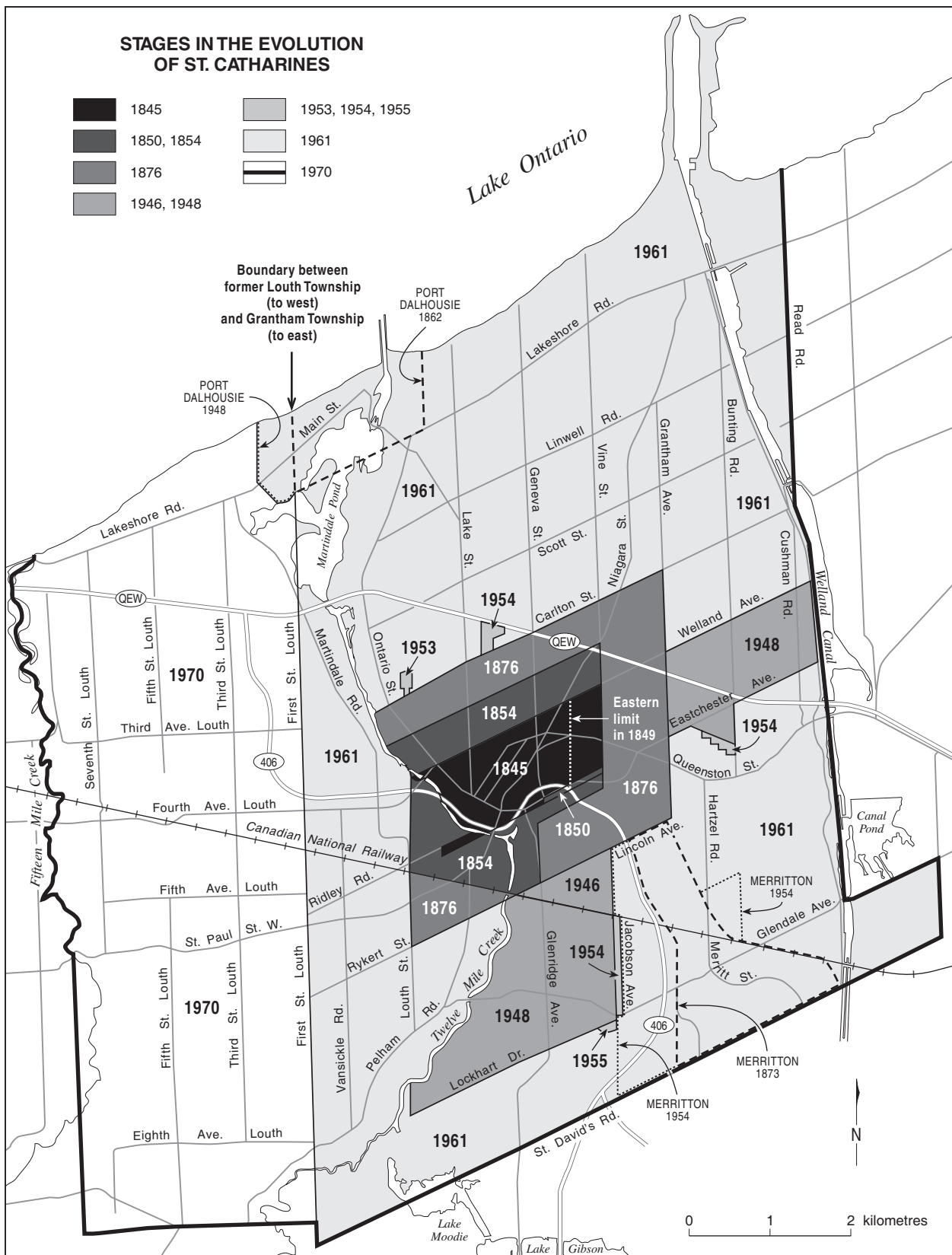


THE EVOLUTION OF ST. CATHARINES AS A MUNICIPALITY



Present-day St. Catharines occupies an area of almost 100 square kilometres (40 square miles) extending from Lake Ontario in the north to the brow of the Niagara Escarpment in the south, and from Fifteen Mile Creek in the west to the Welland Canal in the east. The city limits, established in 1970, are the culmination of several stages of expansion since the town boundaries were first defined in 1845. These stages are shown on the preceding map.

The original extent of St. Catharines is shaded black, and subsequent growth stages are shown in progressively lighter shades of grey, with the present boundary represented by a thick black line. The boundary between the former Townships of Louth and Grantham, coinciding with First Street Louth, is identified, and key stages in the growth of Port Dalhousie and Merriton are depicted by broken lines. The base map is a modern one; so although Highway 406 appears to slice through the original St. Catharines it was obviously not there in 1845.

The Emergence of the Community

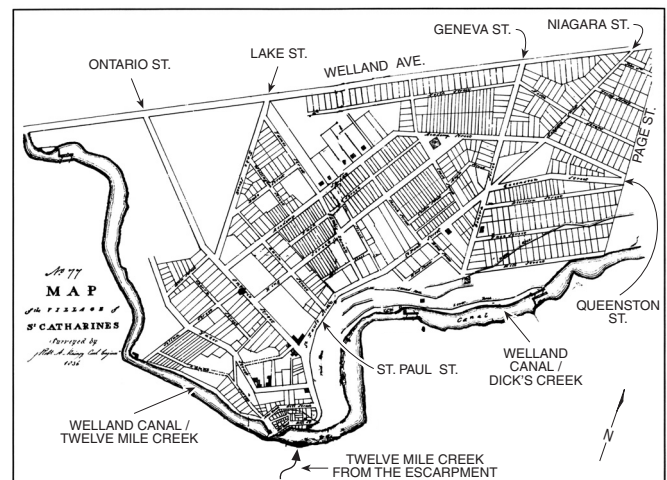
Prior to 1845 St. Catharines had no established boundaries, because it had no formal status. It had no mayor, no council and no municipal powers. It was just a community in Grantham Township (what would later be called an unincorporated village).

Grantham, originally Township No. 3, was laid out in lots and concessions by surveyor Daniel Hazen in the early months of 1788. The Grantham survey was part of a program of surveys that began in June 1787 to provide land in the Niagara Peninsula for refugee Loyalists, discharged soldiers and former members of Butler's Rangers after the American Revolutionary War. Twenty months later fourteen townships had been laid out, in whole or in part. (Only the western two-thirds of Grantham is shown on the map; most of the portion east of the Welland Canal is now in Niagara-on-the-Lake.)

At first Grantham was very sparsely populated, for each settler was granted at least two 100-acre lots on which to establish a house and farm, and some of the lots belonged to persons who lived elsewhere. The village of St. Catharines emerged in 1796–97 when a church, school and tavern were built on the main east-west route, the former Iroquois Trail, close to where it crossed the Twelve Mile Creek (this would be near the intersection of St. Paul and Ontario Streets today).

The village remained very small until the 1820s, when construction of the First Welland Canal caused significant growth. Most of the present downtown was laid out around this time, and Robert Maingy's map of 1836 — the very first map of St. Catharines as a whole — shows streets and lots filling most of the area bounded by the Welland Canal in the south and west, by Welland Avenue in the north, and by a

line just west of Page Street in the east. By this time the village had a population of over 1100 people.



Maingy's map of St. Catharines, 1836

Early "Local" Government

Despite its size, St. Catharines still had no legal status. This raises the question: who was responsible for the myriad of functions — tax collection, policing, fire protection, tavern regulation and so on — that are normally performed by a municipality?

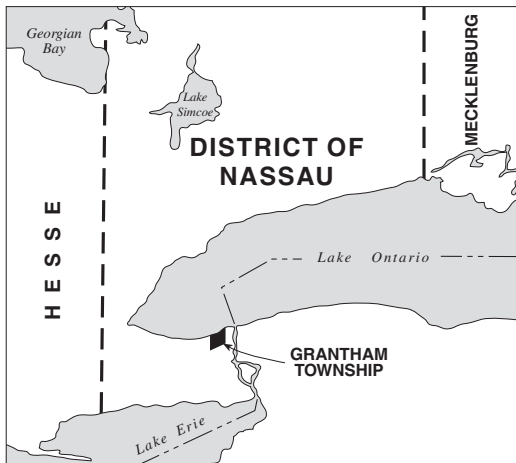
It was not Grantham Township, except in a very minor way. When the Township was first surveyed in 1788, it was no more than a convenient unit for the subdivision of land. With the arrival of John Graves Simcoe in 1792 as the first Lieutenant-Governor of Upper Canada its status changed, though only slightly. The Parish and Town Officers Act of 1793 authorized each township to hold an annual meeting at which residents could select township officers and enact bylaws. But their powers were very limited.

The officers were little more than unpaid civil servants performing duties specified by the province (among them recording cattle ear marks, catching stray animals, collecting taxes and repairing roads), and the bylaws were restricted to legislating the height of fences and (after 1794) which animals could run at large. The lowly status of the townships was entirely consistent with the authorities' desire to forestall the type of grassroots democracy based on the town meeting that had caused such problems in the American colonies.

The real power lay with the districts, which had been established by Lord Dorchester, Governor of Quebec, in 1788. He divided Upper Quebec (later Upper Canada) into four districts, Hesse, Nassau, Mecklenburg and Luneburg, with the Niagara Peninsula falling in Nassau. Various officials were appointed to each: judges of the Court of Common Pleas, a clerk of the same, a sheriff, coroners, and justices of the peace or magistrates. The last-named,

who met four times a year as the Court of Quarter Sessions, had, in addition to their judicial duties, legislative and administrative roles that made them in effect the local government of the time.

Dorchester had created the districts partly in response to settler discontent over the autocratic top-down form of government they were subjected to after the American Revolutionary War. But since the magistrates were appointed for life by the Governor the new system was hardly democratic, and the huge size of the districts and a shortage of magistrates often made access to their services very difficult.



Grantham Township and the District of Nassau

The Police Towns and Boards of Police

In 1792 the districts were renamed by Simcoe (Nassau becoming Home), and the magistrates continued to control local affairs, now with the extra responsibility of overseeing the townships. As the population increased and problems requiring local attention multiplied, more duties were added, and special measures became necessary to accommodate the needs of emerging urban areas. Markets were authorized in several places (including Niagara in 1817), and more importantly, legislation was passed giving the magistrates special authority in five towns: Kingston in 1816, York, Sandwich and Amherstburg in 1817 and Niagara in 1819. Informally these communities became known as police towns.

The term “police town” requires explanation, for it is often misunderstood. It suggests a town run by the local constabulary, but this was not the case. Here the word “police” is used in an older sense of a set of regulations laid down by law for the purpose of civil administration. Nobody said it better than “A Resident,” who wrote in the *Kingston Gazette* on December 30, 1815 about the need to establish in Kingston “a code of laws, forming a complete Police for its internal Governance.” When therefore the various acts speak of “establishing a police” in the towns in question, this is what they meant.

Each act laid down the broad powers of the district magistrates, who then had the task of spelling out the rules and regulations (in effect the bylaws) in detail. Interestingly, the acts say nothing about policing in the modern sense, and there is no mention of police constables. What they do address is the paving, lighting and maintenance of streets, the control of slaughterhouses, nuisances, and animals running at large, the fixing of bread prices, the inspection of weights and measures, the prevention and control of fires, and, needless to say, assessment and taxes.

The police town model of governance by unelected magistrates was far from ideal, and as urban issues became more complex in the late 1820s there were renewed calls for proper local government. As a result a new model emerged, whereby towns were run by democratically-elected Boards of Police instead of the magistrates, who retained only their judicial functions. The first Board was established in Brockville in 1832, followed by Hamilton in 1833, Belleville, Cornwall, Port Hope and Prescott in 1834, Cobourg and Picton in 1837 and London in 1840. If this order seems rather unusual, it should be noted that each Board came about as result of local agitation and petition. It so happened that the people of Brockville were the first to submit a successful petition, and even then it was only after considerable bickering and delay.

Another significant development was the incorporation of two former police towns — York and Kingston — as fully-fledged municipalities administered by an elected Council headed by a Mayor. In 1834 York became the City of Toronto, and the Town of Kingston was created in 1838.

The Incorporation of St. Catharines

This was the background to the incorporation of St. Catharines as a Town in 1845 (the Town of Niagara was incorporated in the same year). Fourteen other places in what was now Canada West had already acquired some form of local government, but the affairs of St. Catharines were still managed by the Township of Grantham and the District of Niagara (created when the Home District was subdivided in 1800).

Two important pieces of legislation, the Board of Commissioners Act of 1835 and the District Councils Act of 1841, had injected greater democracy into township and district affairs, but they made little difference to St. Catharines. Nor did the fact that Grantham Township sometimes enacted bylaws that applied only to St. Catharines. St. Catharines still had no autonomy.

For a sizeable community the situation was intolerable, and the people of St. Catharines had long agitated for independent status. But it was not

until 1845, by which time the population was close to 3500, that a petition to the Legislature led to the passage, on March 29, of “An Act to incorporate the Town of Saint Catharines.” The *St. Catharines Journal* declared the act to be “of the utmost importance,” but there were no banner headlines — instead it was relegated to a brief paragraph at the end of a column on parliamentary affairs.

The act was a lengthy one, with 43 clauses spelling out in detail the ground rules for the new Town. Most importantly, it specified that St. Catharines was to be run by a Board of Police, headed by a President. Its powers were somewhat greater than those of existing Boards, however, and put St. Catharines more on a par with places like Kingston and Toronto.



ANNO OCTAVO

VICTORIÆ REGINÆ.

CAP. LXIII.

An Act to incorporate the Town of Saint Catharines.

[29th March, 1845.]

WHEREAS from the great increase of population in the Town of Saint Catharines, in the District of Niagara, it is necessary to make provision for the internal regulation thereof: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intitled, *An Act to Re-write the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That there shall be in the said Town of Saint Catharines a Board of Police, to be composed and constituted in the manner hereinafter described, which shall be and is hereby declared to be a Body Corporate and Politic in fact and in law by the name of *The President and Board of Police of Saint Catharines*, and by that name they and their successors may have perpetual succession and be capable of suing and being sued, impleading and being impleaded in all Courts and in all actions, causes and complaints whatsoever, and may have a common seal and may alter the same at pleasure, and shall be in law capable of receiving titles by gift, and of purchasing, holding, and conveying any estate, real or personal, for the uses of the said Town.

A Board of Police established and incorporated.

Opening paragraph of 1845 Act of Incorporation

The second clause of the act defined the boundary of the Town, the first time this had ever been done officially. The boundary followed Welland Avenue in the north, Vine Street in the east, the line of Eastchester Avenue in the south and the Welland Canal in the west. It also featured a strange extension across the Canal along Ridley Road (possibly to include the home of Jacob Hainer, an important local figure).

The Board of Police

The first order of business in the new Town was to establish the Board of Police, which would then proceed to define ward boundaries and draft bylaws.

The Board was to have five members. Four were to be elected, a fifth was to be nominated by the chosen four, and all five would then appoint one of their number to be President. Five persons stood for

election: merchant James Benson, millers Henry Mittleberger and Oliver Phelps, surveyor and former Member of the Legislative Assembly George Rykert and stage coach proprietor Eleazer Stephenson. When the results were tallied on May 3, Mittleberger topped the poll with 154 votes, one more than Benson. Rykert and Stephenson both received 138 votes, and Phelps trailed with only 73. One might have expected the four elected to choose Phelps to make up the complement of five. But instead they nominated his son-in-law, conveyancer Alpheus Spencer St. John, and it was St. John who was chosen to be President.

It is interesting to note that if each elector voted for four persons, only 164 people voted, less than 5% of the total population. In part this was because the franchise was restricted to male freeholders and tenants who paid more than £10 a year in rent, but voter apathy may also have been a factor (not surprisingly perhaps given the lack of newspaper headlines). There were also restrictions on who could stand as candidates for election — only male freeholders with property worth more than £100 were eligible. Ministers of religion were explicitly excluded (a curious early example perhaps of the separation of church and state).

Wards and Bylaws

The act required the Board to divide the Town into four wards. The land west of Ontario Street became Ward 1, Ward 2 extended from Ontario to James, Ward 3 from James to Geneva, and Ward 4 lay east of Geneva. The four original Board members had of course been elected at large, but subsequent elections were to be ward-based.

The final task was to draft bylaws. The Board evidently set to with vigour, for no fewer than 57 bylaws were published in the June 19 issue of the *Journal*. They were grouped under seven headings: Statute Labour; Nuisances; Miscellaneous Regulations; Pound Regulations; Swine, Horses and Cattle; Dogs; and Licensing of Showmen &c. They provide an interesting insight into the concerns of urban dwellers in the mid-19th century.

“Nuisances” included stagnant water, rotting meat, animal carcasses, privies that had become “offensive,” rubbish dumps, dung heaps, and — surprisingly — swimming and bathing in the canal “so as to be exposed to the view of the inhabitants.” This was made illegal, no doubt because bathing suits were rarely used. Under “Miscellaneous Regulations,” all new buildings had to be fitted with outside doors that opened inward to avoid obstructing the sidewalk; and the game of shinty was prohibited on the streets, as were throwing snowballs and discharging guns. It goes without saying that hardly anything was allowed on the Sabbath, though bread and meat could be sold before 8 a.m. Dog-owners had to pay an annual tax of 2s 6d, and their

animals were not allowed to run at large. The same restriction applied to swine and horses, but horned cattle were free to run at large between the first of March and the first of December.

The Baldwin Act

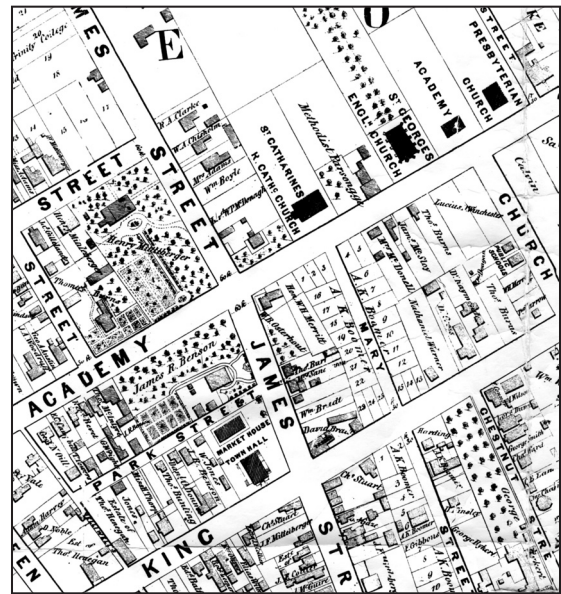
The Board of Police was short-lived. Just four years later, in 1849, St. Catharines was re-incorporated as a Town, this time with a Mayor and Council. This was part of a general restructuring of local government in Canada West brought about by the Municipal Corporations Act, also called the Baldwin Act for its chief proponent, Robert Baldwin, the Attorney-General. This act, the belated outcome of the Lord Durham Report of 1839 on the causes of the Upper Canada Rebellion, established a uniform system of municipal government for Canada West based on counties (which replaced the districts), townships, cities, towns and villages.

The act took effect on January 1, 1850, and at an election held on January 21 Bernard Foley became first Mayor of St. Catharines. Nine Councillors were elected to represent three wards, which had already been defined in the act. They were St. Thomas' Ward (a narrow Canal-side strip along the western and southern edges of the town), St. Paul's Ward (the area between St. Paul Street and the Canal valley to the south), and St. George's Ward (the rest of the town). The first meeting of Council took place in the newly-completed town hall (now better known as the Old Court House) on January 29. Construction had begun two years earlier, provision for this having been made in the earlier act of 1845.

The Baldwin Act also redefined the boundaries of the town. Surprisingly, they made for a St. Catharines that was smaller than in 1845! Missing was the easternmost 100-acre lot alongside Vine Street. It was not that the community had shrunk — the boundary description in the act was wrong, and later in 1850 a second act was passed with a correct version. (This new act was not specific to St. Catharines, but was a major piece of legislation correcting numerous errors and omissions in the Baldwin Act.) The new limits restored the missing 100 acres and added a narrow sliver along the line of Eastchester Avenue in the southeast. What the legal status of the "lost" part of town was during the intervening months is unknown.

Two years later, in 1852, St. Catharines was mapped by Marcus Smith. Unlike Maingy's map of 1836, a plain registered plan drafted by a civil engineer, Smith's map was the creation of a skilled cartographer and provides a remarkably detailed picture of the community at mid-century. The origin of Maingy's map — who commissioned and paid for it — is unknown, but Smith's map was a straightforward commercial venture funded by public subscription. It was presumably a profitable

one too, for Smith had just completed similar maps of Hamilton and Dundas and had another of Brantford nearing completion.



Detail of Marcus Smith's map of 1852

City Status

In 1854 St. Catharines was expanded again, this time by government proclamation, north to a line mid-way between Welland Avenue and Carlton Street, and south to the newly-completed Great Western Railway. The limits remained unchanged until 1876, when a second proclamation resulted in a major expansion north to Carlton Street, east to Grantham Avenue, and south to the line of Rykert Street and Lincoln Avenue. At a single stroke the population of St. Catharines jumped from about 10,000 to almost 13,000, reflecting the urban growth that had occurred outside the old boundaries.

This proclamation was followed by an act incorporating St. Catharines as a City, which took effect on May 1, 1876, and another proclamation separating the City from the County of Lincoln. One assumes that the elevation to City status received more publicity than the original incorporation of 1845, but unfortunately no St. Catharines newspapers survive from that year. The event was noticed by the *Thorold Post*, however. The day was proclaimed a public holiday, and at 7 a.m. the "Saints" (as citizens of St. Catharines were known in the 19th century) were roused "from their peaceful slumbers" when "the Volunteers' Field Battery belched forth its thunders." Flags flew from public buildings, stores and residences, and at 10 a.m. the populace gathered at the town hall to hear nominations for Mayor and Council.

Ten persons were nominated for Mayor, but all declined except Calvin Brown and Thomas Brownlee, who delivered speeches that left the *Post's* correspondent "Manhattan" quite unimpressed.

Brown said he had built many houses and had served on Council for nine years; he defied anyone “to point to any stain on his character.” Brownlee felt that despite his lack of learning he was as good as a lawyer (of which there were too many in office already, he said). Voters did not want an especially clever man for Mayor, as it was Aldermen that did all the work. He had been an Alderman for 15 years and no one “could point to any crooked transaction of his.” (In the election a week later Brown was victorious, possibly because of his active role in promoting expansion and incorporation.) The day continued with “festivity and rejoicing” and ended on a high note with “a good display of fire works” by “Professor Hand the Pyrotechnic Artist.”

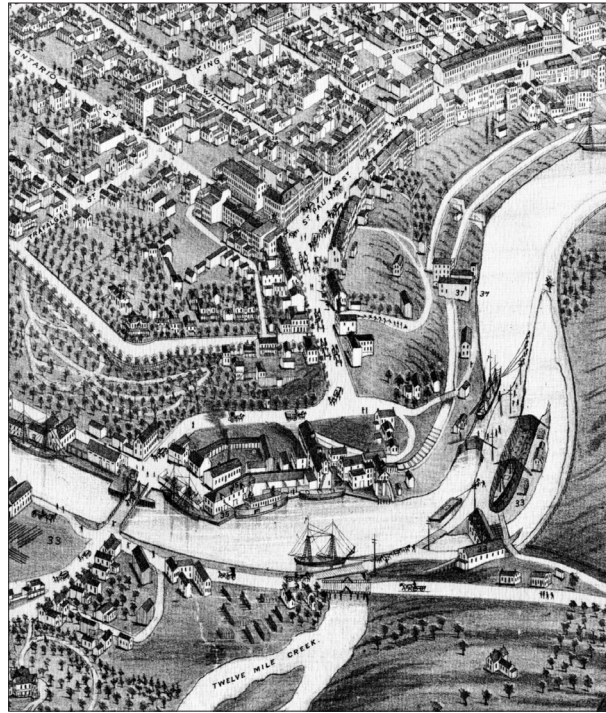


Calvin Brown, first Mayor of the City of St. Catharines

The incorporation of St. Catharines as a City was marked by two significant cartographic events, though this was probably more by coincidence than design. The first, in 1875, was the publication of a bird's-eye view of St. Catharines by Herman Brosius. Bird's-eye views or panoramic maps were very popular in the latter part of the century, and Brosius had already gained reputation for this kind of work in the United States. His view of St. Catharines may have been commissioned by the (then) Town as a promotional document, but was more likely an independent undertaking by Brosius himself. Like Marcus Smith, Brosius has bequeathed to us an extraordinary picture of St. Catharines as it appeared at a key stage in its development.

The following year, 1876, saw the publication of the *Illustrated Historical Atlas of the Counties of Lincoln & Welland* by the Toronto firm of H. R. Page. This atlas is typical of the “county atlases” that were produced by a number of American and Canadian companies in the late 19th century. It includes a classic map of Grantham and the newly-minted City of St. Catharines as well as detailed street plans of the City itself and engravings of important people and buildings. Again, we have a

fine depiction of St. Catharines as it looked over a century ago.



Detail of Brosius' bird's-eye view, 1875

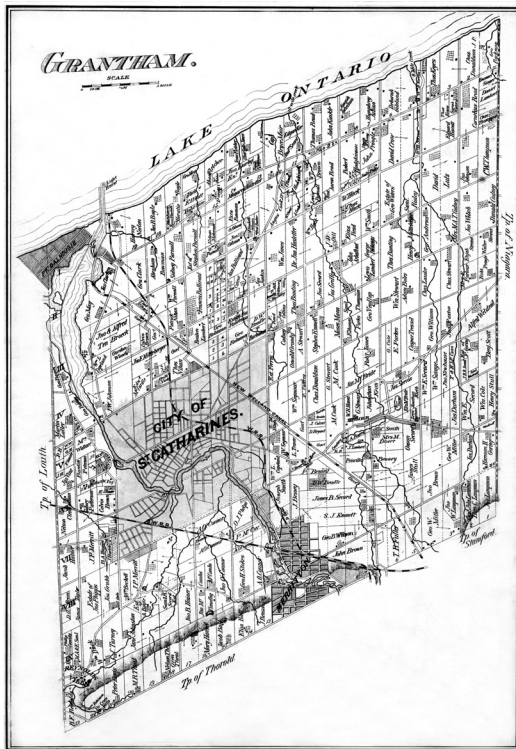
The growth of St. Catharines during the 19th century was all at the expense of Grantham Township, which was left with a big hole at its heart. And St. Catharines was not the only municipality nibbling at Grantham. The incorporation of Port Dalhousie as a Village in 1862 took a piece out of the northwest, and when Merritton became an incorporated Village in 1873 an even bigger chunk was removed from the south, leaving Grantham resembling a partly-eaten squarish doughnut. Merritton became a Town in 1918, and subsequently acquired even more land in Grantham.

St. Catharines Supreme

After 1876 there was a long period of stability in St. Catharines, with no boundary changes for 70 years. But expansion resumed in 1946, and by 1948 St. Catharines had annexed more of Grantham, including the rapidly-developing residential area along Glenridge Avenue and the industrial strip between Welland and Eastchester Avenues extending to the Welland Canal. Smaller pieces of Grantham were added between 1953 and 1955.

The finale for Grantham Township came on January 1, 1961, when St. Catharines absorbed what was left of the Township west of the Welland Canal, as well as land to the east containing Port Weller Dry Docks and McKinnon Industries Plant No. 2 (now General Motors), with Niagara Township taking the rest. Port Dalhousie and a very reluctant Merritton became part of St. Catharines at the same time.

This major reorganization was long overdue, for mushrooming growth after World War II had created a planning and administrative nightmare in the St. Catharines area. To quote *The St. Catharines Standard*, “Four once-separate municipalities had grown into each other. Municipal boundaries had long become indistinguishable. Industry was concentrated in one area; industrial employees made their homes — and sent their children to school — in another area. One area couldn’t afford to pave its streets; another area had hardly any streets to pave.”



Grantham Township, and St. Catharines, Merritton and Port Dalhousie, from Page's Atlas, 1876

But recognizing the need and reaching a solution were two different matters, and the late fifties were a period of highly contentious debate. A consultants’ report came down firmly in favour of amalgamation, and St. Catharines, Grantham and Port Dalhousie all made supporting applications to the Ontario Municipal Board. But Port Dalhousie made a separate application to annex a chunk of Grantham, and Niagara Township sought to acquire all of Grantham east of the canal.

Meanwhile Merritton, where opposition to amalgamation was almost unanimous, also coveted part of Grantham, but most of all wanted to be left alone. When the Board’s decision was handed down on September 15, 1960 Merritton exploded. A huge protest rally was held, the word “Republic” replaced “Town” on road signs, Board members were hung in effigy, and a last-ditch appeal was made to the provincial government, but all to no avail. The Town of Merritton was no more.

Regional Government and Beyond

A new phase in the evolution of St. Catharines came with regional government in 1970, when the City expanded westwards into the rural lands of Louth Township, and Fifteen Mile Creek was established as the boundary between St. Catharines and the new Town of Lincoln.

Though various Mayors since have speculated about further expansion (usually at the expense of Thorold), nothing has happened. But if we believe a prediction made by Oliver Seymour Phelps in the *St. Catharines Journal* way back in 1856 the creation of a greater St. Catharines is only a matter of time. Writing under the pen name Junius, he stated:

“If we be allowed here to make a prediction we look *forward* and *down thro’* the long *vista* of time, and we prophecy [sic] that at no distant day our now infant lovely *St. Catharines* will yet encircle within its folds, arms, guardianship, and Corporation not only Port Dalhousie, Welland City and Thorold, but also the Ten Mile Creek, Merrittville and Rykert Town, when the hoarse sound of the carpenter’s saw, the shrill ring of the smith’s hammer, the sharp click of the wood-worker’s axe; when the whizzing noise and deafening buzz of ten thousand spindles and looms; when the splashing sounds of hundreds of water wheels, properly and advantageously worked; when art and science combined, one and all, shall be busily employed on now Thorold’s mountain-top, Welland City’s valley, Port Dalhousie’s canal bank and St. Catharines’ sandy soil....”

Several of the places mentioned by Junius are known by different names today, and when we note that Ten Mile Creek, Rykert Town, Welland City and Merrittville are now Homer, Western Hill, Merritton and Welland respectively we see how much growth he had in mind. Interestingly, he makes no mention of Grantham, but perhaps he took the absorption of the Township for granted. So far, all but Homer, Thorold and Welland have succumbed, and if expansion as far as Welland seems far-fetched recall that when municipal amalgamation was a hot topic in the year 2000 one proposal was for a canal city extending all the way to Port Colborne. Junius also foretold air travel and instant communication, both of which have come to pass, so his prediction for St. Catharines may yet come true.

Principal Sources (in addition to those cited in text): *Statutes of Upper Canada*, 1816-38; *Provincial Statutes of Canada*, 1841-50; *Statutes of Province of Ontario*, 1876; *Canada Gazette*, 1854; *Ontario Gazette*, 1875-76; Department of Municipal Affairs, *Municipal Boundary History* [maps]; Aitchison, *Development of Local Government in Upper Canada*; Betts, “Municipal Government and Politics, 1800-50;” Biggar, *The Municipal Manual*; Crawford, *Canadian Municipal Government*; Glazebrook, “The Origins of Local Government;” Herrington, “The Evolution of Municipal Government in Upper Canada;” Isin, *Cities Without Citizens*; McEvoy, *The Ontario Township*; Murray, *Colonial Justice*; Ross, *Local Government in Ontario*; Shortt, “Municipal Government in Ontario.”

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