

is not given. In its new form Dareste's collection will probably remain for many years the most convenient and satisfactory reference book upon the subject with which it deals. To those unfamiliar with this collection, it should be suggested that the work does not, as implied in its title, contain the texts of all the constitutions now in force. Brief historical notes, without texts, suffice to dispose of a number of the less important Latin-American states, and a similar treatment is accorded to many of the German states and Swiss cantons. For the United States full texts are given of the federal constitution and the constitution of Pennsylvania; the other states are treated in brief historical notes, which are accurate in the main. There is no discussion whatever of the constitutions of the states of Mexico and Brazil, and of the provinces of Argentina. But no work of this character would be manageable which attempted to include all constitutional texts, and it is sufficient to say that Dareste has included practically all of the most valuable documents, and has employed to good purpose the space at his disposal. The collection is better edited and is much more useful than the similar work which was recently published in German under the editorship of Prof. Paul Posener, although Posener's volume must be resorted to for recent texts of the constitutions of the German states.

#### CURRENT MUNICIPAL AFFAIRS

WILLIAM BENNETT MUNRO

At the special session of the Illinois legislature an act was passed (approved March 9, 1910) authorizing the commission form of municipal government in cities and villages not exceeding 200,000 population. This act resembles the Iowa law, except in regard to the civil service and recall features; and includes provisions for a non-partisan direct primary, the initiative and referendum, as well as for commission government.

On petition and popular vote any city or village not exceeding 200,000 population may adopt the commission form of municipal government, with a mayor and four commissioners to be elected for a term of four years. Candidates are to be nominated by a primary election, with "no party, platform or principle designates;" and the two candidates for mayor and eight candidates for commissioners receiving the highest number of votes at the primary election shall be the only candidates whose names appear on the ballots at the municipal election.

The mayor and commissioners form the council, which shall exercise all executive and legislative powers now possessed by former city

or village officers, except boards of local improvements and park officers. Executive and administrative power shall be distributed among five departments—public affairs, accounts and finances, public health and safety, streets and public improvements, and public property. The mayor shall be commissioner of public affairs; and each of the other commissioners shall have charge of one department, as designated by the council. The council may elect a city clerk, corporation counsel, city attorney, assistant city attorney, treasurer, comptroller, city physician, chief of police, chief of fire department, harbor master, market master, library trustees and members of boards of local improvements; and has power to create, fill and discontinue other offices and employments. Any officer or employee elected by the council may be removed by a majority vote.

The Illinois law does not contain in itself any provisions for the merit system; but recognizes the former civil service law of 1895, which will continue in effect in any city or village which has adopted or may hereafter adopt that law. In cities which have not adopted the civil service act, subordinate officers, assistants and employees shall be appointed by the commissioner of each department, and may be discharged by him.

Ordinances granting franchises to use the streets or public places for public service utilities must be approved by a majority of the electors voting thereon at a general or special municipal election. Other ordinances, except those for the immediate preservation of the public peace, health or safety and passed by a two-thirds vote of the council, are subject to a referendum vote on petition of 10 per cent of the vote cast for mayor at the previous election. Ordinances may also be proposed by petition of the electors; and such ordinances must be passed by the council or submitted to a vote of the people—at a general municipal election if the petition is signed by ten per cent of the votes for mayor, and at a special election if the petition is signed by 25 per cent of the votes cast for mayor.

The act contains a provision for the “recall” of elective officers; but this is made of practically no effect by requiring a petition signed by 75 per cent of the vote cast for mayor at the previous election.

Other sections of the law provide that no city officer or employee shall be interested in city contracts; require the publication of a monthly statement of receipts and expenditures, and an annual examination of books and accounts by a competent accountant; and call for “equal and uniform service” from public utilities.

The charter revision commission of Baltimore after five months of arduous work, submitted its report February 28, 1910. The proposed charter as submitted by the commission was introduced in the legislature a few days later and referred to the city delegation. Public hearings were had, the members of the commission explaining the changes proposed. A favorable report was made by the city delegation, but the charter was laid on the table in the house by a vote of 45 to 35, thereby killing it. It may be said that the commission had requested the legislature merely to submit the charter to the people of Baltimore and give its citizens a right to say whether they wanted it or not. The only form of referendum now existing in Baltimore is that on all loans, for the city has never had the right to vote on its charter.

No very radical changes were incorporated in the proposed charter, the most progressive feature being the civil-service law, but as this has been tried in so many cities for several years past, it cannot be regarded as radical. This provision, however, probably received more opposition than any other. Another change proposed was the substitution of a unicameral for a bicameral council. At present the first branch consists of 24 members and the second branch of 9. The president of the second branch, who is also vice-mayor and president of the board of estimates is the only member of the council elected at large. Under the proposed council there would be 14 councilmen, 2 of whom would be elected at large, the other 12 being elected from districts consisting of 2 wards each. This feature also encountered considerable opposition from the political leaders. There seems to be a tendency all over the country to return to the unicameral council, as is evidenced by the new charter in Boston, the one proposed for Baltimore and the one now being prepared by the board of freeholders of St. Louis.

Another feature which seems to have met with success in the larger cities was incorporated in the proposed charter. This was the substitution of single heads in place of boards. It was proposed to abolish the fire board, water board and the harbor board, as well as two commissions, the topographical survey commission and the electrical commission, and to substitute single heads, with the exception of the topographical survey commission, the duties of which were transferred to the city engineer. The reason for the abolition of these boards was to concentrate authority and secure unity of responsibility, since the duties of these departments were essentially executive in their nature.

The civil-service provisions were based on the laws of Massachusetts, New Jersey and the proposals as submitted by the Civic League of St.

Louis to the board of freeholders. To meet the objection so frequently brought against civil-service laws that it is impossible to get rid of inefficient employees, a provision was incorporated to the effect that the head of any department might dismiss a subordinate at any time, but must give the subordinate so removed and the civil service commission the reasons for the same.

Under the present charter, the mayor cannot remove the heads of departments (his own appointees) after six months from the time of their appointment except on charges and after trial before him. It was proposed, in view of the civil-service law, to give him the right to remove any of his appointees at any time, merely requiring him to give reasons for it upon the request of the official so removed.

Among the general powers to be conferred upon the city and which it does not at present seem to possess may be mentioned the following: To maintain reasonable facilities for public recreation, such as play and athletic grounds; to maintain public baths, although the city at present does maintain them without express power to do so; to enact legislation for the suppression of the "smoke nuisance" from railroads and other sources; to abate any or all municipal taxes on any or all kinds of personal property employed by manufacturing corporations in the city in order to encourage manufacturing industries; to authorize the issuance of serial bonds if desired; and to issue general fund bonds for the purpose of utilizing the over-accumulation in the sinking funds for the current needs of the city. It may be mentioned that the method of issuing general fund bonds has been tried successfully in New York City and the plan adopted there was incorporated in the proposed charter for Baltimore.

At present the city collector, tax bailiffs and city surveyor are paid by fees, and it was proposed to abolish this system and place all these officials on a salary basis.

It was proposed to consolidate two very important boards—the board of estimates and the board of awards—and to give certain additional powers to this board. Among these additional powers may be mentioned the power to prepare a comprehensive system for the paving of the streets instead of the present method of paving a square here and a square there. The board was also to have the power of granting electric sign privileges, the present method making it necessary to pass ordinances for every electric sign erected in the city. The commission, in its report, states that the increased powers conferred on the board of estimates and awards seem justified by the high degree of confidence in the two old

boards and by the centralizing tendencies of recent municipal thought and experience in other communities as well as in Baltimore.

It was proposed to create two bureaus in the office of the city comptroller to be known as the bureau of accounts and the bureau of audit. These bureaus were to maintain a system of accounting and audit which would enable the comptroller to keep up an effective supervision and control over all the accounts of the city. Elaborate regulations are prescribed as to the manner in which the controlling accounts in his office are to be kept. Provision was also made requiring all municipal officials to submit annual and monthly budgets and monthly reports to the mayor, showing how they had expended the funds appropriated for the use of their departments and what results they had achieved.

Several other changes were proposed, but these are not of general interest to other cities, since they related almost entirely to local conditions. The commission expressed the belief that the changes proposed would tend to secure greater efficiency and economy in the administration of the city's affairs. There was submitted with the proposed charter a very illuminating report, pointing out the proposed changes.

Following close upon the heels of the conference of governors at Washington, and presenting on a smaller scale many of the characteristics of that gathering, came the conference of the mayors of New Jersey recently held at the capital of that state. This is one of the first, if not the first, state-wide conference of mayors yet assembled for the purpose of effecting a permanent organization to promote the interests of municipalities. At the first meeting, presided over by Governor Fort, upon whose suggestion the conference was called, the most important topics discussed had reference to state legislation as to the following matters: (1) Municipal tax rate and debt limit; (2) Municipal boards, or departments with a single head; (3) A state department of municipal accounting; (4) The appointment by the mayor or other city authority rather than the election of city officials, not necessarily elective; (5) Shorter ballot for municipal elections; (6) Repeal or modification of the Bishops excise law.

Although in regard to the first and third of these subjects, the conference had the advantage of recommendations made by the state municipal commission in its report to the legislature in 1908, little progress was made in formulating a definite program in regard to any of them. Too much, however, should not be expected at the present inchoate stage of the organization.

On June 21, 1909, the Chicago City Council passed an ordinance, introduced by Prof. C. E. Merriam, Alderman of the 7th Ward, creating a Commission to inquire into the expenditures of the City of Chicago, and to report to the Mayor and Council. In October, 1909, the Commission, of which Professor Merriam was made Chairman, began its work, which was at once delimited, as an investigation of budget methods, city contracts and payrolls. Budgetary reform was, with the assistance of an expert accountant borrowed from the New York Bureau of Municipal Research, immediately instituted, and the subsequent 1910 appropriation ordinance marked a long step in the direction of a scientific classified budget, based on carefully itemized departmental estimates.

Through expert investigations and public hearings, the Commission has for the past six months been delving into City contracts and payrolls. Following these probings, the Commission has pointed out in reports to the Council, laxity, inefficiency, and dishonesty in the expenditures of the City funds by employes working under imperfect administrative systems, has criticized unfit officials and has recommended the elimination of antiquated methods of doing city business.

The first report of this sort was on the purchase of lumber under contract in the Department of Public Works. Specifications were shown to be out-of-date, and often unenforced; carelessness in the purchase and acceptance of lumber was clearly indicated; responsibility for these faults was in part fixed; and a better method of making future purchases recommended. The Commission next revealed the fact that, largely through the dishonesty of certain officials working in collusion with corrupt contractors, some forty-five thousand dollars had been paid as extra compensation on a sewer contract for the alleged excavation of fictitious shale rock. An investigation of the Bureau of Sewers showed that 46 per cent of the time of laborers employed was wasted through lack of proper supervision, and that political influence played a prominent part in the hiring of teams.

In the Clerk's office, the lack of energetic attempt to obtain lowest possible prices for printed contracts was severely criticized, and the abolition of a system of diverting notarial fees from the city treasury into the pockets of a private notary was recommended.

The Commission has also investigated the purchase of coal in the Department of Public Works, and has reported to the Council that the specifications employed were "not well designed to promote and protect the city's interests in the expenditures for coal for the water pump-

ing stations," and that "coal has been bought from a small circle of dealers on imperfect specifications at rather high prices." Accompanying this criticism, the Commission has transmitted recommendations for more carefully drawn specifications.

An investigation of the Business Agent's Office has been completed, but no final report has as yet been made, while investigations of the House of Correction, Bureau of Streets, Water Bureau, Department of Electricity, Building Department, Fire Department and the collection of Special Assessments are still in progress.

At the local spring elections in the middle west, the local prohibition of the liquor traffic constituted the most important issue of general interest. In Michigan, twenty of thirty-six counties voting on this question went in favor of no license, the remainder including two counties which had previously voted against license. This shows a considerable extension of prohibition territory in the rural districts; and forty of the eighty-three counties now have local prohibition. In Illinois, the elections showed some reaction from the anti-saloon movement. Rockford, Decatur, Mattoon, and a number of other cities and towns returned to the license policy, which is also continued in the larger cities. On the other hand many cities (including Galesburg and Champaign) reaffirmed the no license policy; and a number of smaller cities and towns voted prohibition for the first time. In Wisconsin most cities and towns voted in favor of license.

In Chicago, the April municipal election for aldermen was of more than usual importance, on account of the coming redistricting of the city into wards on the basis of the new census, and apparent efforts to break down the non-partisan organization of council committees. The result was a distinct gain for the good government forces, represented by the Municipal Voters' League; and while from the party point of view the democrats will be in the majority, the continuance of the non-partisan organization of the council seems assured.

A strong effort was made to have the question of prohibiting the liquor traffic in Chicago submitted under the local option law. Petitions were presented containing the required number of names; but a sufficient number were shown not to be registered voters to bring the number of qualified signatures below that required by the law.

Milwaukee has elected Emil Seidel, a social democrat, as mayor, in a three-cornered contest. The social democrats will also control the coun-



cil, having elected all the aldermen at large, and carrying fourteen of the twenty-three wards. The result is a defeat for the policy and political organization of David A. Rose, the former democratic mayor. The social democrats were less radical than in previous contests, and were supported by many independents and LaFollette republicans. The regular republican candidate for mayor was little known, and was third in the list of candidates.

Eau Claire, Wisconsin, elected its first officials for the new commission form of government on April 5. The result was a victory for the friends of the commission system over candidates who had been prominent politicians under the old system.

In many other Wisconsin cities, the local elections were conducted without reference to the national party organizations, owing to a provision in the primary law under which nominees could be placed in the party column only when they received at the primary 20 per cent of the party vote at the last general election.

City elections were held in Iowa on March 28. Particular interest was centered in the cities under the commission form of government. In Des Moines, three of the former commissioners were reelected, while the mayor and one commissioner were replaced by new men.

In Cedar Rapids, Mayor Miles was reelected without opposition; and a majority of the council appear to be satisfactory business men. Sioux City and Burlington elected their first officials under the new form of government. In Sioux City, A. A. Smith, who has been city clerk for six years was elected mayor; but several other former officials were defeated.

The independent vote in Kansas City, Missouri, has elected a republican mayor (Darius A. Brown) and council, thus repudiating the reactionary policy of the preceding administration and confirming the referendum vote on the proposed extension of the street railway franchises, which was defeated last December.

The Boston-1915 Movement has begun preparations for the holding, in 1915, of a great exposition of municipal progress. It is not contemplated that this shall be a "world's fair" of any sort, but something that will bring together tangible evidence of the progress which American



cities have made during recent years in every department of urban life. It will exhibit evidence of the best things that the cities have developed both by public spirit and by private philanthropy. The multitude of civic agencies at work in philanthropic, social, educational, religious and other lines are to be set before the citizens in as attractive a form as possible.

In connection with the work of this movement the authorities of Boston-1915 have arranged to issue a monthly publication entitled *New Boston: A Chronicle of Progress in a Greater and a Finer City*. The periodical is intended to be an organ for giving publicity to all forms of local civic effort. Mr. Lewis E. Palmer, formerly of *The Survey*, has been appointed editor.

A proposal for a new charter for Cambridge is now before the Massachusetts legislature. The document contains provision for a commission type of city government together with such other features as nomination by petition, the elimination of party designations from the ballot, the initiative, the referendum, the recall, and preferential voting.

The Illinois Mayors' Association will hold its next meeting at Cairo, May 18 and 19. Prof. J. W. Garner of the University of Illinois is statistician of this Association.

A municipal reference bureau has been organized at the University of Illinois, in connection with the department of political science at that institution. A considerable collection of official documents and other publications from American and foreign cities has been secured; and in answer to inquiries from city officials and others reports have been made on such questions as the commission form of municipal government, garbage disposal, and sources of municipal revenue.

The demand for charter reform has influenced the three metropolitan cities of Missouri. Kansas City in 1908 adopted a revised charter which had been drafted by a board of freeholders. The last state legislature adopted a charter for cities of the first class which had been prepared by citizens of St. Joseph, the only city falling under this class. This charter, which was adopted by the voters of St. Joseph in September, 1909, approaches the commission plan by providing for a council of five members elected at large.

The board of freeholders, selected nearly a year ago to revise the charter of St. Louis, has been moving very deliberately in its work. A number of public hearings have been held. The revised charter will probably be submitted to the voters at the fall election. It is believed that a single chamber constituted upon the principle of ward representation will be substituted for the present bicameral system in the municipal assembly.

The question of home rule for St. Louis in the matter of police administration has been agitated for a number of years. As the state legislature failed to pass such a measure Governor Hadley has recommended the use of the recently adopted plan of initiative. At his suggestion, a joint Committee of the Civic League of St. Louis and of the Board of Freeholders will draft a bill for this purpose which will be submitted to the voters of the State at the November election.

A Committee appointed by the Mayor of St. Louis to consider the advisability of the adoption of a permanent city plan has recommended that the Municipal Assembly provide for a City Plan Commission to consist of the President of the Board of Public Improvements and the Street and Park Commissioners, *ex officio*, and of twenty-one members to be appointed by the Mayor. An appropriation of \$25,000 to defray the expenses of the experts, etc., is recommended.

A recent St. Louis ordinance provides for taking the city hospital out of the jurisdiction of the Health Commissioner and places it under the control of a Hospital Board to be appointed by the Mayor who is *ex officio* a member of such board.

The Missouri Municipal League is actively promoting a movement to reform the tax system of the State by separating the sources of state and local revenue and abandoning the general property tax for state purposes. At a recent tax conference, called by the league, a committee of five, of which Hon. F. N. Judson of St. Louis and Prof. Isidor Loeb of the University of Missouri are members, was appointed to draft a constitutional amendment, for the purpose, to be submitted by initiative petition.

Denver has recently opened its new municipal theater. The building has seating accommodation for 12,000 and arrangements have been made to secure the highest grade of attractions at popular prices.

Two years ago the city of Haverhill, Mass., adopted the commission system of municipal government. The results have been highly satis-

factory and arrangements are now being made to take over the gas and electric services, which have been in private hands, and to have these operated in future by the commission as municipal enterprises.

Indianapolis, following the example of Baltimore and other cities, has decided to establish a municipal reference bureau.

The board of education of Kansas City has issued (October, 1909) a supplement to its useful *Bibliography of Municipal Betterment*, published during the preceding year.

The headquarters of the American Civic Association has been removed from Harrisburg, Pa., to Washington, D. C., where they are now located at the corner of Fifteenth and H Streets. The permanent secretary of the Association is Mr. R. B. Watrous.

The Second National Conference on city planning and the problems of congestion will be held at Rochester, N. Y., on Monday, Tuesday, and Wednesday, May 2 to 4, 1910. The conference is to be the guest of the Rochester chamber of commerce and the civic improvement committee. Among the topics placed upon the program for discussion are the causes and prevention of congestion of population, the circulation of passengers and freight in its relation to the city plan, and some legal and administrative problems affecting the city plan. An exhibit on city planning has been arranged for the same dates at the rooms of the chamber of commerce.

A call has been issued for a meeting of municipal officers of the cities of Kansas to be held at Wichita on May 18 to consider the formation of a league of Kansas municipalities. Prof. Frank G. Bates is the secretary of the temporary organization.

The recently organized extension division of the University of Kansas has established a bureau of municipal reference, the services of which will be placed at the disposal of the cities and people of the state. The bureau has in press a bulletin on commission government.

Under the local option law the following cities have adopted the commission plan of government: Leavenworth, Wichita, Hutchinson, Anthony, Independence, Coffeyville, Topeka, Kansas City, Parsons, Abi-

lene, Iola, El Dorado, Neodesha, Marion, Wellington, Girard, Newton, and Emporia.

A number of Kansas cities held their first elections for officials under the commission form of government on April 5. Party lines were abandoned. In Kansas City, Kansas, the former mayor, whose administration had been improving conditions, was defeated; but the new mayor (J. E. Porter) and the other commissioners seems to be men likely to continue the betterment of municipal affairs. In Topeka, however, the result was the election of candidates favoring a "liberal" policy, against the former mayor, who favored a strict enforcement of the prohibitory law.

The editors and publishers of the *Schriften des Vereins für Sozialpolitik* have undertaken to issue a series of volumes dealing with the progress and results of municipal undertakings in the cities of various countries. Volumes dealing with municipal services in Austria, Italy, Switzerland, Belgium and Australia have already appeared. While the work is not being done in any exhaustive fashion the volumes will be of considerable service to all students of comparative municipal administration and may be profitably used in piloting the way to a more detailed study of the subject.

A notable and welcome work which will later receive more special notice, is D. F. Wilcox's *Municipal Franchises* (Rochester, N. Y.; The Gervaise Press, 1910), which is to comprise two substantial volumes. The first volume has already been issued, and it is expected that its companion will follow during the autumn of the present year. When the work is completed it will undoubtedly prove of high value not only to students of municipal administration but to those interested in the problems of public service companies. The same author announces, through the Macmillan Company, the forthcoming publication of a small volume entitled *Great Cities in America* which will contain a number of chapters describing individually the structure and functions of government in eight or ten of the largest American cities.

The City Improvement League of Montreal has issued a report of its first civic convention, under the title, *For a Better Montreal* (pp. 55). The report contains discussions of the problems of child life, the water problem, the housing problem, city planning, and municipal governmental organization; reference has already been made in this REVIEW (vol. iii,

p. 586) to the new charter which was adopted by Montreal last year; in the discussion before the City Improvement League regarding the Montreal board of control, one of the speakers referred somewhat at length to experience in the United States with the commission system of city government.

Dr. S. Adolphus Knopp of New York has published a forty-page booklet, entitled *What May be Done to Improve the Hygiene of the City Dweller*, (New York: William Wood and Company, 1910).

The *Proceedings* of the fifteenth annual meeting of the National Municipal League have been issued (pp. vi, 489). The volume contains papers upon immigration, municipal police, contracts, municipal budgets, the initiative, referendum and recall, and a number of other subjects. Of especial value are the following papers: American Municipal Situation, a review of progress during the year, by Clinton Rogers Woodruff; The Home Rule Law for Cities in Michigan, by Guy A. Miller; The Payne Law in Ohio, by John R. Schindel; Municipal Budgets and Expenditures, by Dr. L. G. Powers; Operation of the Initiative and Referendum in Oregon; by Joseph N. Teal; Operation of the Recall in Los Angeles, by Fielding J. Stilson; The Vote on Boston's Referenda for One Hundred Years, by Dr. Edward N. Hartwell; and the Cleveland Street Railway Situation, by Warren S. Hayden.

Of special interest also is the report by Prof. James J. Sheppard as chairman of the league's committee on instruction in municipal government in elementary and high school; this report was made the basis of an interesting discussion, which is reported in the *Proceedings*.

*The Book of American Municipalities* for 1909 (Chicago: Municipal Information Bureau, pp. 128) is the annual handbook issued by the League of American Municipalities. The volume contains in convenient form information about the government of the eighty-three American cities which belong to the league. As a reference book its value is greatly impaired by the fact that it deals only with cities that are members of the league and does not contain any information about many of the most important municipalities.

The Bureau of Statistics of Massachusetts has recently issued a *Bulletin on the Uniform Classification of Municipal Receipts and Payments* (Boston: The State Printers, 1910, pp. 64). This bulletin outlines the

system of classification prescribed for the cities and towns of Massachusetts.

The special commission appointed by the city government of Boston last year to investigate problems connected with the collection and disposal of refuse in that city has just made its report in printed form. The report contains much interesting data concerning the methods of collection and disposal employed in various cities of the United States and abroad, and the commission recommends that Boston should gradually abandon its present system in favor of incineration. The report favors the installation of incinerators of the English "Destructor" type, operated by forced draft at a temperature of not less than 1500° F.

Under the title *Taking Municipal Contracts out of Politics*, Mr. Richard H. Dana of the National Civil Service Reform League discusses, in a recently issued pamphlet, the possibility of selecting high-grade experts for the city's service.

The Census Report on *Statistics of Cities* of over 30,000 population, for 1907, shows in detail the financial transactions of the municipal governments, with a discussion of accounting terminology, and also data on the equipment and personnel of administrative departments and on sewers, streets, and other public improvements. There is included a special discussion on the organization and methods of police departments, by Richard Sylvester, superintendent of the police force of the District of Columbia, and also a discussion of the economic and sanitary supervision of city milk supplies, by Dr. Moses N. Baker, associate editor of the *Engineering News*. An appendix contains a suggested uniform system of accounting for water supply systems.

#### CLEVELAND'S STREET RAILWAY SETTLEMENT

T. L. SIDLO

With the failure of the Schmidt grant at the referendum held in August, 1909, the street railway situation in Cleveland reached an *impasse*. The grant was the last card of the Johnson administration in its fight for an out-and-out low fare. It provided for flat three-cent fare, universal transfers, and indeterminateness of tenure—all on the basis of the numerous restrictive and definitive provisions which Mayor Johnson and his able legal adviser, Mr. Newton D. Baker had, after eight years' fruitful