

Blue Laws of 1820 and 1830: The Regulation of Horseracing and Cockfighting in Nineteenth Century Pennsylvania

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The Pennsylvania legislature banned horseracing in 1820 and cockfighting a decade later because these activities stimulated gambling and rowdiness — two vices in the eyes of moralists and pietists whose influences were strong throughout the Commonwealth. Horseracing and cockfighting existed in Pennsylvania during the early nineteenth century, even though these activities were prohibited by earlier blue laws enacted in 1779 and 1794. The eighteenth-century blue laws resulted from Pennsylvania's Quaker and Presbyterian heritage. Espousing industriousness and piety, both religious denominations detested idleness and frivolity which they associated with most sports and amusements.

The piety and righteousness implanted by the Quakers and Presbyterians continued during the nineteenth century among the state's pietistic sector, consisting of Presbyterians, Congregationalists, Methodists, Baptists, Lutherans, and members of the Reformed Churches. Other residents of Pennsylvania, chiefly the Episcopalians and the Irish and German immigrants, possessed a different set of moral values. They disregarded the 1794 blue law and enjoyed cockfighting and horseracing.

Pietists and moralists, reacting to the mounting violations of the 1794 act, urged the state legislature to strengthen the laws governing horseracing during the second and third decades of the nineteenth century. They opposed horseraces because of the gambling and rowdy behavior which often took place at these events. Responding to the moralists call for virtue, the Pennsylvania legislature in 1817 prohibited horseracing in Philadelphia County before an assembly of fifteen or more persons. Three years later, the lawmakers extended the ban on horseracing to the entire state.

In spite of the state-wide horseracing ban, this practice continued in Pennsylvania during the 1820's. Races were often held under the banner of "trials of speed" which horsetraders argued were necessary to determine the worthiness of a horse. Pennsylvania's pietistic citizens, however, refused to accept this argument and mounted a drive to strengthen the Commonwealth's anti-horseracing laws. This campaign, headed by Samuel Bushfield, the representative from Westmoreland County and chairman of the House Committee on Vice and Immorality, reached a climax in 1829 when Bushfield introduced legislation to increase the fines for racing horses. While the lawmakers debated Bushfield's proposal, agricultural societies and farmers' groups petitioned the lawmakers to liberalize the horseracing code by allowing "trials of speed" rather than imposing greater restraints on it. The Pennsylvania Assembly, however, declined to act on this issue, maintaining that the Commonwealth had ample laws already on the statute books governing this practice.

Pressure to liberalize the horseracing laws continued to grow in antebellum Pennsylvania, particularly after the county fair had become a permanent institution. As harness racing replaced the plowing match as the fair's center of attraction around mid-century, fair promoters and agricultural societies clamored for the legalization of harness racing. Be-

cause the trotting matches were the feature attractions of the county fairs and agriculture shows, the fairs could not continue, the agricultural groups argued, unless the legislature relaxed the horseracing ban. Agricultural societies contended that this action was necessary in order to control gambling at the fairs. Gamesters threatened to bring criminal charges against the societies if they were prevented from setting up their gambling booths on the fairgrounds. The Pennsylvania General Assembly, honoring the request of the agricultural societies, legalized harness racing at the county fairs in 1879. It hoped this action would preserve the county fairs and at the same time purge them of the gaming booths. This legislation, however, failed to deter gambling at the county fairs, for it continued not only at the gaming booths which, by this time, had become permanent fixtures at the fairs, but also at the harness track.

Just as horseracing attracted gamesters and bred gambling, so too did cockfighting, but the Pennsylvania lawmakers experienced greater success in the implementation of legislation toward curbing this latter amusement. Once again, Samuel Bushfield led the attack against what he considered an immoral practice. He sponsored legislation in 1830 to strengthen the laws against cockfighting because it invariably led to gambling, a most destructive vice. After debating Bushfield's bill for more than two months, the Pennsylvania legislature enacted it into law. This act increased the penalty for engaging in cockfighting.

Pennsylvania's blue laws of 1820 and 1830 are significant because they have substantiated the existence of horseracing and cockfighting in a state with a long tradition of the suppression of sport through restrictive legislation. The mere existence of these sports has shown man's appetite for adventure in that both contain fortuitous elements regarding their outcomes. Involvement in these sports through gambling has shown man's need to take chances, and cockfighting and horseracing fulfilled, at least partially, this need of many nineteenth-century Pennsylvanians for adventure