Early in the 19th century the Schuylkill Navigation canal system and later the Reading and Philadelphia Railroad enabled the growth of manufacturing along the river by transporting coal and other materials to ports along the Schuylkill. The village of Phoenixville, at the confluence of French Creek and the Schuylkill River was one of many towns that benefited from these transportation improvements. By 1847 Phoenixville was a booming place. The growth of manufacturing attracted new residents who worked at the several businesses that had grown along the French Creek and Schuylkill River. Reeves, Buck & Co., manufacturer of nails and iron products was by far the largest industry in the village. There were in addition a cotton mill, 5 bottling mills and numerous smaller enterprises.

The population in 1840 was 809. By 1846 the population had risen to 1,683 growing to 3,337 in 1848. Two hundred buildings were erected during the same two-year period. Phoenixville at that time was part of Schuylkill Township, a mostly rural area. But, with increased population.

Concentrated in the village of Phoenixville there was a greater need of community services. Among the concerns were the condition of the streets – muddy and impassable during certain times of the year; the need for a central market – to eliminate the house-to-house hawking of food at high prices and low quality; overcrowding in the schools; drinking and gambling; inability to arrest and hold criminals for trial – they simply hopped the next train out of town; unregulated building; and animals running loose.

On October 1, 1847 the citizens of Phoenixville met at Temperance Hall to consider incorporation of the village. An incorporated municipality is the focus of governmental legitimacy on the local level. Boroughs are given powers and the right to use those powers to restrict individual rights for the good of society at large. Providing important community services which are unsuited to private enterprise, boroughs have traditionally been heavily involved in maintenance of streets as well as having responsibility for public safety, including police, firefighting and emergency management. Boroughs often provide water, sewer and refuse collection services. A municipality can influence aesthetic factors and amenities which contribute much to the quality of life. This can be done by removal of nuisances, control of noxious activities, building regulation, control of development through zoning, animal control and other regulatory activities.¹

Incorporation Meets Opposition

Conditions in Phoenixville in 1847 warranted incorporation. However, at the October 1st meeting it soon became apparent that there was prominent opposition to it. Stakeholders in the firm of Reeves, Buck & Co. believed that incorporation meant additional expense without benefit to their bottom line. These industrial leaders rallied their employees, other manufacturers and farmers in a protest against incorporation. It was first proposed that only the south side of French Creek be incorporated. That would exempt the manufacturing businesses
north of the creek from participating in paying taxes and other municipal responsibilities. That proposal was ‘negatived’.

The general borough law enacted in 1834 authorized county courts to incorporate boroughs upon petition of the citizens of a town. However, the ‘incorporationists’ and their opposition “were unable to effect any arrangement by which a test vote of the inhabitants could be obtained”.

The incorporationists drafted a bill for incorporation and forwarded it to Harrisburg for a special act of the legislature. Three hundred ninety signatures were collected on a petition in favor of Incorporation. At the same time Petitions of Remonstrance were circulated for signature by the opposition.

Remonstrance petitions, which are documents formally stating points for opposition, were circulated and signed by 432 freeholders and citizens. As opposition evolved and grew, the reasons for continuing without incorporation were that: it was unfair to those to whom the burden of taxation must fall; it increased taxation on property holders of lesser means; the markets in the town were as good as any others in Pennsylvania; there was no licensed tavern where liquor was sold; there was no need for better policing than what already existed; “Legislative interference” could not promote the happiness and prosperity of the citizens; Incorporation would result in an increase in cost of living, rent and taxation; Phoenixville would be forced to build new schools and hire new teachers; farms within the borough would have borough taxation imposed on them; and some farmers would be separated from their places of election which would diminish their influence.

**Passionate Politics**

Many of Phoenixville’s prominent citizens were active in the fight to become a borough. A collection of documents from Dr. Isaac A. Pennypacker exists in the collection at Phoenixville’s Historical Society. Dr. Pennypacker, a local physician, drafted the bill for a charter which was presented to the Legislature of Pennsylvania. Letters written in fading script bring the events of the day to life.

Emotions in Phoenixville ran high. On February 18th, 1848 the bill was called up before the State Senate unexpectedly without notice and was defeated. In a letter to Dr. Pennypacker the next day from William Williamson (Speaker of the Senate of Pennsylvania, Chester County) we learn that “I presume it was called up by the enemies of your bill. They had counsel from the City specifically to oppose its passage – and which no doubt effected (sic) the object.” Interestingly, one of the ‘enemies’ of Dr. Pennypacker’s bill was his own brother-in-law, Dr. Samuel A. Whitaker.

The brother of Dr. Pennypacker’s wife, Samuel A. Whitaker, with Robert C. Nichols and Robert S. Buck, were owners of the Reeves, Buck & Co. Dr. Pennypacker’s correspondence is silent on his feelings about Dr. Whitaker’s opposition. No correspondence or mention of the relationship is indicated throughout the documents, and no mention is made by Samuel Whitaker Pennypacker (Dr. Pennypacker’s son as well as Samuel A. Whitaker’s nephew) in his book ‘Annals of Phoenixville and its Vicinity’.

Correspondence over the weeks following the bill’s defeat reveals some interesting perspectives. On February 22, 1848 A. Henry Smith writes from the Senate Chamber “As many of my constituents had written to me and urged me to vote against the bill, I did not think I ought to offend them as an affirmative vote would not have saved the bill. I think it right to make this explanation as your effort must in the end unquestionably succeed.”

On February 28th a letter from William Williamson, who voted in favor of the bill, expresses concern over a letter he received criticizing the outcome of the vote. An unnamed person from Phoenixville had sent him the following:

“There are few of the number who signed the petitions that care a straw whether the place is incorporated or not, and would have rested perfectly satisfied and easy in their minds after the vote in the Senate on Friday of last week if the leaders of their party had not charged you (me) with treachery and the Senate with being influenced by the wealth of Reeves, Buck & Co. A few days previous to the vote upon the bill the corporationists openly
asserted that they had your promise to secure its passage and that your influence and interest was certain in their favor. And after the news was received here of the defeat of the bill, they charged that you have deceived them and used underhanded means to secure that result and then had voted in its favor merely for effect, after you knew your vote could not change the result, and that the consequence to yourself would be political damnation so far as they could inflict it.”

Mr. Williamson, speaker of the Senate, was incensed that the writer accused members of the Senate of 'bribery' and asked Dr. Pennypacker if "such charges were in fact 'openly asserted' by the friends of the bill". Dr. Pennypacker's response is not known but a follow up letter in which Mr. Williamson declines to name the individual who penned the offending letter states that "Your letter has in some measure answered the question."

A letter from Robert S Buck, the ‘Buck’ of Reeves, Buck & Co, to Dr. Pennypacker complains that "Upon my return this day I have rec’d a letter from (name unreadable) dated Senate Chambers Feb 23, 1848. Mrs. Buck has informed me said

Incorporationists Win

‘An Act to erect Phoenixville in Chester County into a borough’ was read into the Pennsylvania House of Representatives file on January 24th 1849. Representatives of both factions visited Harrisburg to lobby for their positions. Finally on March 6, 1849 the bill became a law and the Borough of Phoenixville was born. “At the election for borough officers, held April 13th 1849, Isaac A. Pennypacker was elected burgess by a vote of 225 against his brother-in-law and opponent, Samuel A. Whitaker, who received 156.”

The new borough council consisting of Dr. Isaac A. Pennypacker, Burgess, and seven other members wasted no time addressing problems that plagued the community. On May 19th of 1849 the following ordinances were passed:

- To establish and confirm a survey of the Borough of Phoenixville, including the boundaries and limits; and the roads, streets, &c., to adjust corner stones and marks; to have a draft or plot taken of said Town and for other purposes
- To grade and level Bridge Street, Main Street and several of the principal streets
- To levy the borough tax of the Borough of Phoenixville for the year 1849
- Concerning new and old building permits
- Concerning nuisances &c.
- To suppress the keeping of tipling houses, and all disorderly houses, gambling, &c.
- Concerning intoxication
- Concerning bathing, swimming and indecent exposure
- Concerning exhibitions

An Act to erect Phoenixville, IN CHESTER COUNTY, INTO A BOROUGH.
Later in 1849 additional ordinances were passed:

- Concerning swine and hog stys (sic)
- Concerning the Sabbath
- Prohibiting the exhibition of plays, shows &c within the Borough of Phoenixville and providing for Licensing the same
- Concerning Dogs. Whereas, rabid dogs have recently passed through the vicinity, and have bitten and infected many dogs, pigs, &c.

**Good Advice**

It was inevitable that the Village of Phoenixville would incorporate, but the battle was hard-fought and relationships were damaged. Wise counsel was sent to Dr. Pennypacker from H. Jones Brooke, the Attorney who represented the 'Incorporationists' in Harrisburg. "I have no doubt you will all harmonize and act in concert in organizing your municipal government. This is the duty of all who are interested in the welfare of the whole village. Be very careful and permit no personal or sectional feeling to operate on your minds. For yourself, you can afford to be magnanimous. You have gained all and it is your duty to hide all feelings of exultation. Much depends on your course and bearing."

Following the successful incorporation of the borough, Dr. Isaac A. Pennypacker was elected as Phoenixville's first Burgess. He served two additional terms as Burgess in 1851 and 1853. In 1854 he accepted a position at the College of Medicine in Philadelphia and moved his family to the city. In February of 1856 he contracted typhoid fever and died at the age of 44.

Dr. Samuel A. Whitaker served as a member of borough council in 1850 and 1852. Notably they were years when Dr. Pennypacker was not Burgess. He died in 1868. In 1855, not long after borough incorporation, the Reeves, Buck & Co. was incorporated as the Phoenix Iron Company by an act of the state legislature.

**Notes:**

1. Excerpt from Pennsylvania Governor's Center for Local government Services: Borough Mayor's Manual; page 3
2. Newspaper article from Bayard Taylor's Pioneer. Documented in the 'Original Papers relating to the Incorporation of the Borough of Phoenixville, PA
3. Historical Committee, Historical Souvenir Book of Homecoming Celebration 1910, (Daily Republican Job Department, Printers)
6. Isaac A. Pennypacker, "Original Papers relating to the Incorporation of the Borough of Phoenixville, PA," (March 6, 1849)