

## Politics, patronage and scandal at the Provincial Lunatic Asylum, 1848-1857

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Résumé de l'article

Le favoritisme érigé en système existait, au milieu du 19<sup>e</sup> siècle, au sein de l'Asile provincial d'aliénés de l'ouest du Canada. C'est ainsi que l'homme politique John Rolph put nommer l'un de ses protégés, le Dr Joseph Workman, directeur de cet institution médicale. Cependant, pendant la même période, le système de népotisme était remis en question au profit d'un nouveau type de nominations des fonctionnaires fondé sur le mérite plutôt que sur les relations politiques personnelles. Georges Brown, politicien et journaliste, était l'un de ceux qui soutenaient cette nouvelle politique, et il critiqua sévèrement la nomination de Workman, un exemple caractéristique selon lui de favoritisme politique. Les deux hommes partageaient pourtant l'idéal du Parti réformiste et étaient convaincus de la nécessité de réformer le système d'aide aux aliénés; mais leur antagonisme croissant se nourrissait aussi bien des oppositions entre différentes factions à l'intérieur du parti que de celles entre deux fortes personnalités aux caractères absolus. Leur dispute atteint son apogée lors du procès bien connu Workman contre Brown qui s'ouvrit en 1857. Une analyse de cette dispute révèle les nombreuses divisions entre les réformistes durant cette période.

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olitics, patronage  
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the Provincial  
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Asylum,  
1848-1857<sup>1</sup>



by Joseph Dunlop

In February of 1857 the *Toronto Globe* published a series of serious accusations directed against Dr. Joseph Workman, medical superintendent of the Provincial Lunatic Asylum. The allegations were penned by one James Magar, a former porter at the asylum. Magar's letter was printed without editorial comment. Nevertheless, Workman was certain that the *Globe's*

proprietor, George Brown, had published the letter because of a long standing rivalry that existed between the two men. Brown claimed that he had simply published the letter out of a concern for the public good.

Workman announced his intentions to sue Brown for libel. In a letter to the radical politician and newspaper editor William Lyon Mackenzie, Workman at-

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<sup>1</sup> This paper owes its existence to the generosity of the Friends of the Archives at the Centre for Addiction and Mental Health, who provided me with a Hewton Memorial Bursary in 2005. I would like to thank John Court, archivist at the CAMH, for his guidance and suggestions. An anonymous reader from *Ontario History* provided excellent criticism and suggestions, as did Tory Tronrud, the editor of *Ontario History*, who very patiently helped transform this essay into something readable. Thanks also to Julie Gilmour for her helpful insights, and to Professor Mark McGowan for his invaluable assistance in revising this article for publication. Finally, much appreciation is owed to Professor Dennis Duffy for his proof reading, patience, advice, and many other kindnesses.

## Abstract

*In the mid-nineteenth century, Canada West's Provincial Lunatic Asylum sat at the heart of a system of patronage. It was this system of patronage that allowed the politician John Rolph to secure the position of Asylum Medical Superintendent for his protégé, Dr. Joseph Workman. However, this same period also witnessed the beginning of a shift away from patronage-based appointments towards a new style of civil service characterized by expertise rather than political or personal connections. Among those who supported this new ideal was the politician and journalist George Brown, who heavily criticized Workman's appointment as an example of political patronage. Yet, the antagonism that continued to escalate between Brown and Workman owed its genesis not only to Brown's ideals, but was also fueled by the considerations of party factionalism as well as by the clash of two strong personalities. Their feud would reach its climax in the heavily publicized 1857 libel suit, *Workman v. Brown*. Sharing a common devotion to the Reform party and to lunacy reform, an examination of the feud between Brown and Workman reveals the many schisms that could divide Reformers during this period.*

**Résumé:** *Le favoritisme érigé en système existait, au milieu du 19e siècle, au sein de l'Asile provincial d'aliénés de l'ouest du Canada. C'est ainsi que l'homme politique John Rolph put nommer l'un de ses protégés, le Dr Joseph Workman, directeur de cet institution médicale. Cependant, pendant la même période, le système de népotisme était remis en question au profit d'un nouveau type de nominations des fonctionnaires fondé sur le mérite plutôt que sur les relations politiques personnelles. Georges Brown, politicien et journaliste, était l'un de ceux qui soutenaient cette nouvelle politique, et il critiqua sévèrement la nomination de Workman, un exemple caractéristique selon lui de favoritisme politique. Les deux hommes partageaient pourtant l'idéal du Parti réformiste et étaient convaincus de la nécessité de réformer le système d'aide aux aliénés; mais leur antagonisme croissant se nourrissait aussi bien des oppositions entre différentes factions à l'intérieur du parti que de celles entre deux fortes personnalités aux caractères absolus. Leur dispute atteint son apogée lors du procès bien connu Workman contre Brown qui s'ouvrit en 1857. Une analyse de cette dispute révèle les nombreuses divisions entre les réformistes durant cette période.*

tacked Brown in a torrent of sarcastic invective:

George Brown knows all about insanity and its treatment. He knows all about the structure & management of asylums. He never (in my time) had his foot in the asylum, but he is well posted up in all of its details, wants, peculiarities, & faults. Why not, seeing that he has such clever tutors as James Mager [*sic*]...?<sup>2</sup>

Workman's critique of Brown is

somewhat ironic, as it echoes similar criticisms expressed by Brown's *Globe* some years earlier concerning Workman's own lack of experience in the treatment of the insane: "We acknowledge Dr. Workman to be a man of talent, of good acquirement and able to discharge the duties of a general practitioner as well as most of his compeers. But these are not sufficient for the purpose [of running the asylum]."<sup>3</sup> Work-

<sup>2</sup> Archives of Ontario (hereafter cited as AO), Mackenzie-Lindsey Papers (MLP), Joseph Workman to W.L. Mackenzie, 2 March 1857.

<sup>3</sup> *Globe*, 3 April 1854, editorial: "The Lunatic Asylum."

man would be venerated by the end of his career as the ‘Nestor of Canadian Specialists’ and is remembered today as the major reformer in the treatment of the mentally ill in nineteenth-century Canada.<sup>4</sup> Yet at the time of his appointment, Workman was no expert in the treatment of the mentally ill. He was a patronage appointee who owed his job to his connection with the Reform politician, Dr. John Rolph. His appointment would draw strong criticism from Brown.

Though the use of political patronage was still prevalent during this period, the mid-nineteenth century began to see a gradual shift away from the use of patronage in the appointment of government officials and civil servants in Britain, the United States and Canada.<sup>5</sup> In Canada West, George Brown was a leading proponent of such reform, advocating ‘expertise’ over personal or political connections when it came to making appointments to the province’s penitentiary and asylum.

The 1857 scandal that grew out of Magar’s charges was only one in a long list that went back to the establishment of the temporary Provincial Lunatic Asylum in 1840. Both Thomas Brown and James Moran have examined how

the scandals that plagued the asylum’s first decade grew out of a struggle for the control of the institution, fought between the asylum’s medical superintendents and its board of commissioners.<sup>6</sup> Much of the Magar scandal of 1857 is also grounded in the internal politics of the asylum. Both the Magar scandal and the ones that preceded it were the result of conflicts between the directors of the institution and infighting amongst the staff. Yet these conflicts were also connected to complications caused by patron-client relationships. Much of what occurred in the early years of the asylum is best understood in light of the culture of ‘clientelism’ that strongly marked social and political relationships in Canada during the first half of the nineteenth century. The scandals that shook the asylum between 1848 and 1857 provide a case study in which to observe the workings of patronage, factionalism and personal hostility.

Like many other public institutions of the nineteenth century, the Provincial Lunatic Asylum sat at the heart of a system of political patronage. Both S. F. Wise and Carol Wilton-Siegel have observed the value that clientelism and patronage played in the building of the Conservative party in nineteenth-cen-

<sup>4</sup> Thomas Brown, “Workman, Joseph,” *Dictionary of Canadian Biography* [hereafter DCB], Vol. XII (Toronto: University of Toronto Press, 1990), 1126.

<sup>5</sup> E. N. Gladden, *A History of Public Administration* Vol. 2 (London: Cass, 1972), 307-19. J.M.S. Careless, *The Union of the Canadas* (Toronto: McClelland and Stewart, 1967), 219-21; J.E. Hodgetts, *Pioneer Public Service* (Toronto: University of Toronto Press, 1956), 53, 279.

<sup>6</sup> Thomas Brown, *Living With God’s Afflicted: A History of the Provincial Lunatic Asylum at Toronto, 1830-1911*. (PhD. Diss., Queen’s University, 1980) courtesy of the Archives for the Centre for Addiction and Mental Health, Toronto; James Moran, *Committed to the State Asylum: Insanity and Society in Nineteenth-Century Quebec and Ontario* (Montreal: McGill-Queen’s University Press, 2000).

tury Upper Canada. This lesson was not lost upon their Reform opponents who came to prominence after the union of the Canadas. As Wise notes "It is true that the reformers of the 1840s and 1850s did much to regularize public administration, and to rid the structure of local government of many of its more spectacular abuses." However, the Reformers also utilized the Tory tactics of using patronage to cement together parties. Indeed, they "played the same game as intensely, and perhaps more skillfully, than had their conservative teachers."<sup>7</sup> Mid-nineteenth-century Canada West was a highly politicized community in which the battle for power and influence was waged on every turf, from education to religious freedom to correctional institutions. Powerful patrons sought to consolidate their positions and reward the loyal by finding positions and offices for clients and protégés.

It was through the patronage of Dr. John Rolph, a powerful member of the Canada West Reform establishment, that Workman began to play a role in the affairs of the asylum. As a teacher in Rolph's medical school, Workman was involved in the battle for professional dominance that was fought between Toronto medical schools in the mid-nineteenth century. It was Rolph's influence that would eventually secure Workman the post of Asylum Medi-

cal Superintendent in 1853. And it was Rolph's own ambitions that would lay the groundwork for the enmity that arose between Workman and George Brown.

Initially political opponents, Workman and Brown developed a deep personal dislike for one another as the years passed. The reputations and careers of both Workman and Brown stood at stake during the 1857 libel suit, and the stubbornness shared by the two men prevented either one from bending or giving ground. It was perhaps inevitable, considering the involvement of both men in public affairs, that the antagonism between Workman and Brown would reach a climax in a heavily-publicized trial over a public institution.

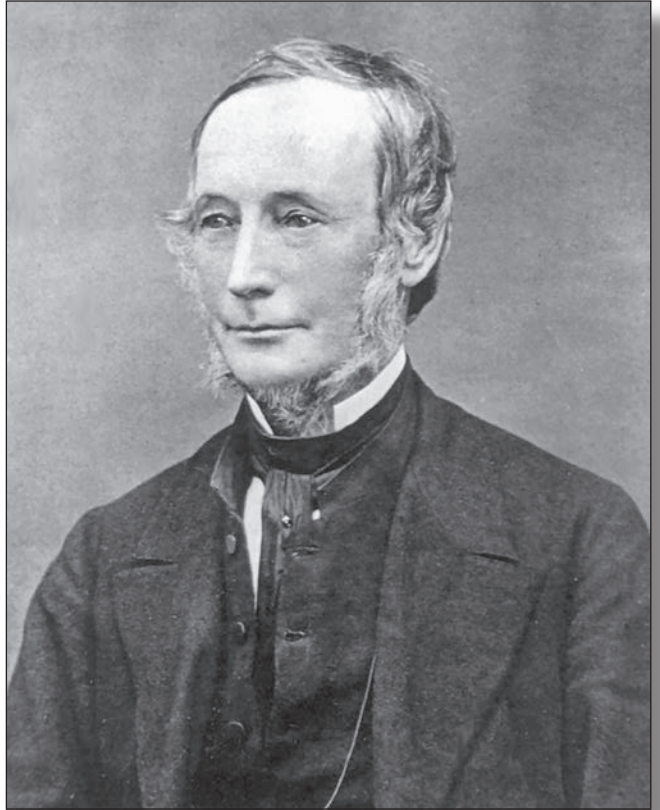
## II.

Workman was an industrious and successful Irish immigrant who had received a degree in medicine from McGill University in 1835, and had then come west to Toronto to take charge of a hardware store in 1836. He prospered in the hardware business, and became involved in the Toronto Board of Trade. He also became involved in local politics as an active supporter of the Reform party. From the late 1840s onwards he built up solid Reform credentials as a city alderman, by serving on a Royal Commission of Inquiry into

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<sup>7</sup> S.F. Wise, "Upper Canada and the Conservative Tradition" in *God's Peculiar Peoples: Essays on Political Culture in Nineteenth-century Canada* (Ottawa: Carleton University Press, 1993), 179. Carol Wilton-Siegel, "Administrative Reform: A Conservative Alternative to Responsible Government" *Ontario History* 78:2, (1986), 105-25.

*The official photographic portrait of Dr. Joseph Workman (1805-1894), justifiably renowned as the pioneering second Medical Superintendent of the Provincial Asylum in Toronto (now the Queen Street Site of CAMH), from 1853 to 1875. The Joseph Workman Auditorium at Queen Street was named in his honour at its official opening in 1979, the Workman Theatre Project was launched in 1989-91, and the Joseph Workman Parkette is now a neighbouring community playground. Photo print courtesy of the Archives, Centre for Addiction and Mental Health, Toronto (hereafter CAMH), Griffin-Greenland fonds, photo file 367.*



the Affairs of King's College, and through his involvement in the new common school system.<sup>8</sup> Workman was also active in the Reform press. His articles regularly appeared in two newspapers, including the *Toronto Mirror*.<sup>9</sup> According to William Canniff, an associate of both Workman and Dr. John Rolph, Workman was "a tower of strength to the Reform party, of which he was an ardent member."<sup>10</sup>

Canniff records that Workman was recruited by Rolph to join the Toronto School of Medicine.<sup>11</sup> In 1846, Workman retired from the hardware business and began lecturing at Rolph's school.<sup>12</sup>

Workman and Rolph shared a common interest in politics and medicine, and Workman would find in Rolph both a medical and a political mentor.

John Rolph had himself only been back in Canada for three years. In the 1830s, he had stood alongside Robert

<sup>8</sup> Christine Johnston, *The Father of Canadian Psychiatry: Joseph Workman* (Victoria: Ogden Press, 2000), 31-40.

<sup>9</sup> For Workman's involvement with the *Mirror*, see: Duncan Campbell. *Inquest on Mary Boyd, held at Provincial Lunatic Asylum, Toronto 5<sup>th</sup> and 6<sup>th</sup> of May, 1868: evidence and correspondence in full: with comments of the Toronto Press*. (Toronto: [s.n.] 1868), 14; for his involvement with the Reform press, see William Canniff, *The Medical Profession in Upper Canada, 1783-1850: an historical narrative with original documents relating to the profession, including some brief biographies*. (Toronto: W. Briggs, 1894; courtesy of the CAMH), 671.

<sup>10</sup> Canniff, *The Medical Profession*, 671.

<sup>11</sup> *Ibid.*, 671.

<sup>12</sup> Brown, "Workman, Joseph," 1123; *Mirror*, 2 October 1846, editorial: "Toronto School of Medicine."

Baldwin and William Lyon Mackenzie as one of Upper Canada's most prominent Reformers and an ardent opponent of the Tory Family Compact. Though Rolph had always been associated with the moderate Reform espoused by Baldwin, when Mackenzie's rebellion failed in the fall of 1837, Rolph was among those involved. Although historians are still unsure of the extent of his role in the uprising, Rolph was evidently complicit enough to necessitate a flight to the United States, where he lived in exile until a general amnesty allowed him to return to Canada in 1843.

Once home, Rolph began to repair his fortunes. He founded the Toronto School of Medicine as a rival institution to the medical faculty of King's College, the state endowed university. He also reestablished his political connections, becoming one of the leaders of the Clear Grits, a radical Reform faction that became increasingly powerful after the 1848 re-election of the moderate Reform Baldwin-Lafontaine Ministry.<sup>13</sup>

The Clear Grits were a mixture of older, Rebellion-era radicals, and younger, ambitious reformers. The rise of the Grits became a cause for alarm for many Reformers, especially those,

like George Brown, who supported the Ministry. Brown's *Globe* served as the ministry's official journalistic mouthpiece, and the Grits' constant criticisms of the ministry threatened to drive a rift wide enough in the ranks of Reform to bring down the government.<sup>14</sup>

It seems likely that Workman's loyalties lay closer to Rolph's faction, rather than the Clear Grit cause itself. Workman remained loyal to Rolph when the Grit faction began to turn against him in the 1850s, furnishing his employer with advice on how to handle the Grit press.<sup>15</sup> Not simply functioning as a wing of the Clear Grits, Rolph's faction sought to increase their own prestige and influence within the medical as well as the political sphere. During this period, teachers at the rival medical schools constantly vied against one another for professional ascendancy. Workman proved a fiery advocate for Rolph's Toronto School of Medicine when he served on the Medical Board of Upper Canada. The board was dominated by members of the older, conservative medical establishment, and tended to look unfavourably upon Rolph's students when they applied for their medical licenses.<sup>16</sup> Other members of Rolph's staff would be involved in

<sup>13</sup> G.M. Craig, "Rolph, John" *DCB*, Vol. IX (Toronto: University of Toronto Press, 1976), 683-89; see also Marion Patterson, "The life and times of the Hon. John Rolph, M.D.," in *Medical History* 5:1 (Jan. 1961), 15-33.

<sup>14</sup> J.M.S. Careless, *Brown of the Globe, Vol. I: The Voice of Upper Canada 1818-1859* (Toronto: Macmillan, 1959), 104-11.

<sup>15</sup> *W.T. Aikens Papers* #12, (Academy of Medicine Collection, Thomas Fisher Rare Book Library, University of Toronto) [AMC], Joseph Workman to John Rolph, 20 September 1852.

<sup>16</sup> Charles Godfrey, *John Rolph: Rebel With Causes* (Madoc: Codam Publishing, 1993), 205; Johnston, *Father of Canadian Psychiatry*, 30.

feuds over the use of the Toronto General Hospital, an establishment that seems to have been dominated by the medical faculty of Trinity College, the creation of Rolph's old adversary, the archtortory John Strachan.<sup>17</sup>

S.J.R. Noel identifies a general culture of 'clientelism' in nineteenth-century Upper Canada: "a *pattern* of patron-client relationships that is woven into the total fabric of the community, and whose political effectiveness and durability are all the greater precisely because it is *not* exclusively political."<sup>18</sup> Clientelism was therefore not simply part of the political system, but an integral part of the Canadian social system that naturally marked the political life of the province. Patron-client relationships, based on mutual obligations, helped cement together Canadian society.<sup>19</sup> Clientelism "was long assumed to be a normal part of the political process *because it was a normal part of practically everything else.*"<sup>20</sup>

The activity of Rolph's faction accord with Noel's definition of a patronage network whose activities encompassed politics, but was not exclusively political. In the 1840s and 1850s, Rolph was able to use both his students and fellow teachers at the Toronto Medical School to try to achieve a kind of hegemony over the Toronto medical com-

munity. As one of Rolph's protégés, Workman was involved in this effort. It was his relationship with John Rolph that would draw Workman into the conflicts that surrounded the Provincial Lunatic Asylum.

### III.

**I**n the late 1840s and early 1850s, Dr. John Rolph played an increasingly prominent role in the affairs of the Provincial Lunatic Asylum. He became involved in a struggle for control over the institution that was fought between the asylum's board of commissioners and its medical superintendents. The struggle was also one between two competing personal interests, that of Rolph and that of the Rev. John Roaf, an asylum commissioner. Both men had relatives whom they wished to see appointed to the position of medical superintendent of the asylum.

According to Canniff, Rolph first became embroiled in the politics of the asylum when he secured the dismissal of the medical superintendent, Dr. Walter Telfer.<sup>21</sup> Thomas Brown notes that this assertion has not been proved by direct evidence, but admits that it is a possibility.<sup>22</sup> What is well documented is that Telfer had clashed with the board of commissioners who oversaw

<sup>17</sup> Patterson, "Life and Times," 28.; see also Jacalyn Duffin, "In View of the Body of Job Broom: A Glimpse of the Medical Knowledge and Practice of John Rolph," *Canadian Bulletin of Medical History*, 7 (1990), 9-30 (courtesy of the CAMH).

<sup>18</sup> S.J.R. Noel, *Patrons, Clients, Brokers* (Toronto: University of Toronto Press, 1990), 14.

<sup>19</sup> *Ibid.*, 13-14.

<sup>20</sup> *Ibid.*, 15.

<sup>21</sup> Canniff, *The Medical Profession*, 648.

<sup>22</sup> Brown, *Living With God's Afflicted*, 123.





*Dr. John Rolph (1793-1870) was a controversial Upper Canada reform movement politician and proprietary medical educator. Photo print from the John Ross Robertson Collection, Baldwin Room, Toronto Reference Library, courtesy of the Archives, CAMH.*

the asylum, and had been dismissed by the government at the board's request in the spring of 1848. Telfer's predecessor, Dr. William Rees, had also been engaged in a similar conflict with the board, and had been discharged due to injury before he could be dismissed.

James Moran has demonstrated that the successive battles fought between the asylum commissioners and medical superintendents arose out of contesting visions about their respective roles in governing the institution. The 1839 leg-

islation that established the asylum placed the new institution under the control of a board of commissioners appointed by the government. These commissioners would be ultimately responsible for the running of the institution. To that end they were charged with drafting regulations for the management of the asylum, and for the hiring of all asylum employees, including the medical superintendent.

The men appointed to the board of commissioners were gentlemen of social standing and local prestige. Among the first commissioners were W.B. Jarvis, sheriff of the Home District and a prominent businessman, as well as the Honourable R.S. Jameson, a judge, member of the Legislative Council, and local patron of the arts and letters.<sup>23</sup> Later commissioners would include George Gurnett, the mayor of Toronto; prominent businessman William McMaster; the Honourable John Elmsely, a politician, businessman and major Catholic philanthropist; and Dr. Christopher Widmer, a leader of the Toronto medical community and a personal friend of John Rolph's.<sup>24</sup>

<sup>23</sup> Moran, *Committed to the State Asylum*, 50. Robert J. Burns, "Jarvis, William Botsford," *DCB*, Vol. IX, 411-12; Blackwell, John D., "Jameson, Robert Simpson," *DCB*, Vol. VIII, 426-27.

<sup>24</sup> *Globe*, 29 January 1850, "The New Asylum Commissioners." In Collaboration, "McMaster, William," *DCB*, Vol. XI, 574-78; Henri Pilon, "Elmsley, John," *DCB*, Vol. IX, 236-42; Paul Romney, "Widmer, Christopher," *DCB*, Vol. VIII, 931-35.

Moran observes that

As the ultimate authorities over a large public institution, the commissioners saw in their privileged positions many opportunities for increased political and financial leverage through the strategic dispensation of patronage. The asylum superintendents, in contrast, appear to have embraced an understanding of their role as regulators of insanity through the mechanisms of the state institution over which they presided – an understanding more closely tied to the newer philosophy of the state institution.<sup>25</sup>

When these contrasting understandings of the asylum initially clashed, it was the medical superintendents who were the losers. In the end, the board of commissioners had been granted authority over the asylum, and the medical superintendents could be dismissed if the commissioners wished it.

With Dr. Telfer's dismissal looming, the Rev. John Roaf, a member of the board of commissioners, wrote privately to the provincial secretary. In this letter Roaf requested that his son-in-law, Dr. John Scott, be appointed to the post of medical superintendent.<sup>26</sup> However, the post went not to Scott, but to a Dr. George Park. Park had been one of Rolph's students, taught at one time at Rolph's school, and married Rolph's sister. Canniff ascribes the appointment to Rolph's influence.<sup>27</sup> Park was installed as superintendent of the temporary Provincial Lunatic Asylum, which was

housed in the old Home District jail while the permanent building was undergoing construction on Queen Street West. Both Park and Rolph would run into conflict with the asylum commissioners and their Chairman *pro tem*, the Rev. John Roaf.

In August of 1848 Rolph took over Park's post temporarily while his brother-in-law was away from the asylum on business. During this time, Rolph suspended a keeper named Hungerford for disobedience and for attempting to create dissension amongst the officers of the asylum. However, Hungerford appealed to the commissioners, who reinstated him. The conflict grew upon Park's return to the asylum. Park suspended Hungerford again, and had Hungerford turned out of the building when he returned with instructions from the commissioners to stay.<sup>28</sup>

At the heart of the matter was the question of who held ultimate authority over the internal governance of the asylum: superintendent or commissioner? Under the 1839 Act that established the asylum, the board had been empowered with the duty of hiring and dismissing servants. However, this arrangement made it impossible for the superintendent to supervise and enforce order upon the servants and keepers of the institution, leaving the patients open to the worst kind of neglect and abuse.<sup>29</sup>

<sup>25</sup> Moran, *Committed to the State Asylum*, 53.

<sup>26</sup> *Ibid.*, 57.

<sup>27</sup> Canniff, *The Medical Profession*, 554-55.

<sup>28</sup> Moran, *Committed to the State Asylum*, 59-60.

<sup>29</sup> Brown, *Living With God's Afflicted*, 129-30.

In Park's own words: "The unfortunate inmates of this institution appear to be made a matter of secondary consideration to that of a paltry patronage to keepers and servants, rigorously exercised by the Commissioners."<sup>30</sup> Park also asserted that the commissioners had been utilizing their positions to acquire food and supply contracts for friends and relatives, to the detriment of the patients themselves. By the fall of 1848, Park had responded to the board's attempts to control the asylum through the "paltry patronage" of its domestic staff by firing all the attendants and turning to the police to assist in governing the asylum.<sup>31</sup> Within a few weeks the whole matter began to spill over into the province's newspapers.<sup>32</sup> James Lesslie, editor of the Grit *Examiner*, rushed to defend Park, who was an old supporter of radical Reform.<sup>33</sup>

What emerged in the press was a complex web of recrimination, insinuation and blame.<sup>34</sup> Accused by the *Examiner* of taking up a position "wholly incompatible with the proper power and authority of the Medical Superintendent," the Rev. John Roaf, chairman *pro tem* of the commissioners, inserted an anonymous attack on Park in the editorial columns of George Brown's *Globe*. The article also hinted that Park had attempted to hire a keeper who would be able to obtain a dead body for a "Lecturer in a Medical School....," an obvious allusion to Rolph. Park responded to the accusations in his own letter to the *Globe*, beginning an exchange between himself and the Rev. Roaf that would continue throughout the month of December.<sup>35</sup>

The Toronto *Mirror*<sup>36</sup>, another Reform journal, derided Roaf for his in-

<sup>30</sup> Quoted in Brown, *Living With God's Afflicted*, 126.

<sup>31</sup> Moran, *Committed to the State Asylum*, 59-62.

<sup>32</sup> *Mirror*, 1 December 1848, editorial: "The Lunatic Asylum"

<sup>33</sup> For Park's reform affiliations, see Careless, *Brown of the Globe*, 105-6.

<sup>34</sup> Much of the press coverage centered on an incident in September in which a patient at the asylum had lost his sight when his eyes were mutilated by another patient "in a very excited state" who was sharing his cell. The scandal seems to have revolved around whether or not Park had instructed the asylum keepers "not to permit more than one excited patient in one cell at the same time," and then whether or not the superintendent had attempted to conceal the incident from the commissioners. See: *Globe*, 29 November, 1848, editorials: "The Lunatic Asylum" and "Presentment on Lunatic Asylum"; see also, Brown, *Living With God's Afflicted*, 126-27.

<sup>35</sup> *Globe*, 22 November 1848, editorial: "Lunatic Asylum." In the *Globe* of 29 November 1848, Park revealed that Roaf had been responsible for the letter's publication. In the *Globe* of 2 December 1848 Roaf admitted to inserting the article, but ascribed its authorship mainly to a fellow commissioner, Dr. Beaumont, and stated that the letter "was adopted by the whole Board, which body, therefore, is to be considered as its author."

<sup>36</sup> It is noteworthy that Workman did, for a period, serve on the *Mirror* as editor. However, ascertaining the exact period during which Workman served as the newspaper's editor presents difficulties, as the *Mirror's* editorial columns were often written anonymously. Jon Tomas Rowland has suggested that Workman was editor of the *Mirror* whilst the Park scandal unfolded. There is some evidence to support this. During Workman's years as an alderman from 1847-49, the *Mirror's* editorial page often

situations about Rolph: "...we cannot but regard it as a paltry attempt to annoy a medical teacher whose abilities are well known to stand in the way of a certain class of the profession in this place." The article ended by suggesting that Roaf held a grudge against Park for being appointed to the position that his son-in-law, John Scott, had applied for.<sup>37</sup> Throughout December, the *Mirror* was persistent in its ridicule of Roaf, accusing the board of commissioners of "preferring star chamber charges against an officer of a liberal government....," and scoffing at Roaf's protestations that he held no personal ill will towards Park.<sup>38</sup>

However, despite the best efforts of the *Mirror* and the *Examiner*, the government, at the request of the board of commissioners, dismissed Park. Angered by the decision, the Toronto *Mirror* suggested that Roaf's son-in-law, Dr. Scott, would be appointed once the asylum was moved into its permanent quarters on Queen Street West, and the

interim superintendent, Dr. Primrose, was relieved of his duties.<sup>39</sup>

The *Mirror* was not the only Reform journal to raise ire against the government's decision. The response of the Grit press was so intense that George Brown felt it necessary to defend the ministry's actions in the *Globe*. Brown admonished radical Reformers for threatening to divide the party, to point of declaring a want of confidence in the Reform Ministry, over such an issue. "We have now taken up the case," Brown stated, "unsolicited either by Government or Commissioners, or any person connected with them, from a thorough conviction that the Government has acted both rightly and impartially, and with all forbearance to Dr. Park." He argued that the board of commissioners had acted in accordance with the powers granted them by legislation, and that Park had stepped out of his bounds by attempting to usurp those powers.<sup>40</sup> The *Globe* continued to

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described the doings of Alderman Workman in a near-heroic light. To quote one of many examples, the *Mirror* of 22 December 1848 notes that Alderman Workman will run for reelection in St. David's Ward. "Dr. Workman," the editor writes, "had signified his desire to withdraw from the Council; but having been called upon by a very large body of requisitionists, he has consented to stand again for the Ward, and will not be opposed, because opposition is useless." As well, Rowland has observed that sections of an editorial entitled 'Asiatic Cholera', which appeared in the issue of 29 September 1848 are identical to a piece Workman published in the *Canada Lancet* in 1883, entitled 'Reminiscences of the Asiatic Cholera'. (See: Jon Tomas Rowland, *Troping the Asylum*, (Toronto: 1999), 5; *Mirror*, 29 September 1848; see also Joseph Workman, "Reminiscences of Asiatic Cholera in Canada," *The Canada Lancet*, Vol. XVI, No. 2, Oct. 1883.)

It is possible, then, that Workman served as the *Mirror*'s editor during the Park scandal. If so, it would explain the *Mirror*'s constant support of Park and Rolph, and provide an interesting perspective on another way that Workman, as a protégé, was able to serve his mentor, Rolph.

<sup>37</sup> *Mirror*, 1 December 1848, editorial: "The Lunatic Asylum."

<sup>38</sup> *Mirror*, 15 December, 1848, editorial: "The Lunatics Again."; see also the *Mirror*, 22 December 1848, editorial: "The Lunatics Again."

<sup>39</sup> *Mirror*, 5 January 1849, editorial: "Dr. Parke's [*sic*] Dismissal from the Lunatic Asylum."

<sup>40</sup> *Globe*, 13 January 1849, editorial: "The Lunatic Asylum Case."

defend the ministry throughout January, becoming embroiled in a month long dispute with the Grit newspaper, the *Examiner*.<sup>41</sup>

The *Mirror* also joined the fray, attacking Brown for refusing to attempt to prevent Park's dismissal, as well as for acting as an unthinking party organizer. The *Mirror's* editor wrote:

It is very edifying, indeed, to the old, long tried, and long suffering members of this party, to be lectured by a piece of self-ish humbug such as the *Globe*, about the impropriety of 'mixing up' certain appointments 'with political considerations' and 'recalling long forgotten transactions.'

In a criticism that echoed sentiments expressed by the *Examiner*, the *Mirror* disparaged Brown as a latecomer to the Reform movement, one who did not suffer the physical dangers that older Reformers faced in the days when the movement was not so powerful.<sup>42</sup>

As January turned to February, press coverage of the affair dwindled as attention was devoted elsewhere. The Park scandal had served as a very public reminder of the growing divisions between radical and ministerial Reformers. It had also been a blow to Rolph's faction, an illustration of the limits of Rolph's influence. Rolph and his brother-in-law had been defeated; Roaf and

the commissioners who had supported him had emerged triumphant. Yet changes in the Canadian political scene were underway, changes that would place Rolph in a position once again to challenge Roaf. Joseph Workman would play a role in the second stage of this conflict, and benefit from Rolph's ultimate victory.

#### IV.

On 26 January 1850 the permanent Provincial Lunatic Asylum was opened on Queen Street West.<sup>43</sup> The *Globe* published an editorial, expressing high hopes for the future of the institution. George Brown outlined his idea of the perfect superintendent: a generous, paternal figure, and above all a medical man "who knows the diseases of the mind, and how to deal with them...."<sup>44</sup> Brown was insistent that professional expertise and experience should be the most important criteria in the search for the new superintendent. He urged the government to look outside the country, if necessary, for a doctor with these qualifications.<sup>45</sup> This drew the ire of several rival newspapers, which accused Brown of being unpatriotic. However, he held his ground, insisting that, though Canada had many competent doctors, "the treatment of insanity is a science by itself."<sup>46</sup>

<sup>41</sup> See *Globe* of 17, 24, 27 January.

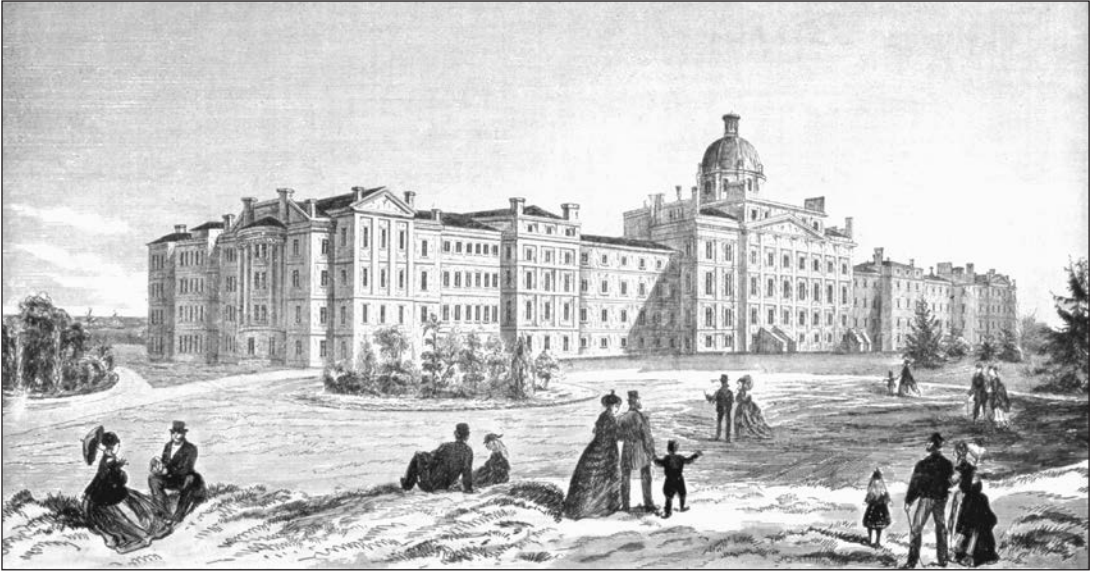
<sup>42</sup> *Mirror*, 12 January 1849, editorial: "Wha [*sic*] Wants Me?"; on the *Examiner's* attack on Brown, see Careless, *Brown of the Globe*, 105-6.

<sup>43</sup> Brown, *Living With God's Afflicted*, 150.

<sup>44</sup> *Globe*, 2 February 1850, editorial "The Lunatic Asylum."

<sup>45</sup> *Globe*, 29 January 1850, editorial, "The New Asylum Commissioners."

<sup>46</sup> *Globe*, 7 February 1850, editorial: "The Asylum Superintendent."



*An unknown artist's interpretation of people enjoying the landscaped grounds of the Provincial Asylum in Toronto, opened in 1850. Ink drawing published in the Canadian Illustrated News, 1:29, 21 May 1870, page 456, courtesy of the Archives, CAMH.*

In pre-Rebellion Upper Canada, lunacy and penal reform were issues championed by many of the same individuals.<sup>47</sup> This continued to be the case during the period that saw the establishment of the Provincial Lunatic Asylum at Queen Street. Brown's interest in the asylum is linked with his famous involvement with the Provincial Penitentiary, near Kingston. In 1848, Brown was made secretary of the commission charged with investigating abuses at the penitentiary, a subject on which the *Globe* had already been active. Brown took the job seriously, touring

penitentiaries in the United States, and developing an expertise in the subject that would allow him to make recommendations on penitentiary reform, and would eventually garner him an appointment as a prison inspector.<sup>48</sup>

Brown drew parallels between prison and lunacy reform. One of his major concerns with both the penal system and with the new asylum was that these institutions were used as vehicles for patronage. Warden Smith of the Provincial Penitentiary, whose infamous record Brown had helped expose to the public, had been a patronage appoint-

<sup>47</sup> Rainer Baehre, "Imperial Authority and Colonial Officialdom of Upper Canada in the 1830s: The State, Crime, Lunacy, and Everyday Social Order?" in *Law, Society and the State: Essays in Modern Legal History*, edited by Louis A. Knalpa and Susan W.S. Binnie (Toronto: University of Toronto Press, 1995), 197-200.

<sup>48</sup> Careless, *Brown of the Globe*, 78, 83-85, 101. Brown's involvement in the penitentiary would spark the feud that would dominate his political career: his conflict with John A. Macdonald.

ee by the previous Tory-Conservative government.<sup>49</sup> Brown was anxious that the asylum should not be compromised in a similar fashion. On 28 January 1850, a *Globe* editorial read:

We have repeatedly urged that in filling up that situation [the post of Asylum Medical Superintendent], and the wardenship of the penitentiary, every consideration should be laid aside, whether arising from party or personal attachment, and no persons appointed but those thoroughly experienced in the treatment of the unfortunate inmates of a lunatic institution, and the best modes of prison discipline.<sup>50</sup>

Brown's hopes could hardly have been more poorly matched when the name of the new superintendent was announced. True to the *Mirror's* predictions, Dr. John Scott, Roaf's son-in-law, filled the post. The *Globe*, which had supported the government so strongly during the Park crisis, criticized Scott's appointment heavily, suggesting that nepotism had entered into the decision.<sup>51</sup>

It became apparent soon after Scott's appointment that the scandal and partisanship that had characterized the tenure of his predecessor would continue to grip the asylum. In May of 1850, an attendant, John Coppins, who had resigned when Scott refused to grant him two hours off work to spend time with his dying child, accused Scott of mistreating both staff and patients at the asylum. The board of commis-

sioners, still under the sway of Scott's father-in-law, saw fit merely to censure the new superintendent, but a member of the opposition took up the matter in the Legislative Assembly. Further attention was drawn in the Assembly to the high number of patient deaths that had occurred at the asylum since Scott had taken up his post.

Matters worsened in November when the coffin of an asylum patient was opened before burial when the pall's weight seemed too light for a man's body. It was discovered that the remains had been dissected. When questioned, Scott revealed that he had indeed dissected the patient's body for "anatomical purposes," but denied that it was a regular practice at the asylum. With pressure coming from both the press and some members of the board, Roaf had difficulty preventing Scott's immediate dismissal. However, by a vote of six to five, the board agreed merely to censure Scott. Thomas Brown observes that both Scott and Roaf escaped the scrutiny of the Assembly because the House had been prorogued in August. The House would not sit again until August 1852.<sup>52</sup> By then, the position of Scott and Roaf would be further complicated by the fact that their old adversary, John Rolph, had ascended to the cabinet.

In the years since Park's dismissal, the Clear Grits had gained increasing strength. In June of 1851, Robert

<sup>49</sup> *Ibid.*, 78.

<sup>50</sup> *Globe*, 29 January 1850, editorial: "The New Asylum Commissioners."

<sup>51</sup> For the *Globe's* criticism, see A. W. Rasporich and I.H. Clarke, "Scott, John," *DCB*, Vol. IX, 706.

<sup>52</sup> Brown, *Living With God's Afflicted*, 150-58.



*Dr. John C. Scott (1816-ca.1864) served an acrimonious and wholly regrettable three-year term as the Provincial Asylum's first Superintendent, until allowed to resign in 1853. Scott died mysteriously sometime over the winter of 1864-65 in what the DCB describes as "a macabre end to a macabre career." Photo print from the Library and Archives of Canada, C-10788, courtesy of the Archives, CAMH.*

Baldwin, finally overwhelmed by Grit aggression, announced his resignation. Baldwin's Ontario lieutenant, Francis Hincks, took the helm as the leader of the Canada West wing of the ministry. George Brown, distrustful of Hincks and displeased with the ministry's stand on church-state relations, broke with the government. The *Globe* would no longer serve as the ministerial organ. Hincks desperately needed both the support of the Clear Grit faction and

a new champion amongst the press. Both these goals were achieved when Hincks struck a deal with the Clear Grit William McDougall, who offered the support of his newspaper, the *North American*, in return for Grit representation in the cabinet. John Rolph was one of the two Grits that McDougall demanded a place for in the government's front bench.<sup>53</sup>

In November of 1852, Rolph, now Commissioner of Crown Lands and President of the Council, introduced a bill "for the better management of the Provincial Lunatic Asylum at Toronto." The new bill was designed to end a decade of scandal at the asylum by extending government control over the institution, at the expense of the commissioners. The old board would be dissolved, and was to be replaced by a four-member visiting commission. The powers of the medical superintendent were expanded, including, at long last, the power to hire

<sup>53</sup> Careless, *Brown of the Globe*, 134-40



and dismiss servants.<sup>54</sup>

On 11 June the bill was passed into law. An interim superintendent would be required until the government had chosen a permanent successor to Scott. On 1 July 1853, Rolph appointed Joseph Workman to the post.<sup>55</sup> It was a moment of victory for Rolph and his faction. Since joining the ministry some ten months earlier, Rolph had broken the power of the board, seen both the defeat of Scott and Roaf, and the installation of his protégé as superintendent. Rolph had also seen to the dissolution of the medical faculty of the University of Toronto, his school's rival, by passing a bill through the House that reformed the university.<sup>56</sup>

It did not take long for the political jostling involved in the search for the new permanent asylum superintendent to begin. On 12 July, shortly after Workman's installment as interim superintendent, Brown presented his thoughts on the selection criteria, calling on the government to appoint a man with the proper experience working with the mentally ill. He accused the Clear Grits of planning to restore Dr. Park to the position, and denounced any consideration of political patronage in the appointment process. Brown was particularly suspicious of Rolph, whom the *Globe* and many other Reformers, including the Grits, had come to view

as interested in personal gain rather than Reform principles.<sup>57</sup> The *Globe* declared:

It will be remembered that it was Dr. Rolph who quarreled with the commissioners in so awkward a manner as to cause the dismissal of Dr. Park, and if the latter could be brought back, it would be a triumph for Dissolving Views [Rolph] such as his soul would delight in. This gratification would be only second to that which he derived from turning the University Professors out of their situations on short notice.<sup>58</sup>

However, by November of 1853, Rolph was already planning to install Workman, not Park, as the permanent superintendent. This is evident in a letter written to Rolph by his old friend and colleague, Christopher Widmer, a leader of the Toronto medical establishment. In this letter Widmer warns Rolph that he is needlessly opening himself to criticism from his opponents, including Brown, for his handling of the appointment process. According to Widmer, Workman should, under the new statutes, be resident at the asylum. Workman was apparently not living full-time at the institution. Widmer also pointed out that by failing to advertise sufficiently for applications to the post, Rolph was making it appear as if Workman's appointment was guaranteed. Widmer observed "You will, no doubt, be rudely assailed by Msr. Brown & Co. in neglecting to advertise for a Medi-

<sup>54</sup> Brown, *Living With God's Afflicted*, 158-60.

<sup>55</sup> *Ibid.*, 160-61.

<sup>56</sup> Craig, "Rolph, John," 689.

<sup>57</sup> Craig, "Rolph, John," 688-89; Patterson, 29-30; Godfrey, 199-232.

<sup>58</sup> *Globe*, 12 July 1853, editorial: "The Lunatic Asylum."

cal Superintendent,” and urged Rolph to advertise throughout the province and the United States.<sup>59</sup>

Canniff informs us: “To fill the position thus made vacant by Dr. Scott’s resignation, there was no little manoeuvring and intrigue.” Besides Rolph’s candidate, and the apparent Clear Grit plot to return Dr. Park, the Governor General also had a favored applicant.<sup>60</sup> Yet on 1 April 1854, it was Workman who received the appointment. On the same day, Widmer advised Rolph not to send Workman on a planned tour of professional observation, lest it appear that Rolph had appointed a man with insufficient experience.<sup>61</sup>

Brown was furious. Though Workman would prove himself to be an able superintendent, at the time of his appointment he had no experience in the field of mental illness, the very qualification that Brown saw as the most vital to the job. Why had the Government ad-



*A charcoal pencil portrait of the Hon. George Brown (1818-1880), a Father of Confederation and the founder of The Globe newspaper, by Canadian artist Irma Couvill. Reproduced with the artist's kind permission through courtesy of the Archives, CAMH.*

vertised for the position in America and England, the *Globe* demanded, “when they had it all arranged beforehand, that one of their own creatures, the business partner of a member of the Cabinet, was to receive the appointment!”<sup>62</sup>

There were also political considerations that may have influenced Brown’s view of the appointment. Workman’s association with Rolph and the Clear Grits would have made him one of Brown’s adversaries, for at the time Brown was a committed opponent of the Grits. Brown also disliked and distrusted Rolph deeply. He saw Rolph as a man whose constant striving for position and power undermined the Reform party and the medical community. A year after Workman’s appointment, the constant feuding between Rolph’s school and the medical faculty of Trinity College led Brown to criticize the medical schools for undermining their profession be-

<sup>59</sup> AMC, *W.T. Aikens Papers #90*, Christopher Widmer to John Rolph, 1 November 1853.

<sup>60</sup> Canniff, 672.

<sup>61</sup> Brown, *Living With God's Afflicted*, 162; AMC, *W.T. Aikens Papers #90*, Widmer to Rolph, 1 April 1854.

<sup>62</sup> *Globe*, 3 April 1854, editorial: “The Lunatic Asylum”

fore the public and the world.<sup>63</sup> In 1854, the *Globe* denounced Rolph as “the man who more than any other has betrayed and injured the Reform party,”<sup>64</sup> and described the Doctor as “a sleek visaged man, of low stature, with cold gray eyes and treacherous mouth; lips fashioned to deceive... Deep, dark, designing, cruel, malignant, traitorous....”<sup>65</sup>

For Workman’s part, he seems to have been no great admirer of George Brown. In an 1852 letter to Rolph, Workman refers to Brown as “An unprincipled editor, coming out four times a week, & day after day reiterating the most unblinking falsehoods.” In the same letter, Workman describes himself as one “whom he [Brown] knows to be a bitter opponent....”<sup>66</sup>

Shortly after Workman’s appointment, Brown lashed out against Rolph in the *Globe*, describing his “...naturally vain and proud nature....” and accusing Rolph of having pursued a vendetta against the board of commissioners and Dr. Scott for the injury done to him during the Park scandal. Brown de-

scribed the events leading up to Workman’s appointment:

In entering the Government, the member for Norfolk [Rolph] had in view the remedy of this injury, and he has succeeded in it. He introduced into the Board of Commissioners men who made the doctor [Scott] so uncomfortable, that he was forced to resign, and Dr. Rolph’s partner in the school of medicine, Dr. Workman, has been appointed in his stead.

The article listed other measures Rolph had taken to assure his own gain, including the dissolution of the university’s faculty of medicine, and the reform of the Toronto General Hospital, which allowed Rolph’s own school and students to gain control of the institution. Brown regarded Workman’s appointment as an attempt by Rolph to expand his control of the Toronto medical community. This suspicion was further confirmed when Brown later learned that another teacher at Rolph’s school was to be appointed as the asylum’s consulting physician.<sup>67</sup> Characteristically, Brown’s criticism of Rolph seems to have rested on equal parts principled criticism and personal

<sup>63</sup> *Globe*, 17 August 1855. “Doctors Differing.” See also, *Globe*, 5 September 1855, “Our Medical Schools.”

<sup>64</sup> *Globe*, 10 July 1854. “Election Intelligence.”

<sup>65</sup> *Globe*, 10 July 1854, “Doctor John Rolph.” In addition to this, the *Mirror* had been instrumental in bringing the Catholic vote out against Brown during his first campaign for a seat in the House of Assembly, when he ran against William Lyon Mackenzie in the spring of 1851. Brown had lost, and as his biographer, J.M.S. Careless, notes:

His defeat probably owed quite as much to Clear Grit feeling and Mackenzie’s prestige as it did to the Roman Catholic vote. Nevertheless, when he thought upon results, he saw the last factor as the vital one that had turned the scales against him: and his jubilant enemies took the same stand. (*Brown of the Globe*, 132)

While it is not likely that Workman was still involved with the *Mirror* at the time, it is possible that Brown may still have associated Workman with the agency of his defeat.

<sup>66</sup> AMC, *W.T. Aikens Papers #12*, Workman to Rolph, 20 September 1852.

<sup>67</sup> *Globe*, 3 April, 1854, editorial: “The Lunatic Asylum”

dislike. Harking back to Rolph's role in the rebellion, which Brown ascribed to a grudge Rolph held against the Governor General, the *Globe* warned,

If a desire for vengeance led him [Rolph] into violence and bloodshed, it will far more easily induce him to play the traitor to his constituents and his principles. But let him beware of the day of retribution. The time will come when his cold blooded cruelty will be expiated upon himself.<sup>68</sup>

In response, Workman drafted a letter to the *Globe*, apparently protesting against Brown's claim that only a small number of students attended the Toronto School of Medicine. Brown refused to publish the letter. Workman later described the episode to William Lyon Mackenzie:

Three years ago next month, the *Globe* libeled the Toronto School of Medicine. Brown was not then Dr. Rolph's friend. I was. I sent a respectful communication to the *Globe*, requesting its insertion, in correction of Brown's misstatements. Did the *Globe* give it insertion? Not a bit of it. I called at the office to enquire if it would be inserted. George Brown told me he would not insert it. I asked him to return me the communication. He refused. I asked him by what right he refused. He said the paper once in his hands was no longer mine, but his, and he would keep it. I said it was sent him for insertion in his columns; and when he refused this he should restore to me my paper. He peremptorily, and bullying reiterated his refusal. I said 'Mr. Brown, shall I tell you my opinion as to your refusal to insert my letter.' He said what is it? I replied, you *dare* not.' [*sic*] What said he, I *dare* not! So said I you dare not publish that which

would expose your own falsehood. Good morning Mr. Brown, you are a *gentleman*!

While Brown refused to insert Workman's response in the *Globe*, he did print an editorial admonishing Workman for "getting into a passion about the matter." He reiterated the *Globe's* claim that Rolph's school had only twenty-two students, not forty-two, as Workman claimed. Brown assured his readers,

We have referred to the party on whose information the statement was made, and he still persists that it was essentially correct. He seeks us to challenge Dr. Workman to give the names of the 42 medical students. Of course, we have no right to insist on this from Dr. Workman; we are bound to believe that that gentleman speaks truly. But still, it would be gratifying to have the names.<sup>69</sup>

Both Workman's account of the argument in the *Globe* office, and Brown's sarcastic editorial, indicate that the antagonism between the two men had moved beyond the political. A bitter hostility had arisen between Workman and Brown. This hostility formed the backdrop against which James Magar's accusations would play out, and turned an internal dispute at the asylum into a public confrontation between the doctor and the editor of the *Globe*.

## V.

It was January of 1857 when the commissioners of the Provincial Lunatic Asylum met to investigate a series of charges that had been brought against the asylum steward, George McCul-

<sup>68</sup> *Globe*, 30 March 1854, editorial: "Dr. Rolph's Objects Accomplished."

<sup>69</sup> *Globe*, 3 April 1854, editorial: "The Medical Schools."

lough. Three servants, including one Jane Quinn, and the asylum porter, James Magar, had brought the charges forward. They accused McCullough of having had sexual relations with a patient, Matilda Craney.<sup>70</sup> McCullough was also accused of allowing a male patient named Pearce to wander the female wards unattended, and of allowing the same Pearce to leave the asylum with horse and cart to go into town to buy whiskey and sugar. The commissioners, upon inquiry, dismissed the charges, and Workman dismissed the staff that had made them.<sup>71</sup>

In early February the *Globe* published a letter by Magar, under the heading “Recent Disgraceful and Outrageous Doings at the Provincial Lunatic Asylum.” Magar repeated the charges made against Pearce, and complained that the commissioners had done nothing to remedy the situation. Describing himself

as “the moral sentinel of the Asylum,” Magar accused Workman of screening the steward, and of punishing the servants who had brought the charges against McCullough by dismissing them. He added one final charge: that the nurses, uninformed by Workman that a certain patient was pregnant, had confined the patient in a strait jacket “in the common place of punishment,” and that she had there given birth to a baby.

It is high time [Magar wrote to the editor of the *Globe*] that the public were aware of the villainy, deceit and tyranny existing in our Provincial Lunatic Asylum. Dr. Workman can do anything else than attend to his medical duties. He has been sustained by the present corrupt government from graver charges, and until the moral pestilence of the superintendence stinks in the community he is likely to continue his villainy and outrage.<sup>72</sup>

Both Workman and McCullough

<sup>70</sup> Though James Magar had accused the steward of having sex with a patient, the woman in question, Matilda Craney, was in actuality a servant in the asylum when the scandal broke out. Her story was reported in the *Globe* during the coverage of the trial. Workman had known Craney’s family in Ireland and later in Montreal, and it was he who had arranged for her admittance to the asylum. According to Workman’s counsel, “Her case was not a very bad one, and after being there for some time, she was considered as cured sometime last fall. Dr. Workman, in place of sending her home at once, as her parents were poor, kept her as a servant in the establishment during the winter.” When the steward first came under suspicion, Craney’s actions fell under the close scrutiny of her fellow servants. When Magar made his initial charges, Craney was called to testify at the commissioner’s inquiry. Though noting that it might disturb her mentally, Workman’s counsel believed that she should testify at the libel trial, as long as it was the presiding judge who conducted the examination. “But,” the counsel informed the court in his opening statement, “the wretched excitement has thrown her back once more into the Asylum as a patient.” Each man’s counsel blamed the other side for this occurrence. (*Globe*, 23 April 1857: “The Affairs of the Lunatic Asylum: The Libel Case: Workman vs. Brown.”)

Matilda Craney’s story serves as a reminder that those who paid the immediate cost of the constant machinations and feuding at the asylum were the patients themselves. Whilst Park, Scott and Workman struggled to keep their jobs and their reputations, a former patient like Craney literally fought to keep her sanity.

<sup>71</sup> For the date of the investigation, see: *Globe*, 24 April, 1857: “The Affairs of the Lunatic Asylum: The Libel Case: Workman vs. Brown- The Second Day.”

<sup>72</sup> *Globe*, 11 February 1857. “Recent Disgraceful and Outrageous Doings at the Provincial Lunatic Asylum.”

decided to sue Brown for libel. Brown defended his decision to print Magar's allegations, claiming that the letter "was published on its own merits, without editorial note or comment, and without the slightest personal feeling against your client or any one else."<sup>73</sup> He argued that Magar's charges were grave enough that the public interest demanded they be heard. However, as Workman made clear in a letter to William Lyon Mackenzie, he believed Brown's only object had been to harm his reputation: "He [Brown] inserted the slander because he hated me."<sup>74</sup>

Mackenzie and Workman had corresponded since 1852, discussing political matters and, more recently, Mackenzie's daughter, who had been admitted to the asylum as a patient.<sup>75</sup> Mackenzie wrote to Workman suggesting that he drop the libel suit and pointing out that he had been given the opportunity to respond to Magar's charges in the columns of the *Globe*. However, Workman mistrusted "...Brown's love of truth, and spirit of fair play." He recounted to Mackenzie his clash with Brown three years earlier, when Brown had refused to print Workman's defence of Rolph's school. Workman went on to explain that the threat of published accusations was one he constantly lived with as the asylum superintendent, and that several troublesome

servants, derelict in duty and soon to be dismissed, had threatened him before with such a measure. Workman believed that libel suits were the only way to respond to such action:

If the *Globe* or any other paper throws the columns open to such people, all I have to say is that as I am serving my country and my patients faithfully & fearlessly, I shall seek protection from the laws of my country. Were I an advocate for pistols, or bowie knives, I might take a shorter road.

Workman ended his defence by informing Mackenzie that Magar and Jane Quinn aimed not only at harming his reputation, but that their accusations also threatened his very safety:

I hope you will come again soon. I want to shew you a knife which was last night taken from one of my patients. It is a formidable instrument. What is its history? The man has given us the clue. He confessed, on his knees, to the night watch, that Jane Quinn, the leading witness in Mager's [*sic*] bulletin, told him at Church, the Sunday after I discharged her, that I was a great orangeman and wrote books against the Pope. I had a narrow escape from him the succeeding Monday. I confined him to his ward. There I yesterday saw him pretending to whittle a piece of wood, but eyeing me very strangely. I stepped into the bath-room, beckoned a keeper and had the poor man quietly withdrawn... The knife was got from him, by the night watch. Is my berth a sinecure?<sup>76</sup>

<sup>73</sup> *Globe*, 19 February 1857, editorial: "The Lunatic Asylum: Magar's Charges of Grave Improprieties: Inquiry to be Choked off by a Libel Suit!"

<sup>74</sup> AO, MLP, Workman to Mackenzie, 2 March 1857.

<sup>75</sup> See Johnston, 67-68. See also: Chris Raible, "Your Daughter & I Are Not Likely to Quarrel!": Notes on a Dispute between Joseph Workman and William Lyon Mackenzie," *Canadian Bulletin of Medical History*, II (1994), 387-95 (courtesy of the CAMH)

<sup>76</sup> AO, MLP, Workman to Mackenzie, 2 Mar 1857; see also: AO, MLP, Workman to Mackenzie, 10 March 1857; 19 March 1857.

“Is my berth a sinecure?” Workman may have asked this rhetorical question in reference to the old criticism that he owed his appointment at the asylum to an act of political patronage.

Despite Mackenzie’s pleas to let the matter drop, Workman was determined to go through with the lawsuit, and so on Wednesday, 22 April, the jury began to hear testimony in the case of *Workman vs. Brown*. The trial drew considerable interest from the Toronto press.<sup>77</sup> The plaintiff and the defendant were well known public figures and the amount at stake was large: Workman was suing for £5,000; an amount that Brown’s counsel noted was “something near the value of the whole Institution [the asylum]....”<sup>78</sup>

In his opening address, Workman’s counsel, Adam Wilson, stated that Brown had not properly investigated Magar’s charges before printing them. Wilson observed that the *Globe’s* owner had never visited the asylum, though as a legislator he had been invited to do so. Wilson dismissed the suggestion that Workman could have availed himself of the *Globe’s* columns to defend his good name, arguing that the *Globe* was not a court house and that Workman was under no obligation “to submit himself to the judgment of Mr. Brown....” Wilson also revealed that Brown, through his power as a member of the Legislative

Assembly, had acquired a Parliamentary return of the papers concerning Magar’s charges.

These papers were brought down [said Wilson] but incredible as it may seem, Mr. Brown has never yet inserted them in his newspapers. The Commissioners in these papers declare that the charges are unfounded and untrue, but Mr. Brown has never yet published this.

Brown’s counsel, J.H. Cameron, denied that his client had any wish to ruin Workman and cast doubt on the openness of the commissioners’ inquiry. He explained that Brown had opted not to print the parliamentary return because it contained, amongst other documents, the very letters over which he was being sued for libel. Cameron also maintained that Brown had been motivated only by a concern for the public good and the safety of the asylum inmates.<sup>79</sup>

The trial lasted two days and in that short period the inner workings of the asylum were thrown open to public scrutiny. A long line of witnesses was called, including numerous servants, asylum commissioners, and members of Workman’s own family. Testifying as an expert witness for Brown was Workman’s predecessor Dr. John Scott, who had been ousted from the asylum by Rolph. In the ensuing years Scott had worked at the Toronto General Hospital, where he had aligned himself against

<sup>77</sup> Chris Raible, “999 Queen Street West: The Toronto Asylum Scandal,” *The Beaver*, Feb/Mar. 1994, 40-41.

<sup>78</sup> *Globe*, 23 April 1857. “The Affairs of the Lunatic Asylum: The Libel Case: Workman vs. Brown.”

<sup>79</sup> *Ibid.*

Rolph's faction in an internal dispute amongst the hospital staff. He testified that Workman should have been able to tell that the female patient, Catherine Levi, was pregnant, though testimony from servants, the matron, and the assistant medical officer indicated that her condition had escaped the notice of all who came in contact with her.<sup>80</sup>

Though Workman had pressed for the libel suit, the trial may have done him more harm than good. Brown's counsel was unable to prove directly that there had been any acts of impropriety on the part of the asylum steward. However, he was able to paint a damaging picture of Workman's tenure as superintendent, revealing that Workman had dismissed up to sixty servants in a period of six months, that he had forced the resignation of the previous board of commissioners, and that he had feuded with the asylum bursar to the point where the two had not spoken in eighteen months.

On Friday, 24 April, the jury announced they were unable to reach a verdict, with nine of its members siding with Brown, and two with Workman. The *Globe* claimed victory, decrying Workman

as a tyrannical ruler and calling for his resignation. According to the *Globe*,

...the Commissioners are his [Workman's] mere shadow, and...fifty employees tremble at his frown. A good despotism may be endured, but an irascible, implacable despot drives from him all worthy associates, and the government is speedily reduced to utter disorganization. To such a condition, it is too evident the Provincial Lunatic Asylum is fast tending under its present control, and no remedy will cure the evil short of a complete sweep and the instalment [*sic*] of a thoroughly experienced man at the head of the institution.<sup>81</sup>

However, the government continued to support Workman. James Magar was unsuccessfully prosecuted by the Crown for libel.<sup>82</sup> Workman kept on as asylum superintendent until 1875, his long tenure standing in contrast to the short, tumultuous careers of his predecessors. After his retirement, he was lauded with honours and professional recognition.<sup>83</sup> Brown continued to prosper as proprietor of the *Globe*, attained the leadership of the Reform ranks, and became one of the architects of Canadian Confederation. He and Workman continued to feud. Indeed, their hostility outlived John Rolph, who died in 1870.<sup>84</sup> In

<sup>80</sup> *Globe*, 24 April 1857 "The Affairs of the Lunatic Asylum – The Libel Case – Workman vs. Brown – Reported for the Globe – Second Day." For Scott at the Toronto General Hospital, see Rasporich and Clarke, "Scott, John," 707. Scott's last days are of some interest. He went missing in January of 1864, and his body was only discovered a year later in a marsh outside of Ashbridge's Bay. It was assumed that Scott, who was an alcoholic, had fallen into the Don River in a drunken stupor. As his biographers note, "It was a macabre end to a macabre career."

<sup>81</sup> *Globe*, 25 April 1857: "The Asylum Libel Case: Jury Disagreed! Nine for Defendant- Two for Plaintiff!"

<sup>82</sup> *Globe*, 12 May 1857: "The Third Libel Case"

<sup>83</sup> Brown, "Workman, Joseph," 1126.

<sup>84</sup> Craig, "Rolph, John," 689.



1871, years after the libel trial, Workman noted in an annual report that the *Globe* neglected to donate newspapers for the patients of the asylum.<sup>85</sup> In 1874, the *Globe* criticized Workman for the sarcastic sense of humour that Workman inserted into his annual reports.<sup>86</sup>

In March of 1880, a disgruntled employee shot Brown in the leg. The wound became infected and Brown died. Workman noted in his diary: "Much lamented, yet I doubt if the weeping of some is quite unaffected. *Sic transit qui multos occidit. Requiescat in pace, si placeat pax illi.* [So passes the one who kills many. May he rest in peace, if peace should be pleasing to him]."<sup>87</sup>

## VI.

Each in his own way, George Brown and Drs. John Rolph and Joseph Workman, influenced the birth of the Provincial Lunatic Asylum. In a sense, they all could be seen as proponents of 'lunacy reform,' Brown for his constant attempts to influence the system through the press, and Workman for his twenty-two years of service as the Provincial Lunatic Asylum's medical

superintendent. Rolph, too, despite obvious mixed motives, helped reform the system, for it was Rolph who was responsible for the landmark *Act for the Better Management of the Provincial Lunatic Asylum* in 1853 which expanded the powers of the medical superintendent at the expense of the board of commissioners.

The sociologist Bruce Curtis has written of mid-nineteenth-century Canada that "in this remarkable period, there was a clear tendency to replace government by notables with government by bureaucratically organized cadres."<sup>88</sup> Rainer Baehre, in his study of penal and lunatic reform in Canada during the same period, observes that the development of these institutions were reflective of "the birth of a technocratic state regulated by politicians and reformers."<sup>89</sup> This process ran parallel to the struggle of doctors to achieve a professional monopoly over health care in Canada West/Ontario, a victory that was achieved with the passing of the 1869 *Medical Act in Ontario*.<sup>90</sup>

A connection can be drawn between the bureaucratization of gov-

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<sup>85</sup> "Report of the Medical Superintendent of the Asylum for the Insane, Toronto." Toronto, 30 Sept. 1871. (CAMH).

<sup>86</sup> Johnston, *Father of Canadian Psychiatry*, 96, 163-64.

<sup>87</sup> Quoted in Johnston, *Father of Canadian Psychiatry*, 97. Workman also noted, somewhat bizarrely, that: "Dr. D. Clarke said the weight of his brain is 56 ounces."

<sup>88</sup> Bruce Curtis, "Class Culture and Administration: Educational Inspection in Canada West" in *Colonial Leviathan: State Formation in Mid-Nineteenth-century Canada* edited by Allan Greer, and Ian Radforth (Toronto: University of Toronto Press, 1992), 125.

<sup>89</sup> Baehre, "Imperial Authority," 207.

<sup>90</sup> R.D. Gidney and W.P.J. Millar, "The Origins of Organized Medicine in Ontario, 1850-1869" in *Health, Disease and Medicine: Essays in Canadian History* edited by Charles G. Roland (Toronto: T.H. Best, 1984).

ernment and the medical profession's achievement of a monopoly over health care. Rolph's *Act for the Better Management of the Provincial Lunatic Asylum*, certainly seems to conform to Curtis' observation that the mid-nineteenth century saw a transition of power away from lay notables. Previously, the board of commissioners, made up largely of Toronto notables, held ultimate control over the governance of the asylum. With the Act, the medical superintendents were given a far-wider authority over the running of the asylum.

Andrew Scull has chronicled attempts by doctors in England to gain a monopoly over the control of asylums, asserting a medical monopoly over what had previously been a field under the control of lay people and local magistrates. Claiming a medical expertise, and developing a theory of madness as mental illness to support that claim, doctors were gradually able to wrest control over the treatment of the insane away from the laity.<sup>91</sup>

In a sense, Rolph helped achieve a similar feat with the 1853 Act. With the elimination of the power of the old board of commissioners, the way was paved for a new kind of asylum administration based not on the dictates of prestigious commissioners, but on the expertise of doctors trained to minister to the insane. Yet, a glance at Rolph's

career reveals an unlikely champion of the medical profession. His record of constant feuding with other medical schools and factions cast aspersions in the mind of the public as to the respectability of the medical profession, and slowed down the profession's attempts to gain autonomy.<sup>92</sup> Though the Act served to assure a stronger place for doctors in the running of the asylum, it just as notably secured a place for one of Rolph's doctors, and helped quash the power of one of Rolph's enemies. Thus, any growing tendency towards governance by bureaucratic expertise was compromised by a still very active system of clientelism, patronage and factionalism.

This served as a great source of irritation to George Brown who saw the application of political patronage to new and socially important institutions, like the penitentiary and the asylum, as dangerous. He was insistent that expertise, not personal and political connections, should guide the selection of the officers of these institutions. Thus, Brown was critical of Workman's appointment, and his suspicions about the doctor never seemed to fade.

As for Workman, he was insistent to Mackenzie that his "berth" was not a "sinecure." And in many ways it was not. On his sixty-fourth birthday he noted in his diary that "one-fourth

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<sup>91</sup> Andrew Scull, *Museums of Madness: The Social Organization of Insanity in Nineteenth-Century England*, (Great Britain: Penguin, 1979), ch. 4: "From Madness to Mental Illness: Medical Men as Moral Entrepreneurs."

<sup>92</sup> Gidney and Millar, "Origins of Organized Medicine," 69-75.

of my life has been spent among the insane,” and it was not always an easy life.<sup>93</sup> Though his office was prestigious, it was hardly a comfortable appointment. He did not see himself as some kind of incompetent and undeserving patronage appointee.

There is more to the Workman-Brown dispute than George Brown fighting for a more honest system of appointments, with Joseph Workman as his resentful target. Their mutual dislike was conditioned by their respective relationships with John Rolph, by the divisions of faction that had split the Reform party, and no doubt by the clash

of two strong-willed personalities.

From a distance, there is much that Workman and Brown shared in common. They were men of similar class, ethnicity, and party. Yet the closer one examines the tangled antagonisms and conflicts that resulted in the 1857 *Workman v. Brown* libel suit, the more impossible it is to sort out the motives that fueled these men. For Brown and Workman, who fought over everything from the most serious allegations to such petty matters as newspaper donations, it is difficult to discover where principled argument ends and where political and personal enmity begins.

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<sup>93</sup> University of Toronto Archives, Joseph Workman, B1980-0015, Workman, Personal Diary, entry for 26 May 1869.