

NEWS AND NOTES

NOTES ON CURRENT MUNICIPAL AFFAIRS

WILLIAM BENNETT MUNRO

The National Municipal League has just issued its annual Proceedings, embodying in a neat volume of nearly five hundred pages the various papers which were presented at its fourteenth annual convention, held at Pittsburgh, Pa., in November last. The volume contains a series of interesting and important contributions covering a considerable list of topics, and including such subjects as Municipal Research, Charter Reform, the Civic Conditions of Industrial Communities (especially in connection with the Pittsburgh survey), the Relation of the City to the Liquor Problem, the Control of Public Utilities by commissions and otherwise; and Municipal Health and Sanitation. Among the more noteworthy papers mention may be made of Hon. Clinton Rogers Woodruff's comprehensive discussion of American Municipal Tendencies; the paper on Charter Tendencies in Recent Years by Prof. John A. Fairlie of the University of Michigan; Prof. A. R. Hatton's thorough analysis of The Liquor Traffic and City Government; and the short discussion of Permanent Officials in Municipal Government by A. Lawrence Lowell, president-elect of Harvard University. The address of the League's president, Hon. Charles J. Bonaparte, dealt with the subject of The Criminal Law as a Means to Give Effect to the People's Will.

A novel and profitable feature of the League's sessions was the presentation of reports upon the so-called Pittsburgh survey. This survey involved a close range investigation of the conditions of life and labor in Pittsburgh as a typical industrial city, with special reference to the relation between local economic and political conditions. The work was conducted by some of the best-equipped and most experienced social workers of the United States, among them Messrs. Robert A. Woods, Paul U. Kellogg, Prof. J. R. Commons, and Mrs. Florence Kelley. The full results of the investigation will be published by the Russell Sage foundation as one of its series of educational publications and will form, on a smaller scale, a work somewhat analogous to Mr. Charles Booth's monumental *Life and Labor of the People of London*.

The Boston finance commission, after nearly two years of patient investigation, has recently completed and presented its report. This commission of eight members was appointed in the month of July, 1907, by the mayor of Boston, the commissioners having been nominated to the mayor, at his request, by various mercantile, labor, and other representative organizations of the city such as the Boston Merchants' Association, the Chamber of Commerce, the Boston Central Labor Union, and so on. In the course of its work the commission conducted an investigation into the affairs of practically every city department, and issued from time to time no fewer than 127 special reports upon as many different matters. In addition to these, the engineers and experts whom the commission employed made 77 special reports. The investigations were very thorough, for the commission was given by the legislature authority to summon witnesses, to compel the production of books and papers, and in fact to exercise in matters relating to the obtaining of information, all the usual powers of a higher court. The members of the commission served without remuneration, and in some cases at great personal sacrifice, but the sum of \$85,000 was placed at their disposal to cover all other services connected with the commission's work.

The various reports are to be printed in five volumes, of which only the first has as yet appeared. They do not disclose any wholesale wrongdoing such as has been shown to have marked the administration of San Francisco, but the commissioners found that almost every one of the many Boston departments had been conducted in a needlessly extravagant and wasteful manner, that inefficiency was tolerated in order that political ends might be served, and that corruption and even dishonesty showed themselves here and there all along the line. The summary in which the commission set forth the general results of its investigation was written chiefly by Hon. Nathan Matthews, an ex-mayor, and it makes extremely interesting and profitable reading, for it shows the way in which the affairs of a large city may become demoralized even though the outward forms of honesty and efficiency may be maintained.

With its report the commission submitted to the Massachusetts legislature its recommendations for various important changes in Boston's charter. In brief it recommended that the mayor's term should be increased from two to four years, but that at the expiration of two years a mayor should be subject to recall if at the State elections (which precede the municipal elections by about a month), a majority of the registered vote should be polled against him. It suggested that the mayor's powers should be considerably increased and that all appointments

should be made by him without the necessity of aldermanic confirmation. It further proposed that the common council, a body of 75 members hitherto elected by the 25 wards of the city, should be abolished, and that the city should henceforth have a single council of nine members elected at large for a three-year term, and one-third of the number retiring annually. An interesting recommendation is that which proposes that primary elections be abolished, and that all nominations be henceforth made by nomination paper, such papers to contain at least 2500 names. The report recommended, furthermore, that no party designations be placed upon the ballots used at municipal elections. To the end that full publicity of all future municipal proceedings should be ensured the report recommended the establishment of a permanent finance commission of five persons appointed by the governor of the State, this commission to have solely the power to investigate "any and all matters relating to appropriations, loans, expenditures and methods of administration . . . and to report thereon to the mayor, the city council, the governor or the legislature."

The finance commission's recommendations have aroused much interest and provoked much discussion in and about Boston and are at present engaging the attention of the State legislature. It is not unlikely that the proposed charter amendments will be submitted to the voters of the city at or before the next regular elections.

Students of municipal sociology will be interested in the recently published *Report of the Royal Commission on the Administration of the Poor Law* which embodies the results of an elaborate enquiry which has been conducted during the last three or four years into the administration of public charity in England. The most striking recommendation contained in the *Report* is that which urges the entire reorganization of the machinery of administration in this field including the abolition of the "poor law union" as the local area for charity administration, the elimination of the boards of guardians who have had charge of these unions, and the giving of entire charge to the regular local authorities. This would involve, in the cities, the entrusting of poor relief to the city council to be handled by a new standing committee of this body. In this respect the recommendations of the royal commission follow the general lines laid down in the education act of 1902, which transferred to the city councils to be exercised through one of their committees, that supervision of elementary education which had hitherto been vested in the hands of an independent school board elected directly by the voters in

each municipality. If the recommendations of the royal commission should be adopted by parliament the municipal councils in England will constitute practically the sole local authorities in the cities with respect to every branch of administration except the granting of licenses. In England the trend of the last half century has been steadily in the direction of entrusting more authority to the city councils, a development which stands in sharp contrast to the general movement in the United States.

The New York charter commission, appointed by Governor Hughes in April, 1908, has recently made its report and has submitted to the State legislature a bill for a new charter. The commissioners recommend a number of important changes in the present framework of New York government and in the distribution of municipal functions, but among these proposed changes two or three may be singled out for special emphasis. Briefly stated the commission urges the abolition of the present board of aldermen and the establishment of a relatively small unpaid council of thirty-nine members to take its place. This council, the commission recommends, should have a large ordinance-making power; but it is to have little to do with the actual administration of the various municipal departments, or with the apportionments of funds, or with the granting of franchises. It is proposed to give it, however, the right to veto specific appropriations made in the budget submitted to it by the board of estimate and apportionment.

The board of estimate and apportionment which during the past half dozen years or more has been an outstanding feature of municipal administration in the metropolis, is retained in substantially its present form; but it is to become, in the language of the commissioners' report, "the great financial executive committee" of the city, and will share with the mayor almost complete control over the whole range of actual departmental administration. The board is to have, according to the commission's proposals, control over seven central bureaus, and every municipal department will come within the jurisdiction of one or other of these bureaus. It is proposed, furthermore, that the powers not exercised individually by the five borough presidents shall be taken away from them and shall be vested in the hands of a street commissioner appointed by the mayor.

Under the present New York charter the powers of the mayor are very extensive, more extensive indeed than are those of the chief executive in any of the world's great cities; but if the suggestions of the present

commission find acceptance, these mayoral powers will be still further increased. It is recommended that the mayor be given power to appoint without the concurrence of any body, practically every departmental head, and the members of practically every board or commission, and that he be given authority to remove these officials at will. As regards all matters relating to the expenditure of money it is proposed to give him a veto power which would be virtually absolute.

One recommendation of the charter commission will be particularly acceptable to students of municipal affairs. The present New York charter fills a bulky volume of over half a million words, and its complexities defy even the experienced. The charter commission recommends that the charter itself shall be reduced to about 75,000 words by eliminating obsolete sections and by a general simplification. This would bring the document within reasonable compass. It proposes moreover that the administrative regulations of the city shall be incorporated, not with the charter, but in a separate administrative code.

The *Municipal Program*, published some years ago by the National Municipal League but for some time out of print, has been republished as an appendix to Mr. Horace E. Deming's *Government of American Cities* recently issued by Putnams.

The legislature of the province of Quebec has appointed a royal commission to investigate and report upon the financial affairs of the city of Montreal. The conduct of municipal government in the Canadian metropolis has been for some years unsatisfactory to a considerable body of the citizens.

Hon. D. C. Richardson, mayor of Richmond, Va., in his annual message to the city council on March 1, declared very strongly in favor of radical changes in the charter of that city. The mayor expressed himself as personally in favor of the system of government by commission, but the constitution of Virginia requires the maintenance of a bicameral municipal council in every city of the State.

In his recent message to the New York legislature Governor Hughes made this suggestion concerning municipal charters: "There should be a careful study of the problem of city charters in order to develop a plan under which local responsibility may be fixed for the details of administration within the limits of a general scheme of government provided

by the legislature. Elaborate charter provisions are the prolific cause of special legislation and defeat their own purpose, for, apart from exceptional emergencies, communities must look for their salvation not to the State government but to the public spirit and active interest of their citizens. Meanwhile, and until improved charters are provided, I recommend that care be taken in amending existing charters, so that wherever practicable the amendments should be made in such a manner as to make further special legislation unnecessary."

The system of city government by commission has been adopted in two Massachusetts cities, Haverhill and Gloucester, during the last few months.

The advisory commission appointed by the military government of Cuba some time ago has presented to the Cuban legislature its project for a municipal code. An increased measure of local autonomy is one of the chief recommendations.

The city of Berkeley, Cal., has recently adopted a new charter which provides for the most advanced type of the small-commission form of government, but with a reservation of great power of popular control. The charter illustrates in a very striking manner the contemporary trend of American municipal development.

Hon. Thomas M. Babson, corporation counsel, has compiled a volume entitled *Statutes Relating to the City of Boston*, which includes a reprint of all the legislative enactments now applying to that city. The volume may be said to embody the nearest approach which Bostonians have to an edition of their city charter. It may be obtained at the nominal price of one dollar upon application to the city messenger.

A useful select bibliography of books relating to municipal government has been issued by the public library of Kansas City, Mo.

A new edition of Dillon's *Law of Municipal Corporations*, a work which has been invaluable to students of municipal administration, is now being prepared and will be published shortly.

The *Schriften des Vereins für Socialpolitik* will include in its issues during the next few years a series of monographs on the actual administrative activities of German cities.

This year's edition of the *Municipal Year Book of the United Kingdom* (ed. Robert Donald) has been considerably extended in scope, and the price has been doubled in consequence.

A committee of the National Municipal League has under consideration the project of establishing, under the League's auspices, a quarterly publication of somewhat similar scope to the periodical known as *Municipal Affairs*, which suspended publication seven or eight years ago.

At the general city election in St. Louis in April, a board of thirteen freeholders will be elected to prepare a new charter for the city. A bi-partisan board has been nominated jointly by the republican and democratic conventions, each convention having named six members and the twelve thus selected having chosen the thirteenth member. The State constitution requires that the charter shall provide "for a chief executive and at least one house of legislation to be elected by a general ticket." Otherwise the board will be subject to no special limitation in proposing changes in the organization of government. The charter prepared by the board must be submitted to the voters, a majority of those voting being sufficient for ratification. The present charter was adopted in 1878.

Following the example of St. Joseph and Kansas City, the municipal assembly of St. Louis has finally—under the "enabling act" passed by the State legislature in 1907—created a public utilities commission. The St. Louis commission is composed of three members appointed by the mayor with the confirmation of the upper house of the assembly. It has general powers of investigation over the public utility corporations in the city and may recommend rates to be fixed by the assembly. Governor Hadley has recommended to the legislature the establishment of a State utilities commission, similar in tenure and functions to the New York commissions. This commission would have power over all public service corporations of the State and would supplant the present city commissions. The majority of the upper house of the legislature being democratic, it is probable that they will defeat any bill vesting such powers in a commission appointed by a republican governor.

The legislature of Missouri, now in session, will probably give "home-rule" over the police departments to St. Louis and Kansas City. At present in each of these cities the police are under the control of a board

of police commissioners appointed and removable by the governor; the mayor is ex-officio member of the board. Several bills have been introduced to replace these boards by locally selected officials. The bill which stands the most likelihood of becoming law, and which has passed the lower house, provides for a single police commissioner in each city, to be appointed by the mayor, though subject to removal by the governor—as well as by the mayor—“wherever the public interest requires.” The powers vested in the commissioner over the administration and discipline of the police department are similar to those exercised by the police commissioner of New York City. A bill providing for a like tenure of the excise commissioner in St. Louis has also passed the lower house; this officer is at present appointed and removable by the governor.

Harvard University has recently received from Mr. F. G. Thomson of Philadelphia a guarantee of the sum of \$5000 a year for ten years, the gift to be used for the extension of instruction in municipal government.

PRESENT STATUS OF BALLOT LAWS IN THE UNITED STATES

ARTHUR LUDINGTON

It is just twenty years this winter since the adoption of the first “Australian ballot” laws in the United States.¹ A summary of the various ballot laws now in force in the several States is, therefore, of particular interest at this time, as showing the extension of the Australian system in this country at the close of its second decade.

At present,² out of the forty-six States and two territories in the United States proper, thirty-nine States and the territory of Arizona have adopted an official “blanket”³ ballot, printed at public expense, for virtually all elections (not including within that term primary

¹ The law of Mass. was passed in 1888, but did not go into effect until November 1, 1889. No other Australian ballot laws were passed before 1889.

² The following statistics in regard to the ballot laws of the several States apply to these laws as they were in force at the date of the last general election, November 3, 1908.

³ By a “blanket” ballot is meant one on which are grouped, according to any one of several methods of arrangement, the names of *all* candidates for any office or group of offices covered by the ballot in question, who have been duly nominated by any political party or body of voters.