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Charter Changes in Boston from 1885 – 1949

By

Charlie Tebbetts

A state's ability to design a municipality's governing structure is a distinctive feature of our American society. As William Marchione, Jr. states, "It should be remembered that the American political system does not recognize an inherent right to local self-government. Cities and towns are the products of state governments and derive their authority from them."¹ The altering of Boston, Massachusetts' charter for example, reflects political struggles within the state and the city. The politics of Boston are integrally linked to the politics of the state of Massachusetts. These facts came together in the formation of Boston's first city charter of 1822. This was a document shaped by Yankee Federalists within Massachusetts's General Court. The Federalists, representing Boston's wealthy merchant elite, used the charter to limit the growing power of the populace and to maintain their prerogatives. The General Court, being the legislative arm of the state, was empowered by the state constitution to have the authority to structure the legal code under which the newly incorporated city of Boston would

¹ Marchione, William, Jr. "The 1949 Boston Charter Reform," *New England Quarterly*, v. 49 (1976), 373.

function. Federalists used the legal authority of the state over the municipality to insure their minority voting interest would be preserved.²

This pattern, begun in 1822, of an elite minority using its power to manipulate the charter of Boston through the state legislature would often be repeated. This paper investigates the most significant charter changes beginning in 1885 going up to 1949. These changes demonstrate the evolution of political power shifts between the Yankees and the Irish surrounding the mayoralty and city council.

The political vehicle used by the Irish and other ethnic immigrants was the Democratic Party. Generally in Massachusetts, the Republican Party represented Yankees mechanics, farmers, small business people and Yankee elites. Exceptions existed during the late nineteenth and early twentieth centuries. Elite Yankees were with the Democratic Party in the late nineteenth century as Mugwumps and many French Canadian immigrants voted with the Republicans until the 1920s. However, overall the Irish/ethnic versus Yankee political conflict was manifest in Democrat versus Republican Party politics on the state and municipal level of Massachusetts and Boston.

The nineteenth century witnessed enormous change for Boston and the state. First, industrial manufacturing began in earnest with the formation of the Boston Associates and their mill factory systems in Waltham and Lowell in the early nineteenth century. This started America as a manufacturing nation, introducing large private corporations with factories. Second, Boston became the financial, residential, cultural and political seat for the Yankee corporate elite. This gave the city new importance for corporate owners. Third, the 1847 Irish potato famine brought large numbers of destitute Irish immigrants to Boston. These poor foreign non-protestant people became a troubling challenge to the pre-existing Yankee host society who existed ethnically and culturally unaltered for 200 years. Despised and hated, the Irish suffered brutal poverty finding little opportunity within Boston, and a scant bit more working in the outlying factory towns owned and operated by the Yankee elites.

² Crocker, Matthew H. "The Siege of Boston is once more raised: Municipal Politics and the Collapse of Federalism, 1821-1823," in *Massachusetts Politics: Selected Historical Essays*, ed. by Jack Tager, Martin Kaufman, Michael Konig (Westfield, MA: Institute for Massachusetts Studies, 1998).

Unlike the state constitution, the U.S. Constitution gave power to foreign-born nationals, like the Irish, the right to become citizens. It also insured that their children, born in the U.S., would be harbored under all of the Constitution's privileges and political opportunities. This meant that Irish Americans became voters, who through political organizing could elect officials to influence the government of the city, state and the nation. In politics, votes are everything and the Irish would only be able to gain power for themselves if they were able to garner the votes.

As the end of the nineteenth century approached Boston was not the city it had been 100 years previously. It was now both a financial and a manufacturing center for Massachusetts. It was no longer a Yankee city, but rather a multi-ethnic city with a large and politically powerful growing Irish voting constituency. The old Yankee elites could see that they would lose power and they did what they could to legally thwart the inevitable Irish political takeover. As Peter Eisinger points out in his *Politics of Displacement*, "During much of this period it was hoped that institutional structural changes, such as charter reform and metropolitanization, would forestall the growth of Irish strength and even make possible a reassertion of Yankee dominance."³

Much of the contestation of the Irish to assume political power in Boston, and the Yankees attempt to thwart them can be encapsulated in the charter changes to the city of Boston between 1885 to 1949. As Matthew Crocker demonstrated in his work, "Municipal Politics and the Collapse of Federalism," the Boston charter disenfranchised large voting blocks when it was first established in 1822.

Charter reform was not something new to Boston in 1885. Changes occurred twice previously. The first time was in 1854 and then again in 1875. Both dates marked efforts at altering the city government to define more clearly the roles of the mayor, board of alderman, and common council. The charter of 1822 continued the original spirit and structure of the town meeting form of government it replaced. Town meeting vested power in the legislative meeting and executive authority in the board of selectmen. The 1822 charter eliminated the legislative power of the people in town meeting, replacing them with a large common council of 48 members and a smaller board of aldermen with 12 members. Despite the fact that the charter made a provision for a mayor as an

³ Eisinger, Peter, *The Politics of Displacement: Racial and Ethnic Transition in Three American Cities* (New York: Academic Press, 1980), 32.

administrative head, the board of aldermen after 1822 came to be the administrative force of the city much like the board of selectmen had been for the town of Boston. As the city grew and changed throughout the nineteenth century, the dispersed administrative power, held within the board of alderman, became a bane to business interests who were looking for more singular mayoral authority to effect decisions.

The original 1822 charter's decentralized municipal structure became unpopular as businessmen viewed it as an impediment to urban progress. The expansion of commerce and industry in Boston between 1822 and 1885 was tremendous. Boston's growth and change, required different institutional apparatuses that could address the needs of the city. With this in mind in 1854 the charter was changed. Yet, the revised charter avoided administrative authority centralized under the mayor. Rather, the new charter gave the administering power to "...one principal officer, to be styled the mayor, one council of twelve persons, to be called the board of alderman, and one council of forty -eight persons, to be called the common council..."⁴ The 1854 charter served as a clarification more than a fundamental change from 1822.

The same forces of 1854 took to altering the charter again in 1875. This time the charter redefined political power through the shape of wards and proportional representation. The new charter made provisions for 24 wards instead of the previous 12. Also, it stipulated that the municipal government was to use a census supplied by the state to redraw the 24 wards into equal portions every ten years.⁵ In many ways the original spirit of the 1822 charter had not been changed much by the reforms of 1854 and 1875. Both legislative acts of the Commonwealth served to reinforce the original idea of a decentralized municipal authority that spread power amongst a collection of elected officials in the form of the mayor, board of alderman, and common council.

From 1822 to 1880 all of Boston's elected officials had been native-born Yankee Protestants, with the exception of a few Irish politicians elected to office toward the end of this period. Therefore, conflicts over the nature of city government from 1822 to 1880 involved Yankees versus other Yankees fighting along class lines.⁶ Boston had

⁴ Massachusetts Legislative Acts of 1854, Chapter 448, p. 363.

⁵ Massachusetts Legislative Acts of 1875, Chapter 243, p. 36.

⁶ Crocker in *Massachusetts Politics*.

developed as a city with “lines of responsibility,” that, “had become hopelessly confused...”⁷ This was because municipal departments of the city had become controlled by “numerous standing committees and joint standing committees of the two chambers of the City Council.”⁸

This government by committee, subject to the will of its powerful committee heads was a continual source of dissatisfaction to central control-minded politicians in and around Boston. Municipal power became the domain of political bosses who had the ability to elect the city council from their ward base. In order to affect city government one had to persuade powerful city councilors who headed up committees. These councilors were then in fact beholden to the wards from which they were elected where they or some other political boss reigned. Hence, powerful councilmen who headed up committees and political bosses from the wards had the most to lose with a change in the system of municipal government in Boston. These local Yankee politicians could disseminate patronage from their positions as committee heads. However, other powerful Yankees were looking to reorganize the city government to favor their interests. These were largely businessmen who felt that the present system was too expensive and wasteful. They called for a more streamlined city hall with a powerful mayor who would hold down costs and be more responsive to businessmen’s needs. Simultaneous to this growing Yankee businessman sentiment was the increasing numerical voting power of Boston’s Irish immigrant minority. Since 1847 they had grown in numbers and influence within the city. Far from the power they would be able to achieve in the twentieth century, Boston’s Irish were clearly a political force to be recognized in their growing numbers in the 1880s. The two facts of Yankee businessmen’s dissatisfaction with the dispersed power of municipal government and the recognition of the potential of growing Irish power, lead to the organizing and establishment of various charter reforms in 1885.

The fact that Hugh O’Brien was the first Irish mayor of Boston in 1884 and charter reform came about in 1885 is not a coincidence. O’Brien was Irish and Catholic in name and heritage, but he acted

⁷ Marchione, 374.

⁸ Hanford, Chester A., “City Government,” *Fifty Years of Boston*, (Subcommittee on Memorial History of the Boston Tercentenary Committee, 1932), 85.

politically with Yankee businessmen. He functioned as a great servant for the powerful Yankee business elites of Boston. Upon emigrating from Ireland to Boston, O'Brien himself became successful in business. He did not try to challenge the political authority of the Yankees as a whole, like later Irish politicians would in the future, but instead he worked for the same reforms and changes favored by Yankee business elites. O'Brien worked to assimilate into the Yankee host society. O'Brien's popularity with Yankees grew out of his desire to hold down city expenditures. Thomas O'Connor, in his book *Bibles, Brahmins, and Bosses*, states "his preoccupation with holding down the tax rate, improving and widening the streets, and expanding the powers of the mayor, made him almost indistinguishable from the procession of Yankee mayors who had preceded him."⁹ This indistinguishable Yankee-ness allowed O'Brien election and his repeated re-election three more times, under the banner of fiscal restraint. He won a plurality in his first re-election of 1885, but by 1888 he was driven from office. Examining his reign as mayor sheds interesting light on charter reform, Irish political power or the lack of it, and what political factions existed in Boston and the state in the 1880s.

Not long after Hugh O'Brien began his first term, a new organization came into being called the Municipal Reform Association. Chaired and founded by an ex-mayor and former governor William Gaston, the Municipal Reform Association along with other ex-mayors, such as Henry L. Pierce, Samuel A. Green and A. P. Martin, called for charter reform that would strengthen the administrative powers of the mayor.¹⁰ Hugh O'Brien supported this change. The Municipal Reform Association wanted to see more fiscal accountability put into the hands of the city government, and sought to do this by trying to change the administrative committee power base of the city councilors. The Association wanted the mayor to have this power so that he alone could have authority to hold down costs. Their work resulted in proposed legislation that went to the General Court of Massachusetts as Chapter

⁹ O'Connor, Thomas H., *Bibles, Brahmins, and Bosses* (Boston: Trustees of the Boston Public Library, 1991), 174.

¹⁰ Kennedy, Lawrence W., "Boston's First Irish Mayor: Hugh O'Brien, 1885-1889," *Massachusetts Politics: Selected Historical Essays*, Ed. Tager, et al, 134.

266, approved with the laws of 1885 on May 27.¹¹ This law made provisions that all executive powers be placed in the hands of the mayor and the city council be prohibited from “interfering with hiring, contracts and purchasing.”¹² There were additional components of charter laws also passed in 1885. One of them was Chapter 178, establishing two new rules: a limit on the rate of property tax for the city and a limitation on the amount of indebtedness the city could carry. Hugh O’Brien supported these two cost reduction measures even though they impeded his ability to garner revenue for works in the city. Due to his pro-business fiscal conservativeness, O’Brien welcomed these state-imposed limitations on taxation for the city of Boston. However, another piece of charter changing legislation was a political slight that would ignite animosities against Hugh O’Brien, and would eventually lead to his downfall.

The city’s police force regulated the consumption of alcohol in Boston in 1885. At this time a growing temperance movement lead by Yankees was dissatisfied with Boston police regulation of alcohol in the city. While Republicans had dominant control on the state level in 1885, they did not control the city of Boston or its Irish “wet” alcohol-consuming constituency. In April of 1885 a meeting was held in support of a bill to bring the Boston police force under state authority. It was perceived that once the Boston police were under the authority of the state the wanton and reckless over consumption of alcohol by Boston’s Irish could be controlled. *The Boston Herald* reported that one of the speakers at the April 1885 meeting complained “ the administration of our liquor laws in Boston is a myth” due to the police being controlled through municipal government by “13 and 1/2 miles of grog shops in Boston.”¹³ Through charter change the Boston police came under the authority of the governor who then had the power to appoint the three police commissioners who would oversee liquor licensing in Boston.

The liquor legislation weakened Hugh O’Brien even though it was not aimed directly at him. It served to undermine his political stance because an important venue of municipal patronage was closed off to

¹¹ Ibid., 135.

¹² Ibid., 135.

¹³ “Boston’s First Irish Mayor,” *Boston Herald* (April 3, 1885), 137.

him. No longer could O'Brien as mayor appoint the three police commissioners that oversaw the liquor licensing in Boston. Subsequently, he could not promise liquor licenses to reward political favors or revoke them to discipline political slights. As an Irishman, O'Brien looked weak and impotent to his Irish constituency. He pandered to Yankee elite interests concerning the tax rate and debt ceiling, but instead of rewarding his cooperation this same ethnic Yankee community further reduced his power. O'Brien publicly complained "the citizens of Boston ought to be allowed the largest liberty in governing themselves."¹⁴ However, Hugh O'Brien's sentiments would never materialize as long as Yankees controlled a majority in the State Legislature. This battle between mayoralty and state legislature would rise again as future Irish mayors struggled to affirm their power as Boston's chief executive.

The 1885 charter legislation set into motion later events that indirectly set out to undermine general Irish political power. Organizing against the Irish were such groups as the Prohibitionist Party. At their 1885 convention the Prohibitionist Party inveighed against "The drinker and the drunkards and their friends," found in Boston and other municipalities.¹⁵ Clearly the Prohibitionists were speaking against the Irish. Traditional Yankee Republicans seized this anti-drinking sentiment as an opportunity to gather Prohibitionist votes for their own political aspirations across the state.

During Hugh O'Brien's 1885 to 1888 reign, the control of Boston's schools also became an increasingly contentious topic. Protestants in the city began organizing to eliminate growing electoral influence of Irish Catholics upon the Boston School Committee. Interestingly enough, this was centered on many Protestant woman suffragettes who by law voted in school committee elections but were denied the vote for other city offices.

In 1887 Irish Bostonians worked to promote Irish "home rule" and an end to British colonization of their homeland.¹⁶ This aroused the hatred of many Protestant groups within Boston, including British-

¹⁴ Koren, John, *Boston 1822 to 1922* (Boston, 1923), 48.

¹⁵ *Boston Herald*, September 11, 1885.

¹⁶ Kennedy, 143.

American immigrants. The *Pilot* newspaper, the official voice of the Catholic archdiocese of Boston, complained in late 1887 that anti-Catholic feeling was stirred up by Protestant clergy who expressed “denunciations of the mayor and his party and skillful appeals to the spirit of sectarian hate.”¹⁷ This heightened level of hatred and fighting between Catholic and Protestants made it increasingly difficult for Hugh O’Brien to stay in office. His policies were still popular among the Yankee business community, yet their approval of his policies did not translate into uncompromising support. In his last inaugural address of 1888, O’Brien was forced for the first time to speak directly to the political strife centering on his Irish heritage and Catholic faith. He complained about “the political reptiles who have been stirring up the slime of religious hatred in Boston of late.”¹⁸ By the fall election O’Brien could not gather enough support to stay in office and lost to the Yankee Republican, Thomas Hart.

O’Brien was akin to an employee of the Yankee elite. His waning power cannot be ascribed to his lack of ability as an administrator. When he was fiscally conservative towards the budget, he satisfied Yankee elites. Yet there was no intrinsic love or loyalty from Yankees towards Irishman Hugh O’Brien. He was able, but he was also expendable. The growing disapproval of the Irish by various Protestant groups became a force that brought O’Brien’s defeat.

The flurry of charter reform of 1885, although partially supported by O’Brien, was a politically motivated response to his symbolic ascension to power. Even though O’Brien was fiscally conservative, his Irish ethnicity aroused the fear and anxiety and hatred of various Protestant constituencies, including the middle class, prohibitionists, British Americans, female suffragettes, sectarian clergy and general anti-Papists.

There was a lesson learned in all this, especially for Boston’s younger Irish political aspirants: Yankees and Republicans were the enemy. Regardless of the concessions that Irish politicians would make to Yankees, the Yankees would never concede complete power or respect to Irish institutions and culture. Also, charter reform during O’Brien’s reign illustrated that Boston Yankee Republicans would use

¹⁷ *Pilot*, December 24, 1887.

¹⁸ O’Brien’s Inaugural Address of 1888, “Boston’s First Irish Mayor,” 29.

the state legislature to change the charter when they could, to subvert Irish voting power. The future direction for Irish politicians was clear. They had to concentrate on organizing and building an Irish majority to take power in their own right to serve their own people and not be subverted by Yankee visions and goals. Accomplishing this depended on how effectively future Irish mayors would be at skirting, subverting, dodging and undermining charter reforms that were created by the state legislature to hold the Irish down.

The remainder of the nineteenth century, after the end of Hugh O'Brien's reign, saw a succession of Yankee mayors. In the beginning of the twentieth century another Irish mayor, Patrick Collins, came to office for two terms, in 1901 and 1903. Like O'Brien, Collins "came to enjoy considerable Republican support because of his vigorous attempts to cut back on extravagance in city government."¹⁹ Also, like O'Brien, Collins was not elected as an Irish politician but in spite of it, and he did not by in large represent the interests of Boston's Irish urban poor.

Urban growth, industrial manufacturing, and the wealth and poverty it created, were undisputable facts of American life addressed in the rhetoric of the Progressive era of the late nineteenth and early twentieth centuries. The people of Boston desired change in the early twentieth century, but the nature of that change differed depending on whom one spoke to. For the Irish poor, they wanted a politician who could represent their interests, providing them with jobs and important social welfare services. Yankee elites wanted a government that was "efficient" and "honest." These Yankee sentiments usually translated into low taxes and no graft and they began organizations that would insure their desires. One such outfit was the Good Government Association founded in 1903. This arm of conservative Yankee Republicanism (although it claimed non-partisanship) worked to promote legislation and elected officials that would insure the Association's "efficient" and "honest" rhetoric would be played out.²⁰ Progressive rhetoric then reflected conflicting goals of urban reform, and was represented in Boston between the political struggle of rich and poor

¹⁹ O'Connor, 174.

²⁰ Between 1905 and 1933 Boston's Good Government Association published the monthly journal *City Affairs*. What remains of the original journals are housed in the Boston Public Library.

citizens. A growing awareness of a new breed of Irish politicians, like John Fitzgerald and James Michael Curley, also saw that the conflicting goals could be reduced to Irish Democrat-poor versus Republican Yankee-rich. These politics would come to work because as time passed the poor Irish would have the votes in the early twentieth century that they lacked in the end of the nineteenth.

Patrick Collins died in his last term in 1905. With the mayoralty open, ward boss, former congressman and successful newspaper publisher John J. Fitzgerald saw his opportunity to raise the banner of a young Irish democratic politician, fighting for his people. Building a campaign that used progressive reform rhetoric and employed new campaigning techniques (like a fast car to speed from speech to speech within the city) Fitzgerald was able to mobilize the electorate directly. His new creative campaigning techniques subverted the necessity for support from ward bosses. As he stated in his campaign, "I am making my contest single-handedly against the machine, the bosses and the corporations."²¹ Fitzgerald reached to reorganize municipal politics in Boston, to build a city wide political campaign centered on him and ultimately bringing patronage from his mayor's office directly to the people.

Fitzgerald had a problem. By using the language of Progressive reform he had to lay claim to an end to "inefficiency and graft" within city government. Yet, as Doris Kerns-Goodwin points out in her biography *The Fitzgeralds and the Kennedys*, John Fitzgerald "trained by the system of ward politics, his whole life pragmatically geared to satisfying the immediate needs of his special constituents, he could not suddenly change this orientation to a point of view which stressed efficiency, planning and good government."²² It seemed that reform rhetoric and the political necessities of his patronage promises were on a collision course like two powerful political locomotives. This would be a problem for Mayor Fitzgerald. How was he going to supply the patronage that he promised city wide while still being a reformer? Fitzgerald figured out that he could subvert the civil service law requiring exams that many of his supporters could not pass by arranging,

²¹ Kerns-Goodwin, Doris, *The Fitzgeralds and the Kennedys* (New York: Simon & Schuster, 1987), 107.

²² *Ibid.*, 117.

“‘emergency’ or ‘provisional’ appointments which allowed hundreds of men to be appointed without fuss. Once on the payroll, they were simply kept on.”²³ Soon outraged cries from various Yankee dominated reform organizations rang out about not only the emergency and provisional appointments, but also the men Fitzgerald selected to head municipal departments. Clearly many of these new appointees were politicians and not professionals with expertise in the departments they were asked to run. Due in part to Fitzgerald’s remaking and manipulation of mayoral politics, the Yankee Republican establishment raised intense outcry that resulted in an entirely new charter for Boston in 1909.

A new charter was not necessarily going to stop Fitzgerald. He had developed a political formula that was working. His combination of reform rhetoric, coupled with the apparent contradiction of widespread political patronage, seemed effective at bringing him the political support he needed, especially when it subverted the civil service laws. For, “within the immigrant community, despite the acceptance of civil service on principle, there remained a widespread sentiment that civil-service exams, geared to proficiency in grammar, spelling and arithmetic, were elitist, impractical and exclusionary.”²⁴ In short, they excluded the poor immigrant class from working for the city.

John Fitzgerald’s new formula for Irish mayoral politics held great promise for the poorest sections of Boston’s Irish and other struggling immigrants. The Yankee elites of the city, angered with what and how John Fitzgerald organized his new power, were determined to stop him and others like him in the future. But Fitzgerald outsmarted them before they got a chance to attack. He asked the City Council on January 7, 1907 to approve a plan of his for an independent city investigatory board that would look into the city’s finances. The members of the board would be appointed by him and would have investigatory powers.²⁵ This was a brilliant move by Fitzgerald for it allowed him to continue his political patronage while stalling off his conservative detractors. This new board, known as the Boston Finance Commission, brought down some of Fitzgerald’s appointments for corruption, but overall it served

²³ Ibid., 118.

²⁴ Ibid., 121.

²⁵ Hanford, 99.

Fitzgerald politically because he was its creator. By acting first, Fitzgerald was able to seize the reform high ground before his political enemies (Yankee Republicans) could. This cleverness of being one step ahead of the Yankee Republicans would be the hallmark of Fitzgerald, and later his successor James Michael Curley, as they shrewdly anticipated the Yankee's politically subversive moves in and around charter reform. This shrewdness would not only gain them the votes, but the loyalty and love of poor ethnic constituents, something that earlier Irish mayors Hugh O'Brien and Patrick Collins never had.

As mayor, Fitzgerald's power grew according to his astute political actions through his mayoral term of 1905-1907. Conservative Yankees saw their only alternative to halt this growing new trend in Irish politics as a change to the charter. In order to do this, rhetoric needed to be brought to the public that made charter reform seem like a prudent choice considering the urban challenges Boston was facing in the early twentieth century. Two of the strongest forces advocating a new city charter were the Good Government Association founded in 1903 and the Boston Finance Commission established by Mayor Fitzgerald. The Good Government Association came about as an independent watchdog advocacy group promoting the conservative interpretation of Progressive era reform rhetoric. They published a monthly news magazine, which served as their mouthpiece usually inveighing against something wrong with Boston's city finances, or elected officials.

Fitzgerald ran for re-election in 1907 but lost due in part to the negative publicity that became stuck on him concerning city corruption. Fitzgerald's successor George Hibbard, a Yankee Republican, began to see forces mobilize during his tenure for charter reform. By 1909 the state legislature was ready with a new charter that was unlike any previous charter. Whereas the charter changes of 1854, 1875, and 1885 had largely left the governing structure of the city as it had been since the first charter of 1822, the new 1909 charter set up an entirely different city. Comprising 28 pages of text compared to the scant four pages of the charter change of 1885, the 1909 charter presented a new vision of municipal government for Boston. The mayor would be given full executive power, eliminating the pesky tendency of the Board of Alderman to exercise authority by way of their power as committee heads.

The new charter eliminated the old city council with its 72 member common council and the twelve member ward elected board of

alderman. Taking its place would be “elected at large in said city a city council consisting of nine members.”²⁶ This more than any other measure was designed to subvert the influence and power of the ward bosses, who had been the focal point of Irish and poor immigrant political opportunity. If in the future a nine member at-large city council were to represent the wards of the city, how could one local ward boss be able to affect the out come of councilors elections citywide? Another important provision of the new charter was that it eliminated party designation for candidates running for office. By 1909 Democrats exceeded Republicans in the city and that trend would only increase. By eliminating party designation, Republicans stood a better chance at slipping by and gathering votes in machine wards where poor ethnic voters by habit voted for the Democratic candidate.

Before the new charter implementation the electorate of Boston was given the chance to select one of two plans offered by the state. Plan 1, as it became to be known, offered a two year mayoralty with a ward based city council of 22 that would also include nine additional members elected at large. Plan 2, which eventually won out, provided for a four year mayoralty with a single nine member city council elected at large. By voting on two different plans that the state legislature had written, the charter changing process was lent an air of greater legitimacy. How could voters of the city claim that a system of government was undemocratic when a majority had voted for it? James J. Connolly points this out in his book *Triumph of Ethnic Progressivism*: “Although most of Boston’s elite reformers opposed a popular vote on any aspect of the new charters, some of them recognized that the referendum was an opportunity to mold public opinion. By engaging in a public campaign, they could reinforce their message that the problems Boston faced lay in its politics, not its people.”²⁷ Upper and middle-class Yankees formed a “Committee of 100” in order to accomplish the goal of reform legitimacy. Its organizers included prominent Irish Catholics and Jews in their ranks to lend themselves further credibility as representative of the people. Largely due to the work of the “Committee of 100” Connolly

²⁶ Legislative Acts of the Commonwealth of Massachusetts, 1909, Chapter 486, Section 48.

²⁷ Connolly, James J., *The Triumph of Ethnic Progressivism* (Cambridge, MA: Harvard University Press, 1998), 93.

reports that “this aggressive campaign convinced a slim majority of Bostonians to support plan two, which captured 39, 170 votes to plan one’s 35,276. A surprisingly strong showing by the reform proposal in several blue collar ethnic districts made its success possible.”²⁸

Two strong institutional forces for Plan 2 charter reform in 1909 were the Boston Finance Commission and the Good Government Association. The Boston Finance Commission, originated by Mayor Fitzgerald to capture whatever reform aspect of city politics that he could lay claim to, not only supported the charter reforms of Plan 2 but also was featured within it as a future extension of the Governor’s office. Those that approved of the BFC’s watchdog work, thought it too important to remain under the authority of the mayor. Thus, they wrote into the 1909 Plan 2 that the BFC would become an extension of the state of Massachusetts. The charter stated, “Within sixty days after the passage of this act the governor with the advice of and consent of the council shall appoint a finance commission to consist of five persons, inhabitants of and qualified voters in the city of Boston....” It goes on further to outline “The chairman shall be designated by the governor. His annual salary shall be five thousand dollars, which shall be paid in monthly installments by the city of Boston.”²⁹

The Good Government Association through its monthly publication *City Affairs* rallied support for the Plan 2 charter changes promoted by the Boston Finance Commission. Under a February 1909 article titled “Changes Recommended by the Commission” the Good Government Association stated “The chief objection to the double chamber is the multiplicity of elected officers, the diffusion of responsibility, and the fact that the members of one of the branches must be elected by wards and do not represent the city as a whole....”³⁰ The big challenge for the Yankee elites for the new 1909 charter was to find an acceptable candidate for mayor that they could get elected to fill the new more powerful mayor’s office.

²⁸ *Ibid.*, 93.

²⁹ Legislative Acts of the Commonwealth of Massachusetts, 1909, Chapter 486, Section 17.

³⁰ *City Affairs*, vol. 1, no. 4, p. 5.

It would be likely that John Fitzgerald would try to recapture his seat that he lost to George Hibbard in 1907. Yet, Hibbard's reign was not very inspiring, and Yankee Republicans knew that they had to find somebody better to run. They needed a powerful figure whose fiscal conservatism would please them as well as someone who could get votes from Boston Democrats. There would be the new advantage of a non-partisan election, which would give the advantage to name recognition. This then led to one choice: the wealthy, powerful, blue-blooded, civic-minded, popular Yankee Democrat, James Jackson Storrow.

Descended from many wealthy Yankee Brahmins, Storrow was closely tied to Harvard University and was part of the big law firm of Higginson and Lee in downtown Boston. Storrow had a large house in the Back Bay and a country mansion in Lincoln. Yet, for all his highbrow pedigree he had attributes that could get him elected mayor. He served as the head of the School Committee, where he was well respected. He also was president of the Boy Scouts of America at one point, and within the city of Boston he was known for his charitable philanthropy, such as his work with the West End Boy's Club of ward 8.³¹ Overall for the forces behind Plan 2 of the 1909 charter change a candidate like James Jackson Storrow was the best they could ask for. He was Yankee to the core, but respected enough among the poor of the city that he might get elected. The forces that backed Storrow knew that it was likely that Fitzgerald would return to the field after his defeat to Hibbard in 1907. It was assumed that Hibbard would step aside and let the superior candidate Storrow step in as the candidate for "the people." Yet Hibbard did not give in so easily. One can only imagine the embarrassment of having won the mayoralty, worked for charter reform in 1909, only to be told by your political supporters that you were not good enough and needed to step aside to make way for a superior candidate. Hibbard decided to stay in the election. It would be a three-way race between Hibbard, the super select candidate Storrow, and the wily Irish Democrat John F. Fitzgerald.

Passed by way of referendum in November, the charter of 1909 made provisions that the next mayor would be elected in January of 1910. This made for a brief campaign period. Fitzgerald had an uphill battle since all the scandal attached to him by way of the un-coverings of

³¹ Pearson, Henry Greenleaf, *Son of New England* (Boston: 1932), 64.

the Boston Finance Commission still prevailed. Storrow used this scandal against him by paying for large advertisements in all the city dailies harping on the negative charges. But Fitzgerald was able to turn this financed attack against him to his advantage. In a public letter Fitzgerald proposed to have both he and Storrow limit their campaigns expenses to ten thousand dollars each. Fitzgerald said, "I recognize that you can raise \$10 for every \$1 which I can raise. I believe in asking you to forgo this advantage I am in accord with the public sentiment of the voters...."³² Storrow would never agree to this and Fitzgerald knew it. For Fitzgerald this gave him the perfect tool with which to defeat Storrow and all the other reform rhetoric, charter changing, conservative Yankees that were out to defeat him. He would himself use the language of Progressive era reform rhetoric to mold Storrow and those who supported him as men of money, monopolies and trusts.

This was a charge that was hard for Storrow to shake for he was wealthy and did hold a huge amount of influence with many large corporations. Storrow tried to defend himself and promote his campaign, but on the stump he was no match for Fitzgerald. Fitzgerald used the issues and campaign to make himself the champion of the people. Once his campaign got rolling it was reported that the people responded to his speeches enthusiastically, "as vociferous and as boisterous as strident voices, heavy shoes, muscular arms and hands and formidable canes could make it. The approving thousands followed him closely through the defense of his conduct of the city, applauded his statement of what he endeavored to accomplish for the city, laughed at his thrusts at the Finance Commission and agreed with his portrayal of Storrow's business affiliations."³³

Storrow's speeches in contrast sounded like a school principal trying to encourage his charges to be better citizens. His flat dry speaking style left important voters uninspired. Contrast this to Fitzgerald's "boisterous" and applauding followers and a split populace becomes apparent of those who are enthusiastic and excited with what politics may have to offer and those who feel politics are a chore. Storrow, although the best that the Yankees could muster after their big

³² John F. Fitzgerald to Storrow, Nov. 24, 1909 (unidentified clipping), in Kerns-Goodwin, 192.

³³ *Ibid.*, 195.

municipal coup of 1909, was not a strong enough candidate to defeat John "Honey Fitz" Fitzgerald. On January 11, 1910 John Fitzgerald won the first four-year term of a newly powerful mayoralty designed for a Yankee conservative, not a brash Irish upstart. Fitzgerald won by a slim 1,402 votes. He was greatly aided by the running of a third candidate, George Hibbard. Hibbard's paltry showing, combined with Storrow's narrow loss, would have given Storrow enough to win.

As it was explained earlier, the 1909 charter substantially restructured the city council. When it had been a bicameral municipal legislature with a common council of 75 members and a board of alderman of 14, it was now a unicameral municipal legislature with an at-large city council of nine. Yankees believed that by structuring the city council with nine at-large seats they would eliminate the problem of Irish ward politicians clamoring and conniving to garner patronage for their poor constituents. With the new charter they were largely successful, yet one Irish politico survived the Yankee-led surgical restructuring. One might even say he was helped by it since now he had to make himself known throughout the city.

James Michael Curley won election to the new nine-member city council on January 11, 1910 just as Fitzgerald had won the mayoralty. Curley conducted an energetic campaign that propelled him beyond his power base in lower Roxbury. Curley as a municipal politician had the keenest wits of any to ever face an adversary. Without intending it, Yankee conservatives with their new charter of 1909 had created their own political Frankenstein's monster. The new council of nine would be a stepping-stone for James Michael Curley. The boost it gave propelled him into political prominence in Boston as well as Massachusetts until the middle of the twentieth century.

The 1909 charter reform that was to be a great restructuring of Boston's municipal politics in favor of the ever-weakening Boston Yankee Republicans instead played in to the hands of their dreaded opponents the Irish. Since the Good Government Association did not succeed in getting their man Storrow elected, they would have to look for other ways to impact city government with what they wanted. 1909 and the election of 1910 spelled the beginning of the end for Yankee political dominance. From 1910 until the 1950s, Yankee Republicans would still control a majority in the state legislature. How they would continue to change the charter of Boston is an interesting story of their coping with a rising political force that they feared. Over time they would be forced to

work with the Irish as they became more powerful and assimilated into the middle class.

John Fitzgerald used his second “four-year” term, which only was 3 1/2 years due to the timing of the 1909 charter change, to further exercise his energetic advocacy of his proletarian ethnic backers. His accomplishments were many, including improvements to Boston harbor with its subsequent commercial revival. He also built many playgrounds, bathhouses, a new high school of commerce, a tuberculosis hospital in Mattapan, and two of his crowning civic achievements the Franklin Park Zoo and the New England Aquarium.³⁴ These actions played very well to the voting public who backed Fitzgerald. As Doris Kearns-Goodwin wrote, “Fitzgerald appeared more popular with the people of Boston than he had ever before.”³⁵ Naturally, it seemed only logical that Fitzgerald would seek re-election and continue to hold the newly empowered mayoralty that the state had redesigned in 1909. Certainly, Fitzgerald showed how effective the new four-year term of the centrally powerful municipal chief executive could be. It was indeed a very attractive political seat for an ambitious politician.

In 1910, city councilman at-large James Michael Curley, ran for and won a seat in the U. S. House of Representatives. This was yet another great story of success for the very ambitious young self-educated Irish American from the ghetto of Roxbury. Curley was clearly an able politician. His ten-year rise from common councilor in 1900 to member of the U. S. House of Representatives in 1910 was quite impressive, but Curley wanted to go further. He wanted the newly powerful mayoralty that Fitzgerald had. Yet how would he defeat this very powerful and popular man? One way would be that Fitzgerald would just not run. According to Curley, Fitzgerald had promised him this. Fitzgerald was intending to run for the U. S. Senate in 1916 and a difficult mayoral campaign in 1914 might hurt his chances for this cherished seat in 1916. But on November 28, 1913 Fitzgerald announced that he would seek re-election for mayor. Three weeks previously Curley announced he was also running. Curley was mad about Fitz coming in late to the race. At a meeting in his political head quarters in Roxbury, the Tammany Club, Curley said, “I am not opposing him. He is opposing me. I had

³⁴ Kerns-Goodwin, 242-243.

³⁵ *Ibid.*, 242.

supposed Fitzgerald would keep his word, although I knew he had broken his word with others; but I supposed he would keep his promise with a tried friend.”³⁶ All the papers were certain of a Curley defeat and a Fitzgerald win. Curley needed something to help him.

He found it in information concerning a liaison Fitzgerald had with a cigarette girl named Toodles. Whether it was true or not or how far the mayor had gone in his indiscretion is not important. What was important was how Curley was willing to use the information in order to get the upper hand politically on Fitzgerald. Curley went on the attack sending an anonymous letter to Fitzgerald’s wife describing the whole sordid affair and letting Fitzgerald know that he was getting ready to give a series of speeches that would expose the mayor. Fitzgerald, sensing that he had a lot more to lose than Curley had to gain, dropped out of the race for re-election.

With Fitzgerald out of the election of 1914 the Good Government Association that had backed the 1909 charter reform and the candidacy of James Jackson Storrow saw an opportunity. They had learned their lesson since 1910 and knew a wealthy Yankee would not get elected since each passing year saw a growing majority of ethnic and Irish voters and an ever-decreasing Yankee electorate. Their best bet then was to back an Irish politician that they felt was the lesser of two evils. This turned out to be City Councilor Thomas Kenny. Not only was Kenny the lesser of two evils, he was just generally the lesser candidate. Curley completely out campaigned him.

Curley achieved this in two ways. One simple thing was to emphasize his record over Kenny’s. Over the fourteen years since his first election to the old common council, Curley had accomplished a great deal. Kenny, on the other hand, had a generally lackluster career. Curley’s biographer Jack Beatty, describes a challenge Curley made to “...print Kenny’s public record if Kenny would return the compliment...” Curley continued to claim, “My record in public office would take about sixteen newspaper columns. My opponents would not take a half of a column.”³⁷ Jack Beatty goes on to say that unlike many Curley statements this one was true. The over-arching point of all this is

³⁶ Ibid., 245.

³⁷ “The Issue of Good Government,” *Boston Herald*, December 20, 1913, from Jack Beatty, *The Rascal King* (Reading, MA: Addison-Wesley, 1992), 143.

that James Michael Curley was a tireless politician: scrappy, entertaining, and shameless in employing what was necessary in order to get what he wanted done.

Curley ended up winning the 1914 election and thus presented an even bigger challenge to Yankee elites than Fitzgerald. George McNutter a leading member of the Good Government Association, sat down on the evening after the Curley win became official. Nutter wrote “A deep and humiliating disgrace! The worst depth to which this unfortunate city has sunk.”³⁸ Certainly for a man like Nutter who had worked to stem the ethnic Irish tide in 1909 with the new charter and the grand candidacy of James Jackson Storrow, it was humiliating. But for the historically oppressed Irish of Boston, it was a great triumph. For no man before had ever quite been able to achieve what James Michael Curley did. He took the Yankee elites on at their own game and won. The mayoralty was his.

Curley would use the mayoralty to gather and disseminate as much power as he could to his beloved constituents, the working class and poor. But Curley did not control all the power in Boston. Republican Yankee elites would continue to fight for as much authority over the affairs of Boston as they could muster. In 1914 they still controlled through the state legislature the tax rate, the police, various licensing boards, and the investigative Boston Finance Commission as an extension of the governor’s office. The stage was set for battle, and through the remainder of the teens, twenties, and thirties, charter reforms would continue to occur. Great sweeping changes were no longer presented, but rather micro-alterations took place that almost invariably involved an attempt by the Yankee Republicans to get ride of Curley.

The most distinguishing feature of Boston, and eventually Massachusetts politics, through the early 1940s was James Michael Curley and growing Irish as well as other ethnic voting powers. The halcyon high water mark of the Yankees last great attempt at control with charter reform in 1909 had failed. They had argued for and created a strong mayoralty to try to regain control they had seen slip away with the first election of John Fitzgerald. Now they had made a powerful mayoral office that was the seat of James Michael Curley. Clearly they could not just eliminate him from office since that would cause too much of a political ruckus among an electorate that loved Curley and loved to hate

³⁸ Ibid., 145. Nutter diary, vol. 5 (1914).

the Yankee political leadership he railed against. Curley had the votes in the city; the Yankee Republicans still had the votes in the state. The Republicans would figure out some way to change the charter.

Curley ran for re-election in 1917, but faced the unfortunate dilemma of a four-way race that had two fellow Irish Catholics, Tague and Gallivan, running against him. The third candidate, Andrew Peters, was a Yankee Democrat. Peters won with a split in the Irish and ethnic vote.

Sensing that Curley was not done away with, for Peters could not come close to mustering the popularity that Curley could, the state legislature took action to reign in the power of the Boston mayoralty to keep a man like James Michael Curley from making it a permanent power base. They did this by changing the charter again in 1918 to replace section 45 of the 1909 charter with the following words: “The mayor of the city of Boston shall be elected at large to hold office for the term of four years from the first Monday in February following his election and until his successor is chosen and qualified and shall not be eligible for election for the succeeding term.”³⁹ By preventing a mayor from succeeding himself, Republican forces in the state legislature could curtail the amount of power Curley could amass. If he could not succeed himself, his whole political framework of support and patronage would be interrupted. However, Curley’s power would not be eliminated. As Massachusetts came into the 1920s Jim Curley and fellow Irish Democrats came to exercise more power across the state. This resulted in the charter being changed again in 1924.

By 1920 Massachusetts was no longer a Yankee state. Just as the Irish and other ethnic groups had numerically surpassed the Yankee population of Boston in the late nineteenth century, by 1920 they were surpassing Yankees on the state level as well. 1920 saw 66.8 percent of Massachusetts’ population as either immigrants or the children of immigrants.⁴⁰ This fact made for an important power shift in the state that would affect Boston charter reform. By 1920 it would be increasingly difficult to hold down ethnic voting power just as it had

³⁹ Special Acts and Resolves of Massachusetts 1918, Chapter 94, Section I, p. 52.

⁴⁰ Tager, Jack, *Boston Riots: Three Centuries of Social Violence* (Boston: Northeastern University Press, 2001), 145.

been difficult to hold down ethnic voting power in Boston in 1910 with the election of John Fitzgerald.

The growth in ethnic voting power translated most often into increased power for the Democratic Party, yet this did not translate to an ever-expanding centralized Democrat Party apparatus. James Michael Curley ran for the mayoralty of Boston many times during the 1920's. Yet, due to the passage of the anti-mayoral succession law in 1918 he routinely had to sit out an election. Instead of supporting the other Democratic candidates for mayor during his "sitting out times," "he was deeply ambivalent about helping any Democrat succeed him."⁴¹ This was a problem for statewide Democratic Party unification, but it did not keep them from growing in power. It simply meant that they did not always work together.

Not all non-Yankee ethnics were ready immediately to join forces with the Democratic Party. The Republican Party could see the growing power and large potential power of ethnic voters. Republicans went after French-Canadian, Italian, Jews, Poles, and Portuguese to garner their votes. The Republicans struggled with this association because they were often linked to the post-World War I politics of "prohibition, one-hundred percent Americanism, Ku Kluxism, and immigration restriction..."⁴² In order to endear themselves to ethnic voters Republicans needed to appear much more fair, reasonable and democratic -- not as reactionary Anglo-Saxon exclusionists.

These political facts resulted in a change again to the Boston charter in 1924. Clearly, the nine at-large city council arrangement of 1909 was designed to disenfranchise ethnic voting power in the city. Republicans could do well to change this in order to look better to ethnic voters across the state. In 1923 the Republican controlled legislature established the Boston Charter Revision Commission. They recommended the city council "Be enlarged, and that some method be provided to assure fair representation for all parts of the city and for the various groups of

⁴¹ Beatty, 246.

⁴² Huthmacher, J. Joseph, *Massachusetts People and Politics 1919-1933* (Cambridge, MA: Harvard University Press, 1959), 260-261.

citizens.”⁴³ This resulted in the legislature passing Chapter 479 of the legislative act of 1924.

Chapter 479 made provisions for a return to the ward system of city council representation as part of a referendum in the 1924 fall municipal election. It passed and received its greatest plurality of votes in the poorest wards representing the least assimilated citizens. These poorer wards like East Boston, Charlestown, the North End, the West End, the South End, South Boston, and Roxbury represented the vast majority of ethnics in the city. Yet other parts of the city like West Roxbury, Dorchester, and Jamaica Plain voted to keep the 1909 at-large system.⁴⁴ These outlying streetcar suburban wards, although less ethnic in make up, still held large numbers of ethnic voters. What made them different was that they were middle class. This fact would be an interesting foreshadowing concerning the politics and controversy surrounding the next large charter reform of 1949. Just as the first charter of 1822 had been a struggle of different classes to control and maintain power so too were the other charter reforms that followed throughout the nineteenth and twentieth centuries. In the late nineteenth and early twentieth centuries the struggle over the charter can look confusing often appearing as a struggle between different ethnic groups, but ultimately what lay underneath this apparent struggle was a class conflict.

With the onset of the Great Depression in 1929 new challenges and opportunities arose for politicians. This next generation of politics would involve the charter again, but not to the extent it had in 1909. Yet when we look at what changed in the 1930s we can learn a lot about the relation of Boston to the state and for the first time the new significance of Boston to the federal government in Washington.

The Great Depression brought forth the rise of the Democratic Party nationally. Not only did the party rise but also it grew around the personality of its clear-cut dominant national leader Franklin Delano Roosevelt. As president of the United States, Roosevelt single-handedly recreated the role of government during a time of severe economic crisis. His name became synonymous with the “New Deal.” The New Deal was national social welfare, which the United States had never

⁴³ Commonwealth of Massachusetts, Report of the Charter Revision Commission, House of Representatives, No. 1220, Jan., 1924, p. 3.

⁴⁴ Marchione, 374-375.

experienced. However, make work projects, improvements in infrastructure, and direct aid to needy voters was nothing new. This had been going on for years within the nation's cities under machine politics. Men like John Fitzgerald and James Michael Curley were early models of New Deal social welfare on a smaller municipal scale. In fact, Jim Curley was an early supporter of white Protestant Roosevelt in 1932 when the rest of his Irish Catholic political brethren of the state were supporting fellow Irish Catholic Al Smith.

Connections and support to Franklin Roosevelt generally translated into patronage through New Deal bureaucracies. This was not always the case for James Michael Curley, however. Curley was a powerful Democrat among other powerful Democrats of Massachusetts in the 1930s. But unity was lacking. As Charles Trout explains in his book *Boston, The Great Depression, and The New Deal*, "Acute political rivalries made it impossible to launch large-scale public works..."⁴⁵ Boston and Massachusetts, therefore, despite its growing base of Democratic Party power, had party officials that reflected narrow, almost fractious, and paranoid attitudes towards each other. Even though they had to fight less with the old Yankee Republicans of the 1909 era, Irish politicians like Curley continued fighting even if that meant unreasonable conflicts with his own brethren. As Jack Beatty states in his Curley biography, "James M. Curley was not a party man. He was a James M. Curley man."⁴⁶

The above-mentioned facts resulted in some unique political events during the thirties. One was the loss of Jim Curley to Republican Henry Cabot Lodge, Jr. in 1936 for a U.S. senate seat during a presidential election that saw Franklin Roosevelt receive a tremendous plurality, as well as huge numbers of congressmen and senators on his coattails as a resounding yes vote for the New Deal. The other was the solicitation of mayoral hopeful Democrat Maurice Tobin to upper-income Yankees and Irish to help him with the election of 1937. He needed this support because Jim Curley was unwilling to lend his "spear carriers" to any other campaign for mayor.⁴⁷ Tobin subsequently built a campaign that

⁴⁵ Trout, Charles H., *Boston, The Great Depression, and The New Deal* (New York: Oxford University Press, 1977), 282.

⁴⁶ Beatty, 248.

⁴⁷ *Ibid.*, 280.

emphasized fiscal restraint over unbridled spending. This hurt Tobin with Curley supporters but made him favorable to many powerful people in and around Boston who could change the charter.

Powerful state legislators approved of Mayor Tobin's work and wished to see him remain in office. So in 1938 the state legislature passed legislation to change the rule of succession which they had changed before in 1918. Placed before Boston voters in a referendum in 1939, this new charter provision for mayoral succession was approved. The path was laid for Maurice Tobin to be the first mayor to be re-elected for successive mayoral terms since Patrick Collins in 1903.

Perhaps the political success of Maurice Tobin over the opposition of Jim Curley says a few things about the future of politics in Boston. First, with the advent of the New Deal, maverick independent politicians like Curley, who could find a niche in the deficient social welfare landscape of American urban politics in the early twentieth century, would find it hard to survive politically without being able to work with a larger national social welfare apparatus that the New Deal created. Jim Curley liked being the people's mayor and did not like someone else of his party being the people's mayor for a while when he was out of office. Nor did he like his personal patronage being tied up with New Deal bureaucracies under the authority of the federal government. Second, despite the economic down turn that was the Great Depression, people of middle class means in the nineteen thirties were no longer just Yankee Republicans. As Trout demonstrated, many supporters of Maurice Tobin were "upper-income Irish," a group not so common in 1909 as they were in 1937.

These forces working together, the rise of the social welfare at the state and federal level, effectively eliminating the need for machine politics and its latent functions, and the economic ascension of the Irish into the middle class, would lay the foundation for a structural shift that would alter politics in Massachusetts at the end of the 1940s. Once again shifts in class affiliation would bring about charter reform.

The Second World War was an enormous economic boom to the U.S. Boston participated in economic growth from 1939 to 1945, but following the end of the war hit a slump that resulted in part from the aging quality of its industrial base. Where shoe, shipping and textiles had been strong in 1920, by 1945 the prosperity and employment of these industries had dried up. Boston's working-class, fearing the

poverty that awaited them, returned to their “mayor of troubled times,” James Michael Curley, in the fall of 1945. With Curley serving his fourth term as mayor he returned to the type of direct hands-on political patronage that he knew best. The expenditures of the city climbed as Jim Curley put more and more people on the city’s pay roll.⁴⁸

This was an expensive solution for a localized economic slump. Although Curley gave jobs to the poor constituents of the inner wards like the North End, South End, and West End, it certainly cost property owners in other parts of the city, particularly socially mobile residents of the street car suburban districts like Jamaica Plain, West Roxbury, and Hyde Park. These parts of the city experienced growth after World War II and were housing new middle-class homeowners. These growth districts were not the densely populated inner wards of renters who traditionally backed Curley. Many new middle-class homeowners were Irish, but in the post-war environment they saw themselves less and less as an oppressed and despised minority. By way of the war, they qualified for special veterans benefits like the free college tuition under the G.I. Bill and low cost loans to build their own homes. These post-war federal subsidies offered young Irish Americans the opportunity to emphasize their “American-ness” and drop the older identity of under-classed minority of their parents and grandparents. With a new found identity that emphasized what was alike among Irish Americans and other Americans, the old Yankee-versus-Irish ethnic battle lines of the early twentieth century wore away. For young Bostonians of middle-class means, the potential and meaning of Boston changed and they wanted a city charter that reflected this changing need.

It is interesting that Jim Curley’s political style and direction was largely unchanged in the post-World War II era. One can speculate as to why this is so. Probably one chief reason is that he really was unsuccessful at any other format of business or politics. This is why he kept his traditional battle lines of Irish-versus-Yankee, poor-versus-rich. Unlike John Fitzgerald he was a failure at business. Fitz was in and out of politics by choice since he had other sources of income. He was not compelled to run and run again for whatever office was available. Jim Curley had made a life of politics because unlike any other profession it gave him success. Yet in politics, especially Jim Curley politics, one always needed an enemy. In his early days that was simple enough, with

⁴⁸ Ibid., 161.

wealthy Yankee Republicans being an easily identifiable target. Later in his career, and because of his own necessity to be the next available candidate, he would often not support fellow Democrats. He would even do things to subvert them. Marice Tobin was brought up through the Curley machine. When Tobin became a threat to Curley's opportunity for winning the mayoralty he became the enemy, even if that meant Curley giving aid to Republicans. This habit of Jim Curley being a "Jim Curley man," as Jack Beatty has described his political loyalties, resulted in Massachusetts Democrats being stunted in their development in the 1930s. We have seen how this kept them from bringing in more patronage to Boston during the New Deal and this lack of opportunity can be laid at the feet of Jim Curley's enormous insecure political ego. This personality flaw would be the final death knell of Jim Curley politically. When his career would come to an end it would not be because the Yankees had finally out smarted his foxy craft. Rather it would be because he insulted, by way of his over-inflated ego, a friend whom he should have taken a moment to thank in deference.

During his last term of mayor between 1945 and 1949, Jim Curley had the misfortune of leading his name to a business proposition. The man he lent his name to printed it on the top of a letterhead. Curley's name on the letterhead became the legal link between him and the man's mail fraud practices. Curley faced a trial and possible jail sentence. Subjected to a trial, Curley was found guilty. The prospect of Curley going to jail presented a problem for then Republican Governor Bradford. Bradford received support from Curley in his run for the governorship and was willing for Curley's fall to be a soft one. Additionally, by Massachusetts law, if Curley went to jail then city council president John Kelley would become mayor. The state legislature's view was that Kelley was completely incompetent and corrupt. What Governor Bradford arranged was for the legislature to pass new legislation in 1947 that would make the city clerk the mayor, if the mayor was unable to fill his post due to being in jail. Also, while in jail Curley was to get all of his salary and a guarantee to be able to return to his job upon his release.

Curley ended up going to jail in late June 1947 and city clerk John Hynes took over for him as temporary mayor. Hynes and Curley were friends, with Hynes being brought up through the ranks as a loyal Curley supporter since the beginning of Curley's mayoral career in 1914. There was an effort to try and get Curley pardoned and removed from jail, but

U.S. president Harry Truman, having carried the label of being a machine politician from his old Kansas City days and facing a difficult election in 1948, saw that leavening Curley in jail for at least part of his sentence was good politics. So John Hynes quietly took over the work of James Michael Curley. Hynes respected and remained loyal to Curley during his absence, leaving key pieces of patronage postponed until Curley could return to disseminate and take credit for them. Five months after Curley went to jail, President Truman pardoned him and Curley returned to the mayoralty.⁴⁹

The first day back on the job Curley met with the press. When asked how his first day back on the job had been, Curley responded, “I have accomplished more in one day than has been done in the five months of my absence.”⁵⁰ Curley’s opportunity to swell his ego was a political mistake for when his comment got back to John Hynes, Hynes was furious -- madder than his son Jack had ever recalled seeing him before.⁵¹ Through his anger Hynes could only see one thing: to get back at Jim Curley. In 1949 he would take him out and become mayor in his own right.

By 1949 Boston, as well as the whole New England region, was in a state of economic decline. For example, “between 1930 and 1945, total assessed valuation in the city....fell from approximately \$2 billion to about \$1.4 billion, or nearly one-third.”⁵² This meant that Boston was worth more in 1930 than it was in 1945. Powerful people could see that Boston was in serious economic danger. Charter reform was called for again by a select minority to remedy, what was perceived as, a poor political apparatus. One of the poorest prospects of Boston politics for business interests was the continued re-election of Jim Curley.

A plan to change Boston into a city administered by a professional non-political city manager had been approved by the legislature in 1938. This city manager plan came to be known as Plan E. By 1949, a major impetus was gathering to have Plan E become a reality. Beyond removing the mayoralty, Plan E also called for the elimination of the

⁴⁹ Ibid., 482.

⁵⁰ Bergenheim interview, *The Boston Globe*, November 28, 1947.

⁵¹ Beatty, 484.

⁵² Allen, Robert S. “Our Fair City,” in .Marchione, 378.

ward council re-instituted with the charter change of 1924. Why would there be serious interest in changing the charter again in 1949? Some of the reasons have already been touched on. One was the persistent reappearance of Jim Curley in the mayoralty. This was coupled with the fact that Boston declined over the thirties and forties and needed radical change if it was going to be economically anything like it was before. Plus, many former “ethnic” families of the turn of the century had their young-adult population educated and aspiring for full participation in the middle-class. If the city was to continue on as usual with Jim Curley politics and a declining economic base with enormous numbers of residents on the city pay role, the young middle-class “ethnics” would be doomed to a lack of opportunity. Charter reform was inevitable, but would it have to be the disenfranchising Plan E?

Jim Curley, being the astute politician that he was, could see what was coming. He wanted to keep the mayoralty a fact of Boston politics. If he was not the mayor, what else could he do? An alternative to Plan E passed the state legislature: Plan A. Plan A would keep a mayoralty and change the city council to a nine member at large elected body, pretty much returning the cities municipal structure to the 1909 charter. It was decided that the plans, once shaped by the state legislature, should then be voted on in referendum by the people of Boston. Although this was not necessary by law, it did serve to legitimize the changes that the legislature was trying to impose. The whole legislative package came to be known as Plan ADE, since it included the two plans described above and Plan D, which was not much different than Plan E.

Although Plan A in many ways was a reiteration of the 1909 charter change, it did have one element that was different: the implementation of a pre-election run off system. Before 1909 mayoral candidates ran for their party’s nomination first through a mayoral primary. In 1909 this was done away with making all candidates run in a common field. By 1909 party designation hurt Yankee Republicans, so it was best to have their state legislative allies do away with the primary process. By 1949 the common field system of election was seen to have its disadvantages. It tended to favor inner-city politics dominated by the likes of James Michael Curley. The new system that was proposed during the 1949 charter change was the runoff. This would have all candidates for mayor run in a preliminary election first, which was a kind of primary election without party affiliations. The two candidates who received the most votes would then run against each other in the final election. This new

process of giving the voters a second look helped business interests of Boston tremendously. It gave them an opportunity to influence the final election by concentrating their support behind one candidate in a narrow field of two. William P. Marchione, Jr. points out in his analysis of the 1949 charter change that “In the twenty-one years since the introduction of Plan A government in Boston, the voters have twice given a plurality of votes to a mayoral candidate in the preliminary election, only to choose someone else in the November runoff.”⁵³

The Plan E forces were well organized. They boasted that they had a 3,000 member group of Bostonians ready to work for its passage and were confident that they could win. James Michael Curley was not about to let the opportunity of the mayoralty evaporate without a struggle. Apparently he had some political tricks up his sleeve. During the debate in the legislature over ADE, Curley had two of his men, Joseph Scolpinetti and George Leary, lobbying on his behalf. What they were able to achieve was an “amendment to the bill that stipulated that only one charter reform proposal might be submitted to the voters of Boston at a time—the proposal whose supporters were the first to gather 41,068 valid signatures.”⁵⁴ This was a tremendous advantage for Curley, because he had a permanent organization of loyal followers who could mobilize 41,068 signatures faster than anyone else. His forces got working immediately to insure that Plan A was voted upon first before any other plan could get a chance to be considered. Curley avoided direct affiliation with the Plan A forces but that did not keep his son Leo Curley from being one of the chief leaders. Leo Curley took the position with city employees that if Plan E became law, it would “result in a wholesale discharge of city employees.”⁵⁵ If that would not put the fear of God into the Curley supporters, nothing would.

Plan A got on the ballot first due to the work of municipal employees who gathered signatures and other city workers who were able to subvert the opposing Plan E forces with delays in paper work and filing. Once Curley’s allied forces for Plan A were amassed he did not move to have it put on the ballot immediately, the reason being

⁵³ Marchione, 298.

⁵⁴ *Ibid.*, 391.

⁵⁵ *Ibid.*, 391.

Though the Mayor preferred Plan A to either of the other reform measures, that plan also had its undesirable features. For one thing, its adoption would mean the establishment of a system of preliminary elections. The Mayor had no wish to give his enemies an opportunity to close their divided ranks. He hoped that his victory in the signature drive would dishearten the Plan E forces to the point of abandoning further efforts to put their reform proposal on the 1949 ballot. The Plan A campaign would then be quietly dropped.⁵⁶

The Plan E people had certainly been out done in the street politics of Boston. Now they had a dilemma resulting directly from the clever legislative lobbying of Curley's men, Scolpinetti and Leary. The reform legislation had provisions such that the first plan voted on and approved could not be challenged until 1955. If the first plan met defeat, another one of the plans could be voted on as early as 1951.⁵⁷ The Plan E forces went ahead to try to get their proposal on the ballot. However, since the Plan A people had the necessary signatures first, they got on the ballot as the referendum option for the voters of Boston. It is likely the Plan A forces got the order to proceed from Curley since he could see that the Plan E people were going to persist. As William Marchione, Jr. describes, "With Plan A now definitely on the November ballot, the Plan E for Boston Committee had to decide whether or not to support it. Many Plan E committee members urged an outright endorsement of Plan A, reasoning that a reform of the City Council...was better than no reform at all."⁵⁸

The fall 1949 election was not easy for Jim Curley. He got his way in terms of having the most favorable of the plans on the ballot, which would preserve the mayoralty, but he would have been happiest to keep the status quo. Curley in the mayor's office, with a 22 member ward base city council worked best for Curley's political goals. Plan A was

⁵⁶ Ibid., 393.

⁵⁷ Ibid., 393.

⁵⁸ Ibid., 394.

the best he could have asked for but he would rather not have had to confront it. Ultimately he wanted to see it defeated, but he did not come out against the proposal. Change was in the air in 1949 and forces were gathering to take Curley out and elect John Hynes in his place. With the twin struggle of charter reform and a powerful candidate to defeat him, Curley's political career was hanging in the balance. Things did not go Curley's way. Approved by almost twice as many yes votes as no votes, Plan A became the new charter and John Hynes received more votes than Curley to become mayor.⁵⁹

What made the voters of Boston return back to a ward council system of nine at large members? In 1924 it had a nine member at-large council established in the 1909 charter change. By 1924 powerful politicians were willing to concede that the nine member council was unfair and not proportionally representative of the people. If a council of nine was not proportionally representative of the people in 1924 why was it now representative in 1949. Perhaps the best answer to this question is to look at what parts of the city gave the most support for Plan A and what this might tell.

Plan A received its highest percentage in the Back Bay. This is consistent historically; since the Back Bay was one of the wealthiest parts of Boston and had the highest proportion of Yankee voters. Plan A received its lowest number of affirmative votes in Charlestown. Charlestown was Irish and largely working-class. Even though Charlestown gave plan A the fewest number of yes votes, it still gave Plan A more yes votes than no votes (55.9 percent yes).⁶⁰ This is to say that every ward in Boston gave more yes votes for Plan A charter reform in 1949 than it gave no votes.

By 1949 Boston had changed substantially from what it had been in 1924, but the population of both years was relatively similar. The number of registered voters had almost doubled. Boston was no longer an immigrant city, nor was it a city of inner-poor wards. The biggest power now lay in Boston's outlying suburban wards like West Roxbury, Dorchester, Jamaica Plain, and Hyde Park. This is where John Hynes did best and where young voters were no longer interested in the old politics of immigrant voters and ward healers. Marketing Plan A as a

⁵⁹ Ibid., 396.

⁶⁰ Ibid., 396.

more efficient government resulted in its success. By 1949 efficiency seemed like a good idea to young voters educated in college and hoping to rise socially in the world through white collar work in a large corporation. What the old ward politics of Jim Curley had to offer was no longer attractive. In fact, Boston was suffering under high taxes and a declining business environment. Forces that wished to rid Boston of the old Irish/ethnic working-class politics of animosity were in good stead, for by 1949 they had support in the aspiring children and great grandchildren of immigrants. By 1949 Boston needed change and the voters were willing to give it their approval.