

# Absentee Landlordism and Municipal Government in Nineteenth Century St. John's

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Article abstract

This paper examines the influence of the leasehold system of land tenure on the structure of municipal government in 19th century St. Johns. This influence can be seen in the shaping of St. John's streets and physical growth, regulations governing building, property assessments levied to pay for local services, and even in the formation of municipal institutions themselves. It was also evident in the failures of the Newfoundland legislature and the St. John's Municipal Council to successfully tax the annual ground rents the predominantly British absentee landlords received from leasing their land in St. John's.

These efforts to assess the ground rents of the absentees were motivated by the desire of local tenants to make them pay their share of municipal taxation. There was naturally bitter resentment in St. John's against the absentee landlords and their agents. Tenants were also angered by the value of land in the town which was constantly being raised without contribution from the absentees. This situation was of considerable significance in the development of St. John's, for the system of land tenure not only discouraged the imposition of property taxes but also worked against the establishment of municipal government. Consequently, St. John's municipal government in the 19th century differed from the more traditional route of local government that was followed, for instance, by Canadian cities such as Halifax or Toronto. In St. John's the Municipal Council, established in 1888, had control of the water supply, streets, sewers, parks, the fire brigade, and building regulations only, while the Newfoundland legislature retained responsibility over the city's other institutions and services. The history of the Municipal Council after 1888 was one of limited self-rule, characterized by inadequate administrative, legislative power, political interference from the government, and insufficient revenue.



**FIGURE 1.** Panoramic view of St. John's, Newfoundland, 1879.  
Lithograph by A. Ruger.

SOURCE: Public Archives of Canada, C-6557.

# Absentee Landlordism and Municipal Government in Nineteenth Century St. John's

Melvin Baker

## Résumé/Abstract

*Cet article examine l'influence du système des baux relatif à la tenure des terres sur la structure du gouvernement municipal St-Jean au 19<sup>e</sup> siècle. Cette influence est visible dans la silhouette de St-Jean, dans ses rues et sa croissance physique, dans les bâtiments administratifs, dans la taxation municipale servant à défrayer les services locaux et aussi dans la formation des institutions municipales elles-mêmes. Elle explique également les échecs du Parlement terre-neuvien et du Conseil municipal de St-Jean dans leurs tentatives visant à taxer annuellement les revenus que les propriétaires absents, majoritairement britanniques, obtiennent de la location de leurs propriétés situées à St-Jean.*

*Ces efforts sont stimulés par les locataires qui souhaitent que les propriétaires absents assument leur part de la taxation municipale. Il existe un ressentiment naturel à St-Jean à l'égard des propriétaires absents et de leurs agents. Les locataires sont également irrités par la hausse constante de la valeur du terrain urbain et ce, sans que les absents ne soient mis à contribution. Cette situation a une importance considérable sur le développement de St-Jean, pour qui le système de tenure des terres, non seulement décourage l'imposition de taxes foncières, mais travaille également contre l'établissement d'un gouvernement municipal. Par conséquent, au 19<sup>e</sup> siècle le gouvernement municipal de St-Jean diffère des voies plus traditionnelles suivies par les édiles d'autres villes canadiennes comme Halifax ou Toronto. A St-Jean, le Conseil municipal, établi en 1888, contrôle seulement l'eau, les rues, les égouts, les parcs, les pompiers et les règlements de construction. Tandis que le Parlement terre-neuvien détient la responsabilité des autres institutions et services de la ville. Après 1888, l'histoire du Conseil municipal se définit par une auto-réglementation limitée, caractérisée par une administration et un pouvoir législatif inadéquats, par l'ingérence politique et par des revenus insuffisants.*

*This paper examines the influence of the leasehold system of land tenure on the structure of municipal government in 19th century St. John's. This influence can be seen in the shaping of St. John's streets and physical growth, regulations governing building, property assessments levied to pay for local services, and even in the formation of municipal institutions themselves. It was also evident in the failures of the Newfoundland legislature and the St. John's Municipal Council to successfully tax the annual ground rents the predominantly British absentee landlords received from leasing their land in St. John's.*

*These efforts to assess the ground rents of the absentees were motivated by the desire of local tenants to make them pay their share of municipal taxation. There was naturally bitter resentment in St. John's against the absentee landlords and their agents. Tenants were also angered by the value of land in the town which was constantly being raised without contribution from the absentees. This situation was of considerable significance in the development of St. John's, for the system of land tenure not only discouraged the imposition of property taxes but also worked against the establishment of municipal government. Consequently, St. John's municipal government in the 19th century differed from the more traditional route of local government that was followed, for instance, by Canadian cities such as Halifax or Toronto. In St. John's the Municipal Council, established in 1888, had control of the water supply, streets, sewers, parks, the fire brigade, and building regulations only, while the Newfoundland legislature retained responsibility over the city's other institutions and services. The history of the Municipal Council after 1888 was one of limited self-rule, characterized by inadequate administrative, legislative power, political interference from the government, and insufficient revenue.*

The physical and municipal development of 19th century St. John's did not take the more traditional route of local

government that was followed, for instance, by Canadian cities such as Halifax and Toronto. There, settlement was established along the lines of a planned gridiron pattern with property owned on a freehold basis. Moreover, the residents in these communities had their own local governing bodies,

which raised property taxes to pay for municipal services. By contrast, St. John's physical growth was helter-skelter, its numerous narrow and winding streets owing much to the pattern of absentee land ownership in the town. St. John's was also slow in adopting a property tax in comparison with Canadian cities and towns. Eventually, the one it adopted in the 1860s was so limited in its scope that the town remained strongly dependent on the Newfoundland Government to provide many of its local services. A decisive factor in shaping the town's municipal services and institutions was the influence of absentee landlordism, which was, no doubt, the reason their development differed from that to be found elsewhere in British North America during the 19th century.<sup>1</sup>

In St. John's absentee landlords, who predominantly lived in Great Britain, owned much of the valuable commercial and residential land, especially in the Water Street commercial district fronting the harbour. Their estates dated from the 18th and early 19th centuries with some of them having been established without titlement on the basis of undisturbed occupancy. Others had been formed through land grants made by the governor and through purchase of land titles from military officials and civilians who had originally owned the land.<sup>2</sup> As might be expected, the absentee landlords operated through local agents in St. John's, who negotiated the terms of building leases for them and collected their ground rents. The amount of annual ground rents the absentees received from their St. John's properties is not known, but, according to a 1882 government report, the absentees earned annually \$65,610 from the rental alone of land on the south side of Water Street.<sup>3</sup> Government leaders of the day estimated the total at between one and two hundred thousand dollars for all of St. John's.<sup>4</sup> As the agents were often prominent merchants and lawyers, the interests of the absentee landlords were frequently well represented among the politicians in the colonial legislature.<sup>5</sup> The absentees and their agents opposed the imposition of any direct taxation on their land. The absentees obviously had no interest in the improvement either of St. John's or of the colony as a whole. They had only a reversionary interest in the buildings erected on their land and should not, they argued, be assessed for property which brought them no profit during the life of a lease. Their only possible gain from the improvement of St. John's was in being able to demand a higher ground rent at the expiration of a lease — but this was a distant prospect and one that could easily be offset by property tax.<sup>6</sup> There was naturally bitter resentment in St. John's towards the British absentee landlords and their local agents. Specifically, tenants wanted the absentees to pay their share of municipal taxation, since the value of land in the town was constantly being raised without contribution from the absentees.

This system of land tenure during the 19th century, not only discouraged the imposition of property taxes, but also worked against the development of municipal government.

Before 1863 this development was notable for the absence of any property assessment to pay for local services. Indeed, before Newfoundland in 1832 received representative government, the funds came from voluntary public subscriptions and from the licensing of taverns and the leasing of Crown Land.<sup>7</sup> In part, the absence of property tax can be explained by the fragile nature of the St. John's economy, whose fortunes rose and fell with one industry: the products of the annual Newfoundland fishery. Its absence can also be attributed to the resistance of property owners to the imposition of assessments and their view that the majority of the population would not be able to afford them. Consequently, after 1832 the legislature adopted an indirect system of taxation to pay for both St. John's and colonial needs. This was an *ad valorem* duty placed on all goods and rum and spirits imported into the colony.<sup>8</sup> Under the representative system of government — and, after 1855, responsible government — the colony held administrative and financial sway over the capital's institutions and services such as roads, law and order, poor relief, education (shared with the colony's churches), and medical attendance on the sick poor. Certain other services — fire protection, street lighting, and the water supply — were left to private enterprise.

After the fire on June 9, 1846, which destroyed much of St. John's and burnt over 2,000 buildings and left homeless 12,000 people, the absentee landlords acted to protect themselves from having to pay for the rebuilding of St. John's.<sup>9</sup> The substantial rebuilding was especially a great boon to these landlords, and their agents were quick to seize the moment as merchants competed for leased land along Water Street in particular.<sup>10</sup> Indeed, land on the south side which, before the fire, had been let at 20 schillings a foot was now being sold at between 3-4 pounds a foot.<sup>11</sup> Besides increasing rents, the absentee, as well as their fellow resident landlords, placed covenants in their leases obliging their tenants to pay any property tax, assessment or rate the colonial government or some future municipal corporation might levy on them. Tenants were also bound to construct on the leased land a stone or brick building of specified dimensions. To encourage tenants not to build with wood, landlords now gave leases for long periods, often a 40 year tenure instead of the previous 15 year term. However, a tenant might be required to keep his premises in a certain state of repair, but might not at the end of the lease be entitled to any compensation for the improvements he had made if his landlord refused to renew. Consequently, this new system obviously worked against systematic local government, since the existence of the assessment covenant in a lease was a strong argument against any assessment on property at all.<sup>12</sup>

This was certainly the case in December, 1846, when the legislature was reconvened following the Imperial Government's refusal to give Newfoundland a £125,000 rebuilding loan. The former preferred that the colony secure the necessary funds on its own credits. To pay for street improvements, the legislature decided to raise a loan of

£20,000 on the strength of the colonial revenue and to place a 10 per cent duty on all imports passing through the port of St. John's.<sup>13</sup> In adopting these measures, the legislature rejected a suggestion in January 1847, from Byran Robinson, a St. John's lawyer and legislative representative for Fortune Bay. His suggestion was for the legislature to enact special legislation to override the covenants the absentee landlords had placed in their leases and make them contribute towards the town's improvement. These landlords "care nothing further about . . . [the town's improvement]," Robinson told the legislature, "provided they annually draw from [St. John's] a large amount of money in rents." Robinson proposed a simple procedure to collect the assessment, since a government official would contact the local agents of the absentee landlords to ascertain the amount of rentals, which the agents collected on landed property in the town. A levy of a certain amount would then be placed on the net proceeds of these rents. Under this proposed system of assessment, Robinson would exempt the resident landowners because they already contributed to the general improvement of St. John's through the payment of the colonial duties. His resolution was defeated since the legislature needed more time to further study the implications of such a levy. The resolution was in any case, argued William B. Row (an absentee landlord agent), class legislation and a "direct interference with private contracts."<sup>14</sup>

Resentment towards the absentee landlords after the 1846 fire continued to smoulder beneath the surface of St. John's politics. By the mid-1850s there was considerable public and mercantile pressure to provide a new water system and costly sewer services, with the imposition of some form of property assessment being the only means to provide them.<sup>15</sup> In 1858 Premier Philip Little, whose Liberal administration had been the first elected under the responsible system of government in 1855, proposed that these improvements be undertaken by the government. This decision followed an earlier one in 1856 by Little to abandon a scheme to incorporate St. John's. It was withdrawn because of the general fear from the merchants that the proposed household franchise — the same as that for election to the House of Assembly — would put control of the corporation beyond their grasp, whereas, at the colonial level, their control was ultimately exercised through an appointed Legislative Council.<sup>16</sup>

Thus, the new services would be financed by an assessment or land tax to be levied on absentee landlords and was a version of Robinson's 1847 suggestion. Little's land tax would operate in the following manner: the Stipendiary Magistrates would impose on the appraised annual value of landed property in St. John's and the annual rents collected from it a tax to create a fund not exceeding £2,000 per annum. The land tax, however, would be paid by tenants who would deduct its amount from the rents they paid to ground landlords. Thus, Little hoped to construct new water works by raising a £7,500 loan and using the annual revenue from the land tax to pay the interest on the loan and for

other improvements.<sup>17</sup> Little considered the proposed new tax "reasonable" and "just" because absentee landlords had benefited enormously from the expenditure of approximately £60,000 the colonial government had made since 1846 on the rebuilding of St. John's. The absentee landlords directly benefited from the financial compensation of £16,076 the government had provided for land taken from them for street improvements,<sup>18</sup> but they had also benefited from the general civic improvements which had been made to these properties. Resident landlords were exempted from the new tax because they had already contributed to the colonial revenue as consumers of dutiable goods.<sup>19</sup> Whitehall, however, thought otherwise, and when protests were heard from a number of absentee landlords the Newfoundland legislation was disallowed, because it was a deliberate attempt to inflict "injustice on one particular class in the community" by favouring "resident occupiers" over "non-resident landowners."<sup>20</sup> Nevertheless, the following year the legislation was again passed, preventing ground landlords from passing their share of any property assessments on to their tenants, covenants notwithstanding. This requirement encompassed resident as well as absentee landlords in the hope of mollifying the Imperial Government, but to no avail.<sup>21</sup> When the absentee landlords rose in protest once more, the Imperial Government acted on their behalf and disallowed the Newfoundland act.<sup>22</sup>

In 1863 the Conservative Government of Hugh Hoyles, elected in 1861, established a complex assessment system to pay for a new water service completed in 1863, and owned by the General Water Company, a local private joint stock company. In 1864 all property owners served by the Company were divided into categories on the basis of property tenure, that is land or building owned, leased, or simply occupied. This system was complemented by a sewerage assessment which added one-fifth to the water assessment to be paid by a property owner.<sup>23</sup> It paid for the interest on a £15,000 loan the colony had been authorized to raise under the 1863 Sewerage Act to construct a better sewerage and drainage service for St. John's. Absentee landlords could, of course, pass this new impost and the water rate on ground landlords on to their tenants, but Hoyles considered this a small price to pay for needed civic improvements. The Government had chosen a 25 year period for the repayment of the sewerage loan because, it was during the late 1880s, that many of the leases given by absentee landlords after the 1846 fire would expire. Thus, the 1863 legislation authorizing the loan ensured that its repayment in 1888 would be made by landowners who could not pass on their assessment responsibilities, future covenants notwithstanding. Under this proposal, all landowners, whether resident or absentee, would pay for the town's general improvement.<sup>24</sup>

After 1863 there was occasional debate among the public and legislators concerning the notion of a tax on absentee landlord ground rents, yet it was not until 1881 that the colony moved to examine the land tenure system in St. John's.

In that year the legislature appointed a Joint Select Committee of the Legislative Council and the House of Assembly to recommend what legislation was also needed to protect tenants in their future relations with landlords.<sup>25</sup> One reason for the Committee's appointment was the concern of the Conservative Government of Premier William Whiteway that land on Water Street might have to be expropriated for use as the terminus for a railway, which private investors planned to build across the Island. Another was the great concern among residents for legislative protection against future actions of the absentee landlords, because many of the 40 year leases signed after the 1846 fire would soon expire, beginning in 1886. One leaseholder, who asked the agent of his absentee landlord for a lease extension, found that his ground rent would be increased from £92 a year to £320 a year.<sup>26</sup>

The Joint Select Committee, which included Premier Whiteway, did an exhaustive study of the leases held by residents. Most of the answers to the Committee's lengthy questionnaire stated that the tenants did not know how their landlords first obtained title to the land — a situation which was doubtless the result of the longevity of ownership by such landlords, and the fact that many court records concerning land tenure had been destroyed in the 1846 fire. In its Report to the legislature on May 13, 1882, the Committee dealt only with the land tenure on the south side of Water Street, where it established the purchase value of this water-side property at approximately \$2,120,000. Because of this prohibitive cost, the legislature chose not to act on this Report, preferring instead to accept the Report's suggestion that "the whole subject . . . is one which it would be unwise to deal with until it has been maturely considered."<sup>27</sup>

The failure of the legislature to act prompted over 400 tenants in March 1884 to form the Land Union Interest, and to press for legislation in their favour. Fearing that the absentee landlords would once more pressure them by demanding exorbitantly high rents, the Land Union suggested several alternatives available to the government: first, it could buy out the interests of the landlord; second, it could compel the landlord to sell the land to a tenant under a fair valuation; and third, it could force the landlord to fix a fair scale of rents and strike out the "obnoxious clauses" contained in the leases.<sup>28</sup> Whiteway was again reluctant to interfere with the rights of landlords to define their leases as they wished;<sup>29</sup> however, in 1885 he did propose a measure to relieve a pending financial burden on all landowners in St. John's, now that the loan raised under the 1863 Sewerage Act would have to be repaid in 1888. In order to avoid the special land assessment, the colony had to raise a new loan to pay off the old one. Tenants, too, had to be protected because the landlords would certainly include their assessments as part of higher rents they would charge once they negotiated new leases.<sup>30</sup>

In proposing to raise this new loan, Premier Whiteway also decided to borrow sufficient funds to construct an improved sewerage system and to pay for other costly services. These new services would be managed by a municipal board consisting of three government appointees and two members elected by St. John's residents on a household franchise basis. Whiteway justified a government majority on the board because the colony would have to both raise the proposed loan and guarantee the interest payments on it. The new civic board would take over the General Water Company and its taxation system, and would have the authority over streets and sewer services which were vested in the colony. In effect, then, St. John's was finally to receive its own government, but this government was not to take the shape of the autonomous corporations found elsewhere. Instead, St. John's was to have what Whiteway described as a "hybrid system having the advantages without the drawbacks of incorporation."<sup>31</sup> However, facing a general election later in the year and the need to secure political support in St. John's, Whiteway withdrew the legislation because of strong opposition from the St. John's members who wanted a civic board with more electoral representation.<sup>32</sup>

Robert Thorburn's Reform Government, which won the general election held in 1885, also attempted without result in 1886 and 1887 to impose a similar system of municipal government on St. John's.<sup>33</sup> Finally, in 1888 Thorburn reached a compromise with the St. John's members and the representatives of a local citizens' committee whereby a seven-member council would be established. Under the 1888 Municipal Act, the Municipal Council consisted of two government appointees and five members elected on a ward system on a strict property franchise. This Act also provided for the purchase of the capital stock of the General Water Company and for payment of needed local improvements. The funds for these and other colonial needs came from a loan Thorburn raised in 1888 in London.<sup>34</sup> Subsequently, the loan due under the 1863 Sewerage Act was transferred to the civic debt of the Municipal Council.<sup>35</sup>

The Thorburn Government in 1887 also acted to protect local leaseholders against the future payment of their landlords' assessments. The 1887 Land Act favoured tenants by requiring landlords in the future to be responsible for their own assessments.<sup>36</sup> However, it also introduced considerable uncertainty into landlord-tenant relations, especially after the establishment in 1888 of the Municipal Council. Absentee landlords once more objected to this Newfoundland legislation. In November, 1889 they received their first defeat. They objected to the Act because it would make them responsible for all taxes on leased land, covenants notwithstanding. They noted that, as a result of the legislation, taxation might be increased to an unlimited amount and, thus, a tenant would gain at the expense of his landlord. If the 1887 Act were to remain in force, many landlords would simply cease to give leases other than annually, thereby varying the annual rent according to the amount of taxes

they had to pay. The Imperial Government acknowledged that the Act was "unjust in principle," but informed the absentees that it could not interfere, the matter being "within the province of the Newfoundland legislature."<sup>37</sup>

Their fear of taxation was well founded. One of the first taxation proposals the Municipal Council presented to the Liberal Government of William Whiteway, elected in November 1889, called for the imposition of an assessment on their annual ground rents on the basis of an unusual bill the government passed.<sup>38</sup> This bill gave the legislature power to alter or disallow Council's estimates of its revenues and expenditures the town was required to present annually to the legislature. By a joint resolution of the two Houses, an alternative budget was prescribed.<sup>39</sup> This procedure did not go unnoticed by the absentee landlords, who objected to the tax imposed on them under the authority of the 1890 Municipal Act. In March 1891 their complaint succeeded when the Imperial Government disallowed the Newfoundland Act<sup>40</sup> — somewhat to the surprise of the Newfoundland Government because the Colonial Office had upheld the landlord-tenant legislation in 1889. In the case of the 1890 legislation, the St. John's agents of the absentee landlords charged in June, 1890 that the legislation contravened the 17th article of the 1877 Letters Patent, a revision of the 1855 Royal Instructions to the Newfoundland Governors. This section stated that the colonial legislature was not to pass legislation prejudicial to the "rights and properties of our subjects not residing in Newfoundland."<sup>41</sup> However, the Imperial Government disallowed the Act because it was "unconstitutional . . . to delegate to the two Houses of the Colonial Parliament powers of legislation and imposition of taxes without the concurrence of the Governor."<sup>42</sup>

The absentees protested paying their own taxes. They also substantially increased the amount of ground rent they charged in the renegotiated short terms for lease renewals, the length of tenure being between 15 to 30 years.<sup>43</sup> Accordingly, in 1892 the Municipal Council legislated to encourage landlords to grant longer terms of tenure. Section 145 of the 1892 Municipal Act stipulated that landlords would be liable for any assessments on their ground rents unless they gave leases of 75 years and more.<sup>44</sup> This section undoubtedly reflected the work of Municipal Council Chairman Thomas Mitchell, a local manufacturer and organizer of the defunct Land Union Interest, who had been active in the 1880s in securing legislation such as the 1887 Land Act.<sup>45</sup>

On July 8, 1892 St. John's was once more almost destroyed by fire, which left 11,000 people homeless and caused property damage estimated at \$13,000,000.<sup>46</sup> The fire threw the land tenure situation into further chaos, thus presenting another opportunity for the legislature to redefine landlord-tenant relations along more equitable lines. On July 20 a group of tenants led by Tory leader Moses Monroe, a Legislative Councillor and Water Street merchant whose lease expired in 1893,<sup>47</sup> organized a Tenants' League to pres-

sure the government to enact legislation, based on the 1881 Irish Land Act. The Irish Act had established a land court which enabled tenants to obtain fair rental agreements with their landlords. However, the possibility of a similar reform for St. John's was complicated by Whiteway's conservatism on the issue, since he himself was an absentee landlord agent.<sup>48</sup> During the special legislative session held in July to deal with rebuilding measures for the capital, the spokesman in the House of Assembly for the Tenants' League was the Canadian born lawyer, Alfred B. Morine. To protect tenants, Morine called for the creation of a land court to adjudicate fair and equitable rents upon appeal by a tenant. Under Morine's proposed arrangement, a tenant would be entitled to financial compensation from his landlord at the expiry of his lease for any improvements made to the property. If a tenant wished to buy leased land and the buildings on it, the proposed court would be empowered to decide the real value of the property.<sup>49</sup>

By contrast, the legislation introduced by the government did not interfere with the rights of landlords to make rental agreements with their tenants as they saw fit, although it did encourage them to make 99 year leases. If a landlord granted such a term, he had no obligation to compensate his tenant for improvements at the expiry of the lease. Moreover, under section 145 of the 1892 Municipal Act he could avoid paying taxation because the tenure of the lease was longer than 75 years. If the lease was for less than 99 years, some compensation for improvements was required, the amount to be determined by three arbitrators, one to be appointed by the landlord, one by the tenant, and the third jointly by both parties. If the parties could not agree upon a joint nominee, the choice was to be made by the Supreme Court of Newfoundland.<sup>50</sup> Whiteway rejected the creation of a land court because he believed that landlords and tenants could best deal with their own affairs, declaring "the less the government interfered with contracts, the better."<sup>51</sup>

St. John's had not escaped the grasp of the absentee landlords, but its citizens could now enjoy a more equitable landlord-tenant relationship through the terms permitted by the new legislation for 99 year leases. "After a lengthened experience of the relations of landlord and tenant in this town," Chief Justice Frederick Carter informed the Colonial Office on August 30, 1892, "my own opinion of the provisions contained in the Act is that they will have a salutary operation in the interests of both."<sup>52</sup> Not all absentee landlords were happy with the new legislation; in late 1892 several of them lodged a protest with the Imperial Government. They were unsuccessful however; Newfoundland's argument that the legislation was the best compromise that could be reached had already found favour in London.<sup>53</sup> Consequently, absentee landlords accepted the new situation and gave leases for the 99 year tenure. While their estates have survived to the 1980s, the influence of the absentee landlords has greatly diminished. Provincial legislation passed in 1977 gave a tenant the right to buy out his landlord's

interest for an amount equivalent to 20 years' rent on the property.<sup>54</sup> The rental system of taxation established in the 1860s remained in place until 1981 when St. John's finally converted to a capital value system similar to those of other Canadian cities.<sup>55</sup>

Politically, absentee landlordism was a strong factor in shaping St. John's municipal institutions and taxation system. The failure of St. John's to develop a broad property tax base, and its subsequent dependency on general colonial revenue to pay for local services, enabled the colonial legislature after 1832 to have a dominant role in the governance of St. John's. This dependency by St. John's, in turn, reinforced the role and control of the Newfoundland Government in the political life of the colony generally, a situation which eventually weakened the fabric of local government in both St. John's and the outports. Thus, the history of the Municipal Council after 1888 was one of limited self-rule, characterized by inadequate administrative, legislative power, political interference from the government, and insufficient revenue. Moreover, the pattern of land ownership was responsible for the town's haphazard physical growth. For the most part, the absentee landlords during the 19th century refused to give up the necessary land for street widening and straightening unless they received adequate compensation, a proposal which the legislature and the Municipal Council after 1888 were unable to implement for lack of funds. St. John's unique streets are as much the product of the adverse influence of absentee landlordism as it was the hill on which the town is built.

## NOTES

- For urban development in Canada, see the following: Michael Hugo-Brunt, "The Origins of Colonial Settlements in the Maritimes," in L.O. Gertler, ed., *Planning the Canadian Environment* (Montreal, 1968), 42-83; Gilbert A. Stelter, "John Galt as Town Booster and Builder" (paper presented to the Annual Meeting of the Canadian Historical Association, Guelph, 1984); and Frederick H. Armstrong, *Toronto: The Place of Meeting* (Windsor, 1983).
- Melvin Baker, "The Government of St. John's, Newfoundland, 1800-1921" (Ph.D. thesis, The University of Western Ontario, 1981), 16-33, 43-6.
- Journal of the House of Assembly (JHA)*, 1883, Appendix, 6.
- Ibid.* See also *Newfoundlander*, 3 April 1867; *Public Ledger*, 7 April 1881; and *Evening Telegram*, 12 May 1890.
- Newfoundlander*, 25 July 1833; *Public Ledger*, 6 May 1834; *JHA*, 1883, Appendix, 93, 119; Centre for Newfoundland Studies, Memorial University, Sir William Whiteway Papers, Collection 26, Box 1, file 19, "Whiteway and Johnson, 1879-1894," Tabot Matthews to Sir William Whiteway, 29 January, 19 May, 18 June 1892; and Provincial Archives of Newfoundland and Labrador (PANL), GN1/1/5, Despatches from the Governor to the Colonial Office, Memorial from St. John's absentee landlord agents to O'Brien, 23 June 1890.
- PANL, GN1/2/6, Governor's Office, Despatches from Colonial Office to Governor, Box 1890, Despatch no. 9, Knutsford to O'Brien, March 1, 1890 and enclosures, and Despatch no. 80, Ripon to O'Brien, December 10, 1892, and enclosure.
- Melvin Baker, *Aspects of Nineteenth Century St. John's Municipal History* (St. John's, 1982), 5-28.
- Baker, "The Government of St. John's," 23-31.
- Melvin Baker, "The Great Fire of 1846," *Newfoundland Quarterly*, LXXIX (Summer 1983): 31-4.
- JHA*, 1883, Appendix, 27-117.
- Newfoundlander*, 14 January 1847.
- Ibid.* See also *JHA*, 1883, Appendix, 27-117; and PANL, P4/7, Robert Pinsent Papers, lease between H.W. Hoyles, administrator, estate of John Flood, and Samuel Knight, 30 March 1847.
- Baker, "The Great Fire of 1846," 32-3.
- Newfoundlander*, 14 January 1847.
- Melvin Baker, "The Politics of Assessment: The Water Question in St. John's, 1844-1864," *Acadiensis*, X11 (Autumn 1982): 59-72.
- Newfoundland Express*, 19 March, 26 April, 7 June, 16, 19 July 1856, 6 November 1860; Assembly Debates, 15 January 1856, in *ibid.*, 23 January 1856; and *JHA*, 12 May 1856.
- Philip Little in Assembly Debates, 23 February and 28 April 1858, in *Newfoundlander*, 1 March and 3 May 1858, respectively; Assembly Debates, 12 April 1858, in *ibid.*, 19 April 1858; and 1858 St. John's Rebuilding Debt Liquidation Act printed in *Gazette*, 18 May 1858.
- Philip Little in Assembly Debates, 23 February 1858, in *Newfoundlander*, 1 March, 13 May 1858.
- Ibid.* See also the 1858 St. John's Rebuilding Debt Liquidation Act.
- JHA*, 1859, Appendix, 426-28.
- Statutes of Newfoundland*, 22 Victoria, Cap. 8.
- PANL, GN1/2/6, Boxes 1859, 1860, Duke of Newcastle to the Administrator of Newfoundland, 29 October 1859, and to Governor Bannerman, 19 March 1860.
- Baker, "The Politics of Assessment," 59-72.
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- JHA*, 1883, Appendix, 5; and Assembly Debates, 30 March 1881, in *Public Ledger*, 7 April 1881.
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- JHA*, 1883, Appendix, 6; and *Public Ledger*, 23 May 1882.
- Evening Telegram*, 4 April 1884.
- Edward Morris to *ibid.*, 8 February 1887.
- William Whiteway in Assembly Debates, 20 April 1885, in *Terra Nova Advocate*, 20 April 1885.
- Ibid.* See also *Evening Mercury*, 21, 22 April 1885, and *Evening Telegram*, 20 April 1885.
- Evening Telegram*, *Evening Mercury*, 24 April 1885.
- Baker, *Aspects of Nineteenth Century St. John's Municipal History*, 48-61.
- Ibid.*
- Evening Telegram*, 28 March 1898.
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- PANL, GN1/2/6, Despatch no. 9, Knutsford to O'Brien, March 1, 1890, enclosing a petition from Thomas Newman and several other absentee landlords, dated 15 November 1889.
- JHA*, 1890, Appendix 305.
- Statutes of Newfoundland*, 53 Victoria, Cap. 8.
- JHA*, 1891, Appendix, 488.
- PANL, GN1/1/5, Memorial from St. John's absentee landlords to O'Brien, 23 June 1890.
- JHA*, 1891, Appendix, 488.
- Newfoundland Law Reports, 1884-1896*, "Duchemin v Des Barres, April, 1891," and "Kitchen v Fenelon, April, 1893."
- Statutes of Newfoundland*, 55 Victoria, Cap. 4.
- Evening Telegram*, 8 February 1887.
- Melvin Baker, "The St. John's Fire of July 8, 1892: The Politics of Rebuilding, 1892-1893," *Newfoundland Quarterly*, LXXIX (Winter 1984): 25-6.
- JHA*, 1883, Appendix, 32.
- PANL, PB/A/17, Moses Harvey Scrapbooks, 1892-1898, 2, 5, 27; and *Evening Herald*, September 13, 16, 1892. On the 1881 Irish



- Land Act, see Samuel Clark, *Social Origins of the Irish Land War* (Princeton, New Jersey, 1979), 335-38.
49. *Evening Telegram*, 2, 3, 8, 13 September 1892.
  50. *Statutes of Newfoundland*, 56 Victoria, Cap. 2.
  51. *Evening Telegram*, 8, 14 September 1892.
  52. PANL, GN1/1/4, Governor's Office, Letter Book of Despatches to the Colonial Office, Carter to Marquis, 30 August 1892.
  53. PANL, GN1/2/6, Despatch no. 80, Ripon to O'Brien, 10 December 1892, and enclosure.
  54. *Statutes of Newfoundland*, 1977, No. 94.
  55. *Evening Telegram*, 18, 22 January 1979.