Public Markets and Civic Culture in Nineteenth-Century America

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Consumer Protection and the New Moral Economy

Having gone so far in the control of the market business, the government must go farther.

Committee on Free Markets, Boston, 1870

Despite the dramatic events in Philadelphia and New York, local officials elsewhere resisted the fad of privatizing, particularly during the last quarter of the nineteenth century, when public market deregulation proved disastrous. The first and most obvious reason for their resistance was that public markets were still a major source of municipal revenue, if not the primary one. Unless alternative sources of income could be found, city leaders hesitated to disturb the system. Second, there were public health concerns. Several years of experience with suburban slaughterhouses, dispersed retailers, and food transported by railroad proved that the loose market laws of a deregulated era could provoke a public health crisis. And third, the city still had an interest in securing affordable food for the workingman, something private enterprise had yet to deliver. Shops had been legalized under the promise that they would bring down the price of meat, but they failed to do so. In short, city officials realized that privatizing had failed to guarantee the urban populace a healthful, affordable food supply. Although the public market was no longer the principal source of provisions, municipalities still
looked for ways to maintain their share of the market in food supply and distribution, and they based their strategies on the individual city’s needs within a regional, national, and international food marketing system.

The Need for Nationwide Market Reform

Raising awareness of the need for market reform from coast to coast was Horace Capron, commissioner of the United States Department of Agriculture (USDA) from 1867 to 1871. After the Civil War, high food costs and neglected marketing facilities prompted Capron to review the country’s current “market systems”—the entire process by which food moved from the source to the dinner table. These systems included not only public markets but also stockyards, slaughterhouses, commission houses, and grocery stores, as well as the rails, roads, and waterways that connected them. His study marked the beginning of scientific management applied to food marketing and distribution, in which eliminating waste and inefficiency depended on understanding the entire system and its parts.

To understand current practices, the USDA sent food marketing questionnaires to local authorities throughout the nation, including municipal officials, food dealers, agricultural society members, and journalists. Capron reported only the results from sample cities such as San Francisco, Boston, Newark, New York, Philadelphia, and Chicago, since the mass of material was too difficult to present in its entirety.

The responses convinced Capron that in general food marketing and distribution were much more difficult in cities with populations over 100,000. As he explained it,

> When a place returns a population of about 100,000, from the nature of things, the length of streets, the enhanced value of lands near the city, the influx of crowds indifferent to the quality of their food or ignorant of the characteristics of sound meats and fresh vegetables, the market usages undergo a change, and the problem of furnishing great metropolitan centers with food in abundance, on moderate terms, becomes one of the first practical importance.¹

In general, survey respondents from cities under 100,000 reported no problem with securing a varied, affordable food supply. The nature of small cities—with their homogeneous class of shoppers, proximity to farms, and uncongested streets—promoted direct trade between farmer and consumer. In

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Capron’s words, “The very hands that dropped and dug the potatoes may measure them out by the bushel or the barrel at the door of the merchant, the lawyer, and the capitalist.” Such was the market system in Albany, New York, which reported fine farmland within a mile in several directions from the farmers’ stands on Capitol Hill. Furthermore, the principal thoroughfare was so broad and steep that a street market did not lower its “tone” or healthfulness as a place for upper-class residences. The New York State capital had little cause for complaint in its answer to the USDA circular, reporting that nine-tenths of its food came directly from farmers. Norfolk, Virginia, reported favorable marketing conditions for similar reasons.

According to the responses from large cities, however, food marketing and distribution were more difficult where the population exceeded 100,000—places like New York, Newark, Boston, Chicago, and San Francisco. Nearby farms could not meet the demand, and farmers found it impractical to spend the day in the city, preferring to sell their wagonloads to middlemen and hucksters. As a result, prices were high because middlemen took a disproportionate share of profits and certain customers were wealthy enough to pay the price. This was the case in New York, where three distinct classes of shoppers affected food prices and quality in the public markets. First were “the upper 20,000, who live in five-story brown-stones, and spend from $5 to $10 daily in the purchase of perishable food and as much more for pantry articles. For such, nearness to a market-house is a prime necessity; hence the steady increase in the number and neatness of outfit of grocers’ and butchers’ establishments on or near fashionable streets.” Although shoppers in this class did not directly patronize the public markets, the proprietors of their neighborhood grocery stores and meat shops did, especially the wholesale stands in Washington, West Washington, and Fulton Markets. Storekeepers took “the cream of all that comes, the tenderloins, the fat chops, the finest chickens, the fattest turkeys, paying well and expecting their customers to pay better.”

Next was the middle class, which valued high quality in food but always practiced thrift. According to the New York respondent, this class suffered most from inadequate market accommodations. Not only did shoppers waste an hour in round-trip travel to the public market, either they paid a premium for high-quality meat at a fashionable stall or they bought “at a third-rate stand, where the million go, where the vegetables are wilted, the chickens are blue, and the beef Texan.” The “million” referred to the third class of shop-
pers—the poor masses who shopped only for low prices, since they could rarely afford quality.

Newark suffered from its proximity to New York because the nearby metropolis “draws everything, and gives its citizens the first cuts of beeves, the fattest of the chops, and the largest peaches.” On an average daily wage of four dollars Newark’s artisans and laborers could afford local cabbage, beets, lettuce and tomatoes, but not bread or wholesome meat. Flour dealers, for example, sold only by the barrel, so storekeepers divided the flour into family-size bags and charged an exorbitant price for their work. Butchers who operated “cheap meat-shops” in the poor parts of the city slaughtered “low-priced cattle, poor, miserable, lean, stringy, diseased, over-driven beasts.” Newark’s informant reported that the city’s meat trouble began during the Civil War, when some operators bought large numbers of cattle from New Jersey’s principal stockyard at Communipaw, shipped them to Albany, and “dribbled them out at their own prices.” Newark butchers could not afford the artificial prices and opted for inferior cattle, while expensive cattle went to New York, where wealthy patrons could pay the price.

The San Francisco respondent reported a similar dependency on middlemen for fresh meat and produce. The closest farmland was in Alameda, where farmers preferred to sell their produce to commission merchants rather than make the long ferry ride across San Francisco Bay. The convenience of middlemen came with a price to both producer and consumer. As reported, “Of one dollar paid by the consumer, the producer generally gets 70 cents on butter, cheese and eggs, 65 cents on apples and hard pears, 35 to 45 cents on soft fruit and berries, and on green vegetables 50 cents. Out of this [the producer] must pay the freight to the place where the fruit sale is made in the city, provide the packages, pay return freight on them, incur all the expenses of picking and packing, and all the risks of loss previous to the first sale.” The same products then passed through the hands of wholesalers and retailers, who in turn took their profits before the goods finally reached the customer at the store or market house.

Business was slow in San Francisco’s five market houses, where ideally “one large stall could do all the business at less expense.” According to the respondent, however, rather than give a sole proprietor “the monopoly of privilege” in the market house, the price of food could be better protected by controlling the number of middlemen and regulating their business. “Middlemen are and always will be indispensable, and they must be paid,” he remarked,
because producers and consumers generally could not meet face-to-face in large cities. However, the respondent believed that the number and profits of middlemen were disproportionately large and needed to be controlled, since middlemen “contribute nothing to production.” As it stood, the only municipal market laws of San Francisco were those that established license fees for peddlers in wagons and for stallholders in the market houses.

Respondents to the USDA survey generally agreed that a reasonable profit for middlemen should range from 25 to 50 percent, as it did in Cincinnati, St. Louis, Buffalo, and Louisville. Regulations were necessary only when profits reached 100 to 200 percent. At that point, Capron recommended that cities adopt the “better features of the best-regulated markets.” In the 1870s Philadelphia’s market system was still the country’s model, as it had been since the eighteenth century. According to Capron, despite its large size, “the second city of the Union has better marketing than some towns of one-fifth her population.” Philadelphia’s market laws encouraged farmers from Delaware County, Chester County, and other nearby counties to bring produce into the city. Space in the market houses was set aside for their use, parking for wagons was ample, and there were no longer restrictions on the type and quantity of food they could sell. As a result, Philadelphians enjoyed fresh local meat and produce raised within thirty miles of the city.

Equally praiseworthy were Philadelphia’s “elegant, cleanly, sweet-smelling, though expensive, buildings in which the Pennsylvania farmer meets the consumer face to face,” as opposed to the “musty old rookeries” and market sheds of New York and Baltimore. Capron also admired the Philadelphia market houses in contrast to the meat and fish shops “scattered promiscuously over that most vigorous and thrifty metropolis”—Chicago. One could see the absence of a well-ordered market system in Chicago, where “next to a great hardware-house you buy a roast, and the latest novel is side by side with white fish caught in Lake Superior.”

In some cases topography hindered development of an efficient market system, as authorities in Charleston and Mobile reported. Both cities lacked access to the countryside in all directions. Charleston was situated on a low, narrow peninsula formed by the confluence of the Ashley and Cooper Rivers, and a wide interval of marshes and barrens separated Mobile from its productive farmlands. Although seafood was readily available, these cities lacked affordable fresh fruit, meats, vegetables, eggs, and milk because farmers preferred to sell these products to middlemen, who in turn charged consumers
100 to 200 percent of cost. Capron recommended that cities reconsider the “oppressive regulations” that often discouraged farmers from selling direct because of burdensome licenses, fees, and restrictive market days and hours.

**The Inefficiencies of Transportation**

After describing the country’s diverse market systems, Capron reported one practice that was consistent from coast to coast: the abuse of animals on cattle trains and in stockyards. This situation aroused his concern more than any other market problem and prompted him to propose specific recommendations for reform. Another participant in the crusade against cruelty to animals was William F. Channing, secretary of the Rhode Island Society for the Encouragement of Domestic Industry, who described his astonishment at “the system of wholesale torture” on cattle trains. Channing claimed that “the horrors of no slave ship ever exceeded the suffocation, starvation, maiming, and trampling on the cattle trains, save that the victim in one case is human in the other a brute beast.”

Urging Capron to investigate and resolve the matter were members of the United States Senate Committee on Agriculture, including Charles Sumner and Simon Cameron, who received alarming reports that “the rising generation in our eastern cities have been so accustomed to diseased meat” from animals sickened by transit to market. Consumers, knowingly or not, bought yellow and bruised meat from animals that were crippled and exhausted by the time they reached the butcher’s mallet. Enormous quantities of such meat were sold daily in New York’s Washington Market.

Texas beef had a particularly bad reputation. The Civil War cut off Texas cattle ranchers from their ordinary markets in the South, causing a cattle surplus in the state. After the war, ranchers flooded the eastern markets with their surplus of millions of Texas longhorns. Unfortunately for the longhorns, drovers literally shoved them into the markets, where they were barely alive after a series of long and abusive train rides.

Texas ranchers were also eager to take advantage of the epidemic that banned the sale of eastern cattle from January 18 through May 1, 1871. By the fall of 1873, Texas and other western cattle arrived at Brighton Market, just outside Boston, at the rate of three thousand a week.

The USDA’s interest in more humane treatment of cattle in transit to markets was connected, of course, to its desire for “healthful meats at fair prices to the dwellers in American cities.” Capron estimated that four million people in eastern cities depended on meat from cattle that had traveled 1,000 to
Cattle transportation therefore required strong regulations because it was “guided solely by immediate self interest; it is incapable of far-sighted wisdom; it is blind to the essential and permanent good of the greatest number.” He insisted that improving cattle transportation was “a subject of national importance” and urged Congress to appoint a commission to examine current practices, determine the abuses, and suggest improvements.

One way to prevent sick and abused cattle from arriving at eastern markets was to slaughter the animals closer to their source and then transport the dressed meat. In describing the challenge, Capron remarked that “the natural course of pastoral agriculture in such a country is, that the grass belt should produce the cattle, and the corn belt should finish them and fit them for the knife... The real difficulty to be solved is, how to bring corn-fed beeves from the Mississippi, the Ohio, the Illinois, and the Wabash to the tide-water cities.” His answer: a “well-regulated beef express” that would connect eastern cities with slaughterhouses in Chicago, St. Louis, Springfield, Burlington, Kansas City, Omaha, and Abilene. “In this way, within forty to fifty hours from the time the beef is killed, his quarters, in perfect condition, could be hanging in an eastern market-house.” Such a system required improvements in refrigerated railcars, so Capron recommended that the USDA offer a prize to the inventor of the best method for year-round transportation of dressed meat over long distances.

National Market Reform Loses Momentum

Concluding his annual report, Capron announced that “marketing thus grows into a special trade, requiring special confidences with railroad men and a knowledge of cities that the working farmer has neither the time nor the tact to acquire.” Unfortunately, the momentum for national reform in market systems and cattle transportation was lost when Capron resigned as commissioner of agriculture in June 1871 to accept a position as agricultural adviser to the Japanese government.8 His successor, Frederick Watts, commented briefly on marketing concerns in his annual reports, but he just reiterated the problems and lacked the fervor of his predecessor. Capron’s recommendations to limit the profits of middlemen and to reward the best designs for refrigerated railcars thus fell into oblivion.9

Furthermore, the possibility of national market reform—ranging from the need for price controls and restrictions on the profits of middlemen to a na-
tionalized transportation system for urban food distribution—was unlikely under the administration of Ulysses S. Grant, president from 1869 to 1877. Grant’s administration was shamelessly corrupt and had an unprecedented commitment to private enterprise. When federal inaction on market reform followed Capron’s resignation as commissioner of agriculture, each city was left to deal with the “market problem” in its own way. While Philadelphia basked in the glory of its magnificent new market houses and New York City struggled to resuscitate its public market system, events in Boston exemplify a city on the offensive—a city that declared its commitment to regulated food marketing and distribution for the common good.

Boston: The Failed Promise of the Railroad

Echoing Capron’s sentiment on the need for a nationalized food transportation system was Josiah Quincy (1802–1882), son of the mayor who oversaw construction of the great Faneuil Hall Market in the 1820s. Quincy followed in his father’s footsteps by also serving as mayor from 1845 to 1849, and he later maintained a public profile as president of the Boston Social Science Association. Throughout his public career, Quincy held that only state ownership and regulation of the railroads, not private enterprise, could control the high cost of food transportation. His concern for the public welfare extended not only to his various railroad proposals but also to his later crusade for cooperative banks.¹⁰

In his 1869 address before the Boston Social Science Association, Quincy spoke out in support of cheap food for city workers who had little or no chance of maintaining their own kitchen gardens. High food costs, he believed, were due to the railroad companies’ taking advantage of their quasi-monopoly by charging an unfair price for transportation. The daily welfare of Boston’s citizens was at the mercy of railroad presidents and managers, who stood “between us and the food required by our daily necessities.” Quincy continued, “If plain nourishing food is made inaccessible to the poor, and diminished in quantity for a large portion of the community, as is the case at present, it is an evil that strikes vitally at the best interests of society.”¹¹

Boston, he believed, did not suffer from high food prices for lack of sufficient and varied food outlets. On the contrary, the city was well stocked with a series of public markets (fig. 7.1), more than eight hundred shops, and hun-
dreds of farmers’ wagons selling door to door. Since “the arrangements of our Market are as perfect as can be devised,” the problem was not with the system but with the high cost of food transportation, of which “the railroads do not give honest accounts.”

The government, he concluded, should take control of the food supply from “the hands of those whose interest is only in increasing the gains of a small class, and place [it] in the hands of the representatives of the people.” In Ireland, the railways “will soon be purchased by the government, and they will be in America, as soon as the people can understand the amount of taxes imposed on their daily bread by monopolies.”

Quincy also argued for government ownership of the railroads before the Boston Board of Trade, where he hoped to find that a conscience still existed in Massachusetts. After all, he remarked, “we live in Massachusetts, where, it is to be hoped, the notorious immorality attributed to New York legislators is unknown.” He had hoped that Massachusetts was morally superior not only to New York but also to Pennsylvania, which “sold out her public works to
joint stock companies.” “Let us beware,” Quincy warned, not to “permit such an overgrown power to exist in Massachusetts.” Going to the heart of the matter, Quincy proposed that the state purchase the Boston and Albany Railroad Company in order to control the cost of food transportation. Attempting to argue the advantages of government ownership of the railroads, Quincy turned to the success of the United States postal system, which conveyed mail in the same way that the railroads conveyed people and goods. Someone could send a book across the country at post office rates for about four cents, but it would cost more than fifty cents at railroad rates.

Although the state legislature gave Quincy decent hearings on his proposals for state ownership and regulation of the railroads, ultimately, of course, it rejected them. The final responsibility for a fair and equitable system of urban food marketing and distribution once again fell on local government, as did the blame for the problems.

Boston’s Committee on Free Markets

Despite continued private ownership of the railroads, the public/private struggle over markets continued in Boston for most of the 1870s. Sparking the issue was an 1870 petition from citizens who demanded a “free market” and an investigation of alleged price fixing at Faneuil Hall Market. A committee was established to conduct the investigation, although it was uncertain from the beginning what constituted a “free market.” Contemporary uses of the phrase varied widely, including markets free of government regulation, markets free of price fixing and monopoly, and markets open free of charge to any seller. The committee set out to address all three possibilities, knowing, at least, that the citizens were generally dissatisfied with food facilities and prices.

The committee’s first task was to investigate the factors that led to the current state of food provisioning in Boston. In 1825, when the cornerstone of Faneuil Hall Market was laid, the city’s population was 58,277, with most residing within one mile of the market. The surrounding countryside was thinly populated and devoted mostly to farms that provided the city’s fruits and vegetables. Meat, too, was supplied from within the state, as well as from neighboring Vermont and New York. By 1870 Boston’s population had grown to 648,525, and the increase was accompanied by a change in the character of the market business. As the committee explained, over the previous twenty-
five years Faneuil Hall Market had been transformed from an almost exclusively retail market to a wholesale and jobbing center, having become “the great provision exchange for New England.”

It was common knowledge that Faneuil Hall Market was now in the hands of middlemen devoted primarily to the wholesale trade, but the committee found no evidence of price fixing. On the contrary, the concentration of hundreds of farmers’ wagons at a single space in the city had guaranteed healthy competition (fig. 7.2). Most stall owners purchased all or part of their stock directly from the farmers’ wagons, as did three-fourths of the city’s grocery stores. This concentration virtually guaranteed that producers would sell out their stock. The committee reported that the source of high food prices was the small stores, which kept prices up until they were forced down by quotations at Faneuil Hall.

These findings confirmed the local and regional benefits of a city-owned central wholesale market. Summarizing the economic role of Faneuil Hall Market, the committee found that in “this small space—eight hundred and fifty feet by two hundred feet—having come to be the centre of the market business, not only for Boston and the cities and towns immediately adjoining, containing a population of about 650,000, but for the chief cities in New England during portions of the year, the producer knows that he can always sell

Figure 7.2 Faneuil Hall Market, Boston, 1914. National Archives, RG 83-G, neg. 4028.
promptly what he sends to that centre.” The concentration of business promoted competition, not hindered it.

To verify the committee’s conclusions, several members visited markets in the major cities of New York, Philadelphia, Baltimore, Washington, Cincinnati, Albany, Chicago, and St. Louis, where they gathered printed market laws and ordinances. After reviewing the regulations of other cities, the committee asserted that those in Boston were not unusual, as the petitioners had argued. It admitted, however, that some regulations could be modified or removed to encourage competition. It suggested extending the market hours for street stands, permitting farmers and stallholders to sell at wholesale or at retail, and allowing the sale of goods not necessarily the product of one’s own farm.

Faneuil Hall Market continued to generate enough revenue for the city so that its transfer to private enterprise was out of the question. The market had produced $1,948,955 since its opening in 1826. After deducting the interest on the cost of the building and the land for forty-four years at 5 percent ($983,400) as well as operating expenses ($264,957), the committee concluded that the city had made a profit of about $700,000, or 8 percent per annum, on its investment without taking into account the increased value of the property. Although petitioners favored privatizing the market, the committee believed that “laissez-faire was inappropriate for the supply and distribution of meat and vegetables, where government has no greater duty than to regulate.” It was particularly concerned with “the great mass of the people in cities” who were directly affected by the price of necessities.

Still, the concentration of trade in one location had rendered Faneuil Hall Market inefficient by the 1870s. To encourage additional market nuclei in other parts of the city, the committee proposed that “having gone so far in the control of the market business, the government must go farther.” It recommended purchasing suitable lots in various sections of the city—in the Highlands and at Dorchester, South Boston, and East Boston—where new market houses could be operated by the city or by private corporations under municipal regulations.

The Sale of Bad Meat

Shortly after the report of the Committee on Free Markets, Bostonians rallied again in 1871 when they received news of the sudden death of a butcher at a slaughterhouse in Brighton, Boston’s principal source of meat.
The coroner determined that a diseased animal had given the butcher blood poisoning during slaughtering. Whether or not this was true, the common council ordered yet another committee to investigate the city’s markets. Where the previous investigation had focused solely on Faneuil Hall Market and its influence over food prices, this one focused on public health—extending the committee’s scope to include all food markets, not just those owned by the city.\textsuperscript{16}

The investigation found no evidence of bad meat for sale in Faneuil Hall Market. Testimony from vendors asserted that “it don’t pay to sell inferior meat,” because “it would be known and a man would lose his business.” Vendors at Faneuil Hall were under the constant eye of other vendors, patrons, and city market officials. Informants argued time and again that the sources of bad meat were the private markets, over which the city’s Board of Health had no direct authority. In fact certain ones, such as Blackstone Market, actually specialized in meat that was unfit for sale anywhere else.\textsuperscript{17}

The bad meat sold at Brighton Market was attributed to the lack of standards in slaughtering. Charles Bohn, a German butcher who had practiced the trade in Saxony and Weimar, was astonished at the lack of regulation in the United States compared with his experience in Europe. In Germany, for example, laws forbade a butcher to dress dead animals, and elsewhere in Europe commissioners were required to inspect animals before they were slaughtered. He also recalled that cattle were not overcrowded in railroad cars in Germany as they were in the United States.

Dr. R. M. Hodges, another informant, declared that in France “the arts of cooking, slaughtering and inspecting meats are carried to great perfection.” The only solution in the United States was “for municipalities to exercise a control over the kind and quality of meats consumed. A great central slaughter-house, under strict superintendence, with intelligent inspectors, having full powers, could accomplish more in this respect than anything else.”\textsuperscript{18}

Following the way of other cities, the committee proposed a new abattoir inspected by government officers. Quoting George T. Angell, president of the Society for the Prevention of Cruelty to Animals, the committee’s report stated that “for the immediate protection of our citizens, I think a sanitary police should be established, as in Europe and at Chicago. The Jews of our city eat meat of no animal that has not been examined, before killing, by their Rabbi, and the meat, after killing, stamped as good with his seal. What the Rabbi does for the Jews, let the sanitary police do for the Gentiles.”\textsuperscript{19}
George Derby, secretary of the State Board of Health, considered the idea of a government-inspected abattoir a “life saving reform.”

The committee’s report prompted immediate results, for in 1872 a new abattoir was built in Brighton along the Charles River. Considered state of the art, the multistory buildings had the capacity for three hundred beef cattle each day. After slaughter the meat was hung for two or three days in cold storage, cooled by a ventilated dropped ceiling that held fifteen to twenty tons of ice. In the slaughtering area, workers disposed of hides and offal through trapdoors that led to cars on tracks, which took them to an adjacent rendering house.20

The notion of well-regulated markets under the inspection of local government had come full circle in Boston. During the 1850s and 1860s, city officials had tolerated a certain number of private markets, stores, and slaughterhouses, since Faneuil Hall Market had exceeded capacity and could not meet the city’s provisioning needs. However, years of experience with loose market laws gave local officials reason to believe that the “laissez-faire” principle was inappropriate for urban food marketing and distribution. By the 1870s Boston reaffirmed its commitment to public markets, not only to secure a source of revenue, but also to protect consumers.

Faneuil Hall Market’s Semicentennial

Although Faneuil Hall Market was exonerated by the investigations, vendors still looked for ways to promote the market’s reputation. That opportunity came in 1876, when they joined with the city to sponsor a parade in honor of its fifty years of public service to the citizens of Boston. On August 26, four hundred ticket holders formed a procession that began in South Market Street, passed through Merchants’ Row and Commercial Street, and ended at Faneuil Hall Square (between the market and Faneuil Hall) for a public ceremony. Flags of various nations adorned the market’s exterior, and the interior was decorated with additional flags, bunting, arms of several states of the Union, shields, Masonic devices, and emblems.

The program began with the presentation of ceremonial canes to four veterans of the market house—J. Herman Curtis, Harrison Bird, Ebenezer Holden, and Nathan Robbins—all of whom had occupied stands when the market opened in 1826. After the presentation the honorees were photographed (fig. 7:3), and an elaborate banquet followed in Faneuil Hall. The
The after-dinner speeches revealed the true meaning of the celebration and the recent debates that had mounted over the market’s future. Josiah Quincy Jr. returned to the scene with his passionate declaration of the market’s success. “The lesson of this anniversary is confidence. Judicious expenditures for facilitating exchanges are never wasted. The cost of land for public purposes is never to be measured by its cost for purposes of individual monopoly. Whatever adds to the attraction of a city and to the convenience of its citizens must be remunerative in the end.” Quincy alluded to the numerous complaints about the extravagant cost of the buildings and property since the market opened in 1826 but claimed that Faneuil Hall Market had paid for itself “over and over again.”

Governor Alexander Rice acknowledged the market’s contribution to the region, noting that “it has encouraged the neighboring farmers to a system-
atic and scientific cultivation of their lands, and helped to develop the market gardens, so numerous in our suburbs.” Rice also praised the market as a major tourist attraction and noted that visitors to Boston always included it on their tours. Likewise, Curtis Guild stated that “the building itself is to tourists one of the lions of Boston.”

Merchants emphasized the market’s impact beyond Boston and the Commonwealth, where “its supplies are drawn from cities, towns and villages, in nearly all the States in the Union, from Texas to Maine, from Oregon to Florida, and from islands and countries beyond the borders of the States.” They were proud, too, that the Committee on Free Markets found no evidence of a monopoly at Faneuil Hall Market. Claiming to act in “the best interests of their fellow citizens,” the Faneuil Hall merchants boasted that “it is the pride of the market that it is free, open and untrammelled by rings or cliques or ‘corners.’”

Self-congratulation was not enough to sustain the market’s reputation as a major wholesale center for the city and region. The building’s 132 stalls and twenty-two basement cellars were home to eighty-six firms. In addition, thirty-four firms occupied the ground floor of the adjacent Faneuil Hall itself, which contained twenty-three stalls and eleven basement cellars. All in all, the city was landlord for 120 firms in this single location, which in 1876 generated approximately $71,000 from rent plus $19,000 from other market revenues. Given the scope of this major enterprise, the city looked for ways to strengthen its management.

George E. McKay was appointed superintendent of Faneuil Hall Market in April 1877. McKay had no experience with the market business, but other qualifications soon made him successful in the job. His ten-year partnership in the tailoring establishment of McDonald and McKay had required him to combine face-to-face interaction with careful behind-the-scenes bookkeeping—skills that prepared him for the duties of market superintendent (fig. 7.4). McKay immediately began to enforce the market laws he was sworn to uphold, and after one year of service the stallholders and porters presented him with a decorative cane in recognition of their appreciation. At the presentation address, J. Herman Curtis remarked that “within sixty days after your appointment I became convinced that in appointing you the mayor had filled the bill to a T.” Curtis also knew of no previous market superintendents who were as “faithful, able, and gentlemanly” as McKay, “particularly one who could say no without giving offence.” In carrying out the public market tradition, McKay was called on to pass judgment on disputes between buyers and

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sellers, and his decisions were considered just and final. During his twenty-year tenure, his performance enhanced the reputation of Faneuil Hall Market not only in the United States but also abroad, where his methods and manners as a market superintendent were considered exemplary.²⁴

**Market Regulation in the Midwest and South**

Outside Boston, other cities defended the public market system and renewed the moral and practical arguments for keeping urban food retailing under the wing of government. This was true particularly in the Midwest, where, according to the Tenth Census of the United States, the distribution of public markets in 1880 was regionally strong, as it was in the South and the Northeast.²⁵ Although laissez-faire policies had weakened government regulation of markets in the antebellum period, after the Civil War the moral economy and the notion of regulated trade still were part of American legal discourse. Strict market laws were established, for example, in Detroit, St. Paul, Cincinnati, Dubuque, Pittsburgh, and St. Louis. Showing even more
strongly that laissez-faire was generally not tolerated in the Midwest, market laws against private shops were still upheld in the courts. In 1869 Missouri justice Philemon Bliss upheld a fine against a private butcher shop in St. Louis, arguing that regulated public markets in “larger towns” were necessary to “public order, cleanliness, and health.” Although the city of St. Louis ultimately permitted meat shops in 1870, they were not allowed within five blocks of any city market, and operators were required to pay the city collector $100 a year for a license. Moreover, the ordinance declared that “all meat-shops shall be under the control also of the Board of Health.” This body had the power, by a majority vote, to revoke someone’s license to operate a meat shop for sufficient cause.

Midwestern cities were also motivated to protect their investment in market houses, which were new relative to those in the East. St. Louis, for example, had an incentive to fight for its right to limit sales to the regulated public markets in 1869, since it had just built an addition to Soulard Market in 1865 and built Union Market in 1868 (fig. 7.5). Likewise, the enforcement of market laws was pressing for other cities that had recently established public markets, such as Dubuque (Central Market, 1856), Pittsburgh (North Side Market, 1864, South Side Market, 1868), and Cincinnati (Findlay Market, 1860). Where establishing a market house enhanced the success of surrounding shops and businesses, members of the socioeconomic elite were motivated to maintain the market’s monopoly of place by rigorously defending the enforcement of regulations. Overall, anti–public market sentiment was not strong in the Midwest, where the public market was still the centerpiece of the city’s boosterism.

The attitude concerning public markets in the South was affected by the peculiar municipal leadership of cities by nonlocals during Reconstruction. For example, from 1870 to 1874 Houston, although on the fringes of the Confederacy, was under the mayoral administration of Timothy H. Scanlan, an ambitious entrepreneur who used the Republican cause to reap the fruits of the government’s distribution programs. During his tenure, Scanlan hoped to replace the low, moss-covered market house (see fig. 2.10) with a mammoth city hall and market. After a tour of several American cities to survey city hall designs, Scanlan proposed a combined market and town hall that would reflect Houston’s close ties between government and the mercantile economy. Considered one of the most elaborate buildings in Texas and an unnecessary extravagance, Scanlan’s city hall and market was short-lived: it
burned down on July 8, 1876 (fig. 7.6). Nonetheless, it was replaced a few months later by a new city hall and market, designed by Galveston architect Edward J. Duhamel (fig. 7.7). Larger than its 1872 predecessor, the 1876 structure featured Italianate detailing and a three-story central block, 100 by 125 feet, flanked by asymmetrical towers and two-story market wings. The increasing power of government is represented in the building’s formal features, such as the tall clock and bell tower, which also may have served as a lookout tower for fires, a lower tower with balconies for public ceremonies, a weather vane, a flagpole, a landscaped square with walkways and fountains, and wide projecting eaves around the market wings. The building provided a powerful civic icon for a city eager to give shape to its postwar prosperity. \textsuperscript{32}
Local officials in Mobile, Alabama, also used the public markets to express their political and economic strength. After the Civil War and throughout Reconstruction, the city experimented with repealing laws that restricted the sale of fresh food anywhere within the city limits except public markets. Mobile’s opposition to public markets during this period has been attributed to the city’s leadership by nonlocals. Instrumental in the experiment with deregulation, for example, was Gustavus Horton, the first of three successive mayors appointed by either the United States government or the Alabama legislature after the war. The city council under Horton believed that eliminating the “market monopoly,” a plan that was “adopted and working in other cities,” would stimulate the food supply and normalize prices. In 1867 Mayor Horton, a committed Unionist and Republican (not to mention a commission merchant from Boston), supported a “greengrocery” ordinance that would allow fresh food retailing anywhere in the city.

The effect of the ordinance was immediate, as market vendors chose not to renew their stall leases. By 1870 annual revenues at Southern Market—the
city’s largest public market—dropped from an average $75,000 to $8,000 owing to empty stalls. A concerned city council responded by proposing an ordinance that would combine the market and greengrocery system, but Horton’s successor, Martin Horst, vetoed it. Horst’s business interest in the wholesale trade of liquor, cigars, tobacco, and groceries gave him a stake in preventing the revival of the public market system. He argued successfully that a return of public markets would revive the market monopoly as well as high prices.

In 1885, when Mobile reached a financial crisis, the city’s new local management returned to a “municipal” market system, bringing an end to the twenty-one-year experiment with the greengrocer system. Under the new city charter, the market system enacted by an ordinance of 1888 was the “municipal market system,” as opposed to the “public market system” that had ended in 1867. The ordinance strengthened the monopoly on fresh food sales at municipally owned and controlled markets throughout the city by establishing zones around each city market. These zones excluded independent retailers from setting up their businesses close to the markets and were meant to shield the markets from competition. The 1888 ordinance was intended to make the municipal market system bigger, better regulated and enforced, more effi-

**Figure 7.7** City hall and market, Houston, about 1880. Courtesy Houston Metropolitan Research Center, Houston Public Library.
cient, and more lucrative to the city than the old public market system. Opponents of the ordinance, including greengrocers and commission merchants, challenged its constitutionality, but the Alabama Supreme Court ruled in the city’s favor, arguing that it fell within the powers of the new city charter. Mobile’s municipal market system was a planned institution that local officials considered vital to the city’s mission of handling its own affairs, modernizing, and making civic improvements.

During the last quarter of the nineteenth century, in an era that predated routine health inspections of private food markets and manufacturers as well as national pure food and drug laws, the municipality was still the primary polity responsible for ensuring a healthy, adequate, and affordable food supply. The concentration of marketing not only facilitated food inspection, street cleaning, and waste removal, it also justified the city’s right to police weights and measures, food packing, slaughtering, and the use of docks, wharves, and streets for the food trades. Contrary to popular predictions, meat shops and private market houses did not replace public markets. Public markets survived the impulse to modernize and continued to challenge local governments to consider their moral and practical benefits. They remained a valuable source of provisions for the large immigrant and working-class populations that preferred them for their accessibility, affordability, and familiarity. As a result, the late nineteenth-century city in the United States, as well as in Europe, attempted to standardize market houses, extend them into the suburbs, coordinate them with rail service, and develop distinct building types for the wholesale and retail trade. New market houses, usually major public works projects, remained part of the city-building process as architects and engineers experimented with ways to incorporate them into a growing and changing urban infrastructure.