influenced behaviors, conceptions, and practices in thinking about food, community, and eating. Addressing the phenomenon of free produce culture and space, Chapter 4 is no different although likely the most conceptual. To describe the network physically is to describe a space for intellectual thought, rather than the more free-wheeling and indulgent streets, markets, eating houses, and hotels of nineteenth-century cities. Nonetheless free produce ideas, circulated through newspapers and by group meetings, wielded influence far beyond markets. And not insignificant, free produce culture itself cultivated an acquired taste—the absence of sweetness.

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