

# The Politics of Municipal Reform in St. John's Newfoundland, 1888-1892

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THE POLITICS OF MUNICIPAL REFORM IN  
ST. JOHN'S NEWFOUNDLAND, 1888-1892

For many generations St. John's has dominated the political, social and economic life of Newfoundland. Yet, though its boosters describe it as North America's oldest city, it was not incorporated until 1888. Like Newfoundland itself, St. John's was definitely a late starter on the constitutional front. Self-government came to St. John's long after it had been achieved in the comparable Maritime centres of Saint John (1785), Halifax (1841) and Charlottetown (1855). Moreover, the system of government established in St. John's in 1888 proved highly unstable. Why was Newfoundland's capital so different?

Essentially the answer is to be found in the influence and outlook of a local elite who controlled both civic and colonial affairs. Consisting of merchants, lawyers, doctors, senior civil servants and clerics, and linked by both business connections and marriage, this elite was tightly knit. Predominantly Protestant on a predominately Protestant island and with economic interests more dependent on the colony's prosperity than the city's growth, the elite did not relish the thought of a municipal government dependent upon a local Catholic majority.<sup>1</sup> Thus incorporation was an ordeal and the politics of municipal reform in St. John's were soon infected with the partisanship and denominationalism of colonial politics. Initially, important segments of the business community were hostile to the idea of incorporation, but eventually some businessmen allied themselves with politicians, notably Edward Morris, who claimed to speak for the working man. The combination won a measure of municipal autonomy for St. John's. The incorporation of St. John's, therefore, must be seen above all else in terms of the adjustment of an elite to a new institution that potentially threatened but ultimately confirmed its status.

## I

The growth of St. John's as a metropolis reflected the economic development of Newfoundland. In the days of the West Country fishery St. John's, thanks to its strategic location and fine harbour, became the main communication centre for ships plying the coast. Ships coming out to Newfoundland to sell their supplies and to pick up fish went first to St. John's to determine the best places to do business. Moreover, ships coming from England in the spring to fish off the Grand Banks invariably discharged any passengers they had at St. John's. Similarly, people who wanted to return to England in the autumn went first to St. John's. In time a large number of taverns and public houses served this transient population. St. John's was launched as an administrative centre by the establishment of a fort and military garrison in the early 1700's and by the residency after 1729 of the naval Governors of the island. The establishment of a criminal court and the appointment of customs officials further enhanced its position. By 1815, with a population of about 10,000, St. John's had become the administrative, commercial and social centre of Newfoundland.<sup>2</sup>

The business community which arose in St. John's was naturally oriented towards the fishery. Until 1860 St. John's experienced a steady increase in population, but from that year until 1901 its population stood at about thirty thousand. These changes were a function of the state of the colonial economy. Between 1830 and 1860 good cod fisheries and an expanding seal fishery gave general prosperity to both the colony and its capital.<sup>3</sup> In 1836 a branch of the English Bank of British North America was opened in St. John's and in 1854 and 1857 respectively the locally owned Union and Commercial banks were launched. There were no locally owned insurance companies, but various merchants were agents for English and American companies. In the same period many educational and social organizations were founded, while the Roman Catholic and Anglican populations competed in the building of substantial Cathedrals. St. John's was also well connected in these years

with such major ports in the North Atlantic triangle as Liverpool, Bristol, Boston, and Halifax, and after 1840 had regular mail service with the latter city.<sup>4</sup>

In the 1860's and early 1870's a succession of bad fisheries depressed the city's economy, and prosperity did not return until after 1874. In the early 1880's the city benefitted from the start of construction on the trans-island railway and the erection locally of a dry dock.<sup>5</sup> These enterprises stimulated the development of some secondary manufacturing, but most labourers in St. John's remained unskilled, unorganized, and employed in business either directly or indirectly related to the fishery.

Control of municipal affairs after the establishment of representative institutions on the island in 1832 lay with the colonial government. After the institution of responsible government in 1855 the city was administered in two ways: directly through the Board of Works and the Surveyor General's Department; and indirectly through the General Water Company, a private utility. The Board of Works, whose appointed members were subject to removal by the Governor-in-Council, had been established to look after all public buildings, property, and works in the colony. In St. John's it was responsible for the construction and maintenance of roads, and all sanitary matters. It also controlled the expenditure of public funds in the city; in the outports this authority was delegated to local road boards appointed by the Governor-in-Council. The Surveyor General had authority to enforce the colonial laws regarding streetlines and plans and the materials to be used in the construction of buildings.<sup>6</sup> The colonial government also directly controlled appointments to the police department, magistracy, and Board of Health. Moreover, it could proclaim any miscellaneous regulations deemed necessary to control nuisances within the city.<sup>7</sup> The General Water Company, formed in 1859 by prominent merchants, managed the water supply and fire brigade. Its stock was guaranteed by the colonial government, which had the right to appoint two of its three directors.<sup>8</sup>

This peculiar municipal system left St. John's in the early 1880's needing many municipal services the colonial government could not provide. These included a larger sewerage system, a better fire department, an improved sidewalk and street system, a more reliable street lighting arrangement, and an expanded park service. A building boom now compounded these problems; in 1885 one hundred and eighty houses were built.<sup>9</sup> Many of these were built by people moving away from the congested area of the city where fires were quite frequent.<sup>10</sup> Expansion was clearly the order of the day but St. John's could grow no more than the colonial government would allow it.

In the past the government had responded to the city's problems on an ad hoc basis; indeed some of the most important reforms had been introduced only after considerable tragedies. The destruction of the city by fire in 1846, for example, had produced not only a comprehensive building code but the formation of the first St. John's Water Company. These changes, however, mainly benefitted Water and Duckworth Streets.<sup>11</sup> The limitation on the water supply was made apparent in 1856 when another fire destroyed 200 dwellings and left 1,500 people homeless. In 1859 the General Water Company was established to provide water for the entire city.<sup>12</sup>

The tardy approach of the colonial government to municipal affairs was also evident in the lack of a proper sewerage system. A limited system to service the Water Street area only was constructed in 1863, despite the memory of a cholera epidemic in 1854 which had claimed approximately 750 lives.<sup>13</sup> This system was not expanded until the early 1890's, though there were many calls to the House of Assembly for its improvement. In 1879 after a select committee of the House had investigated the city's sanitary condition, a Sanitary Department was established within the Board of Works to eliminate the most flagrant abuses. Many large property owners hoped that this Department would winnow the need for further heavy expenditures.<sup>14</sup> Significantly, no tax increase accompanied its creation.<sup>15</sup> The government also commissioned a

London engineering firm to survey the city's sanitary needs but its suggestions were all rejected as being too expensive for either the colonial or the St. John's taxpayer to bear.<sup>16</sup> Yet reform was clearly becoming imperative; characteristically it was an accumulation of debt that finally forced the Government's hand.

## II

The change that was effected in the administration of St. John's in 1888 followed abortive attempts at change in the three preceding years. Between 1879 and 1885 the colonial government had accumulated a debt of \$15,000 for cleaning the town; not surprisingly, it wanted to be rid of this expense, especially in view of growing outport opposition to the subsidizing of St. John's improvements.<sup>17</sup> The colonial government was also influenced by the fact that the debentures raised under the 1863 sewerage act were due in 1888. Hence, its intention was to pay off one loan by raising another. The moment was also propitious for municipal reform in that some of the politicians at least recognized that the employment created in the construction of new sewerage works would take up the slack from the completion of the dry dock and the stoppage of railway construction.<sup>18</sup>

Neither the government of William Whiteway (1878-1885), which started the reform process in 1885, nor the government of Robert Thorburn (1885-1889), which completed it in 1888, intended giving the citizens complete control of their municipal affairs. Instead, they proposed centralizing the municipal powers of the Board of Works and those of the General Water Company into one municipal board. On this Board, government representatives would sit with elected members. This was justified because the colonial government would remain the guarantor of the city's debts; it would also protect the rights of the city's property owners, the minority who would have to pay much of the local taxation. The property owners were offered further protection by a franchise designed to disqualify a large section of the working class.<sup>19</sup>

Most merchants could readily agree on these conservative restrictions, believing that a municipal corporation should be run like a business - a "joint-stock affair" concerned solely with getting "the most value for...money". Aware of the graft and corruption commonly associated with elected municipal officials in Canada and the United States, many of them believed that a democratically elected local body would be profitigate; as one of them put it in the House of Assembly, "by the elective system ... people do not always elect the best men...."<sup>20</sup> Through the Legislative Council, which was composed of some of the colony's largest property owners, the Water Street merchants, who had "the greatest stake in the city," jealously guarded their interest in the debate over the future of St. John's.<sup>21</sup>

In 1885 and 1886 legislation to provide for the new municipal board fell victim to a turbulent period of realignment of colonial politics; in 1887 it was withdrawn because of public opposition to the proposed composition of the board and to the franchise, which would have greatly favoured the government supporters. The protesters, drawn from the ranks of both government and opposition supporters, desired a municipal system totally independent of the colonial government. Early in 1888 they organized a citizens committee to draft a new municipal bill.

A number of the members of this committee were familiar with municipal government in other cities. Many had been born outside Newfoundland and a number of those born in Newfoundland had travelled extensively abroad. The committee unanimously agreed that should St. John's have a municipal corporation, its citizens should elect its members and control its assessments and expenditures. A sub-committee, consisting of representatives from the Chamber of Commerce, the Mechanics Society, the Benevolent Irish Society and other interested groups, was appointed to draft a municipal bill.<sup>22</sup> This bill proposed a board of seven members to be elected by the tax-payers. The city was to be divided into six wards, with one councillor for each. The seventh

member would be elected at large. The vote was to be given to any citizen who paid at least three dollars annually in municipal taxes. The sub-committee also recommended that the municipal board should not be held responsible for any debts resulting from past expenditures on city improvements by the Board of Works.<sup>23</sup>

When the government's 1888 bill was introduced, it met with strong objection from the citizens' committee. The bill proposed a municipal board consisting of two government appointees and three elected members. The former were to sit at the pleasure of the Governor-in-Council, while the latter were to hold office for four years. The franchise was to be based on a property tax; every taxpayer would be permitted a cumulative vote to a maximum of six, with the number of votes a taxpayer received in each ward being directly proportional to the amount of taxes paid. Absentee landlords would be permitted a proxy vote, and business corporations a vote each. The bill further authorized the raising of a loan by the colonial government to pay for sewerage extensions, street improvements, better lighting, and the liquidation of the debt charged to the city in the Sanitary Department. The proposed municipal board's annual revenues would be derived from water and sewerage assessments, from a duty on all coal imported into the city, from rents on all Crown property within city limits, and from the annual sums appropriated by the Legislature for roads, streets, and bridges for the city's two electoral districts.<sup>24</sup>

On April 16 the citizens' committee held a meeting to protest the government's bill. A delegation was chosen by this gathering to confer with the city's legislators and to seek a revised bill that incorporated the system favoured by the citizens' committee itself.<sup>25</sup> Eventually, the government agreed to most of the demands of the committee. But there were two important exceptions: one was the liability of St. John's for the debt in the Sanitary Department; the other was the right of the Governor-in-Council to appoint two members to the proposed board, though the number of elected members was raised to five.<sup>26</sup>



Although not entirely satisfied with the bill as it now stood, both the St. John's members of the House and the citizens' committee agreed to its enactment on the understanding that it would be revised in the 1889 session if necessary.<sup>27</sup>

The truth was that the Municipal Act did not represent a radical change in the city's municipal system. The government still had ultimate control over municipal finances, since the Municipal Council could neither raise loans nor impose taxation without the permission of the legislature. The Council was also required to have a balanced budget.<sup>28</sup> Moreover, the bill creating it did not consolidate the colonial acts which gave the government jurisdiction over various aspects of municipal affairs. The government still retained control over the police department, the magistracy, and the Board of Health. The 1888 Act also limited the Council to the existing municipal sources of revenue; these would be adequate only as long as municipal expenditures did not increase substantially. Again, the new Council only had limited authority over those employees transferred to its jurisdiction from the Board of Works; the government reserved the right to discipline and dismiss these officials, even though the new Council paid their salaries.<sup>29</sup> The most serious problem facing the nascent St. John's Council, however, was political; the presence of two government representatives would inevitably involve it in the highly partisan world of St. John's politics.

This involvement was not long in coming; indeed, it was touched off by charges that the government of Sir Robert Thorburn had fixed the date of the first municipal election for August 30, 1888, so as to get its own supporters elected. The voters' list, it was claimed, had been rigged to produce this result. Thus, while there were 3,641 eligible voters, only the names of the 1,521 ratepayers of the Water Company appeared on the list. That Thorburn had been President of the Company for several years and was familiar with its operations only compounded the charges of scandal.<sup>30</sup> Three of the five elected members -

Moses Monroe, Frank St. John, and William D. Morison - were known government supporters. The other two elected members - John T. Carnell and Michael Power - were known opposition supporters. Hence, it was against a background of considerable acrimony that the Council met for the first time on September 28 with James Goodfellow, one of the government appointees, in the chair.

Nor was the intrusion of rancorous party differences the only continuity between the affairs of the Council and those of the Newfoundland legislature. Patronage was clearly another. Thus, the municipal councillors were not long in office before being subjected to considerable public criticism for giving jobs to relatives and friends.<sup>31</sup> The first municipal appointments were strongly condemned both in the press and at several public meetings by those who had been associated earlier in the year with the citizens' committee. A reform organization, called the Citizens' Defense Association (C.D.A.), was now established to agitate for repeal of the 1888 Municipal Act and its substitution by legislation making the municipal system completely independent of the colonial government. The C.D.A.'s leaders were mainly opponents of the Thorburn Government, but they did include a few of its supporters.<sup>32</sup>

Newspaper support for the Association came from both the Whitewayite opposition Evening Telegram, and the independent Catholic Daily Colonist, whose Newfoundland born editor, P. R. Bowers, had worked as a journalist for many years in Canada.<sup>33</sup> In editorial after editorial Bowers criticized Council for creating jobs at the taxpayers' expense; denouncing the local variant of "Boss Tweedism", he argued vigorously that "Municipal government in Newfoundland must not be allowed to fall into disrepute...."<sup>34</sup> Bowers may well have been a man of principle but the potential of the C.D.A. as a stick with which to beat the government was not lost on the political opposition. The cause of municipal reform in St. John's was soon transformed into a party crusade.

On March 27, 1889, a petition containing 1,250 signatures was presented to the House of Assembly on behalf of the C.D.A.<sup>35</sup> This petition called for Council to raise a loan upon its own credit to pay off the \$607,000 loan the government was authorized to borrow under the 1888 Municipal Act. It also advocated an increase in the Council's membership from five to ten, annual elections and abolition of government representation on Council. Under the revised scheme the Council would have complete authority over its officials, including those who had been transferred from the Board of Works. It would also be required to present a detailed statement of financial accounts before an annual ratepayers' meeting, but it would have the authority to impose and collect any taxation on property within the city limits. A poll tax of one dollar would be imposed on every male subject between the ages of twenty-one and sixty years who did not pay any other municipal tax. Finally, the C.D.A. wanted the franchise to be given to all males of twenty-one years and over who paid municipal taxation.<sup>36</sup> The effect of these changes would have been to give the Municipal Council complete control of its affairs, and to make it responsible to all the citizens and not just the economic and social elite.

The Thorburn Government's response to the petition was predictable, in view of the fact that its official newspaper, the Evening Mercury, had been ridiculing the C.D.A. since its formation. Both Thorburn and his Attorney General denied the claim of the St. John's Members of the House of Assembly that a commitment had been made to revise the act in the 1889 session. In their view the act was working very well and should be left alone.<sup>37</sup> Accordingly, the petition of the C.D.A. was rejected on division.<sup>38</sup> A general election was due shortly and to have admitted that its municipal policy was a failure would have been a great embarrassment to the government and a great boon to its Whitewayite opponents. Yet rejection of the C.D.A. carried a price; by refusing franchise reform in St. John's it gave an important opening to an opposition already courting the labourers enfranchised under the 1889 manhood suffrage Act.

The C.D.A. was disbanded within a few months of the defeat of its petition, but the organization it had built undoubtedly proved useful to the Whiteway Liberal candidates in the general election. Liberal candidates in the city vehemently characterized the Thorburn-controlled Council as a "Government Department" and promised full incorporation at the first session of the new legislature.<sup>39</sup> The Government candidates in the city - one of whom was a municipal councillor - defended the Council and promised to amend the Municipal Act "in a manner to please the citizens generally...."<sup>40</sup>

The Liberal Party swept the election both in the city and the colony but the new government did not act on municipal reform in the 1890 session. Its main concern was to remove supporters of the Thorburn government from public affairs; needless to say it did not neglect the appointed positions in the St. John's City Council. James Fox, Goodfellow's colleague in Council, had become a Whiteway supporter late in the election campaign and presented no problem; he exchanged his position for a seat in the Legislative Council.<sup>41</sup> Goodfellow was less compromising, and simply refused to resign. This led the government to appoint a select committee to investigate alleged financial mismanagement under his chairmanship. This committee told the new government what it wanted to hear: there had indeed been mismanagement and both the Thorburn Administration and the Council had spent funds illegally in 1889.<sup>42</sup> Out of these machinations emerged a Council with a solid Liberal majority and a government promise to amend the 1888 Act in the next session of the legislature.<sup>43</sup>

That colonial and municipal politics were really one and the same was again shown in an 1890 by-election in St. John's East. On this occasion Edward Morris, the young Roman Catholic member without portfolio in the Whiteway government, used municipal patronage to extend and consolidate his political influence within the city. His disposal of patronage included employment at Bannerman Park at a dollar a day - a wage twenty cents higher than that being paid to others in the city.<sup>44</sup>

The Liberal candidate was a Morris protege, James Fox, who had recently resigned from the Legislative Council. While the Tory opposition condemned the government for converting the Council "into a purely political agency for the promotion of their party promises and interests,"<sup>45</sup> the Liberals presented themselves as the party of the workingman. They promised to place "the control and management of the affairs of the town into the hands of the rate-payers", so that every man who paid a tax, "be that ever so little" would "have a vote in the election of the city councillors...."<sup>46</sup> The outcome was a victory for Fox and the machine that would eventually put Edward Morris in the Prime Minister's chair.

The next year Morris introduced the long awaited reform of the 1888 Act. The new legislation was based upon the 1889 C.D.A. petition but there were important differences. Despite what had been said in the by-election campaign the previous year, the government proposed retaining its right to appoint members of Council until the city was ready to assume responsibility for the municipal debt. Significantly, the workingman's government would only grant full incorporation if and when the Water Street merchants were ready for it. On the franchise question, the government was prepared to give the vote to males over the age of twenty-one who were either householders or taxpayers. To give it additional revenue, Council was permitted to tax all commercial and financial establishments and private utilities in the city, but no provision was made for the imposition of a poll tax. The new Council would be more autonomous, though its by-laws and regulations were still subject to the approval of the Governor-in-Council.<sup>47</sup> On the other hand, the government's hope for the new legislation was, in Morris' words, that the legislature would not be "called upon every session to enact some law or place some tax ... in connection with the municipality."<sup>48</sup>

Most of Morris' amendments to the 1888 Municipal Act had an easy passage through the House but there was one notable exception. This was a provision which would have increased the number of elected

members on Council from five to ten. Some of the outport members of the House took great exception to this proposed change, equating it with increased municipal expenditures, higher taxes, and a larger municipal debt. The new bill was amended twice in committee: a one dollar poll tax was established and the name of the presiding officer of the Council changed from chairman to "mayor". The latter change was made to reflect the "advancing growth of the city."<sup>49</sup>

The Legislative Council accepted the bill, with but a few amendments. Members opposed to a broader franchise, insisted on the removal of the poll tax from voter qualification. Other changes returned the election of the presiding officer to the Council members rather than the citizens at large and removed from this officer the designation of "mayor."<sup>50</sup> These changes were evidently made in response to a petition presented to the Legislative Council by some of the large property owners of the city, who wanted consideration of the bill, or at least some of its sections, deferred until the next session.<sup>51</sup> To avoid this, the government accepted the Legislative Council's amendments because, as Morris said, "half a loaf was better than no bread."<sup>52</sup> The stage was now set for the city's second municipal election on January 25, 1892.

The campaign was highly partisan. Several months before the election, the Tory party, resentful of Morris' control of the Municipal Council, began urging citizens not to pay the licenses the new Municipal Act authorized the Council to collect. The Tory position was that the Act and the by-laws issued by the Council were ambiguous and contained loop-holes enabling citizens to circumvent the payment of their taxes. Council's right to license cabmen was successfully challenged in the courts by James Winter, who had been Attorney General in the Thorburn government.<sup>53</sup> The candidates who presented themselves for election were all clearly identified with either the government or opposition parties; all promised municipal reform, civic improvements, and strict economy in municipal finances. Not surprisingly, the Colonist was the only

newspaper to give comprehensive coverage to the campaign. The other two dailies, the Telegram and the Herald, promoted the candidates of their respective parties.

Of the incumbents only Carnell and Power were re-elected. Frank St. John was defeated by J. T. Southcott Jr. in ward two. Carnell and Power had the advantage in the campaign of government patronage, while the latter, who was opposed in ward four by a licensed proprietor, had the support of the various temperance organizations in the city.<sup>54</sup> In ward five Donald Morison, a temperance leader and the son of a former councillor, was elected probably because of the strong influence there of Moses Monroe and other merchants. The fifth councillor elected was James Goodfellow in ward three; his victory was considered by the Tories a rebuke to the Liberals for their dismissal of him as Council Chairman in 1890. The government saw his election differently, asserting that the ward was in any case a Tory fiefdom in which the merchants along the south side of Water Street controlled the vote.<sup>56</sup> The Liberals thus managed to elect only two members but when the two appointed members, Edward W. Bennett and Thomas Mitchell were added, they seemingly had a majority.

The second St. John's Municipal Council held its first meeting on February 26, 1892. Contrary to widespread rumour, the Tory councillors did not nominate Goodfellow for chairman. Instead, they put forward the name of Mitchell, the weaker of the government appointees. Surprised by this move, the Liberals followed through with their original plan to nominate Power. The result was a Tory victory as Mitchell, an avowed advocate of full incorporation and an independent conservative in municipal affairs, voted for himself.<sup>57</sup> Mitchell's action thus deprived the Liberals of their expected control of the Council. With his election, the Tories were able to present themselves as the champions of civic rights, and the advocates of full incorporation "free from all political interference."<sup>58</sup> Mitchell subsequently acknowledged his political benefactors by generally voting with the Tory councillors.

This proved a severe handicap to the new Council, for its successful operation required a high degree of cooperation with the colonial government. After another disastrous fire had swept the city later in the year, the government passed emergency legislation taking away the council's authority over the city's rebuilding. Obviously this arbitrary action was politically motivated; no Liberal government would allow the patronage associated with the rebuilding of the city to fall into the hands of a Tory Council. For the next ten years the St. John's Municipal Council remained a mere adjunct of the colonial government, used and manipulated by it at will. Only in 1902 would St. John's end its long apprenticeship and obtain a fully elected governing body. The city's constitutional vicissitudes afford an important new insight into the unique political culture which developed in Newfoundland in the nineteenth century. In effect, this was a culture in which traditional personal and family loyalties were strong and institutional arrangements weak. In such a situation, patronage considerations weighed heavily in government decisions; so too did the wishes of the merchant elite. Attempts to initiate change, for example to reform the institutional arrangements, proved exceedingly complex with matters of principle subordinated to political calculations.

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16. House of Assembly, Debates, April 20, 1885, in Advocate, June 27, 1885.
17. Ibid.
18. See Chapter two of the author's "The Government of St. John's, Newfoundland, 1888-1902," unpublished M.A. thesis, Memorial University, 1976 for the background to the colonial government's attempts to incorporate St. John's between 1885 and 1888.
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20. House of Assembly, Debates, March 11, 1886 and May 6, 1887 in Mercury, March 15, 1886 and May 11, 1887 respectively.
21. Legislative Council, Debates, March 29, 1898 in Daily News, April 26, 1898.
22. Colonist, January 10, 1888.
23. Ibid., February 24, April 21, 1888.

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26. House of Assembly, Debates, April 16, 23, 24, 1888, in Mercury, April 25, 1888; Telegram, April 25, 26, 1888.
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29. Legislative Council, Debates, May 9, 1890 and May 23, 1892 in Telegram, May 13, 1890 and June 10, 1892 respectively.
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31. Colonist, October 12, November 12, 1888.
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43. Telegram, June 12, 1890.
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