

(editor's note: This paper was transcribed from a handwritten cursive copy with various difficulties. For a perfect rendition, the reader might wish to consult the original, itself a copy, in the volume entitled *Literary Club Papers*, Dec 20, 1890 to May 30, 1891)

### Some Suggestions To Municipal Reformers

Municipal reform has been a fertile theme in this Country for many years, and in this club we have had two or three admirable discussions of it recently. It generally has been treated in one of two ways. The largest part of what has been written and spoken upon it has consisted of a recital of the symptoms and development of municipal misgovernment. The other has treated of the remedies and modes of reformation. We may accept on requiring no more proof the fact that there is much need for a reform in the methods of doing municipal business. Certainly we in Cincinnati shall assent to this and particularly at this time. We have seen our Chief City Board solemnly vote to discharge every employee on its rolls discovered to be of the opposite political party, even down to the steel scrapers. Our Republican partisan press showed the emptiness of its pretended regard for the interests of our city by advocating the measure, and one of the men who voted for it has been lately been thought to be worthy of a place on the re-organized Board.

More recently we have had an exhibition of the manner of selecting a smoke inspector which has impressed itself on our municipal reform memory. The fitness of the candidate was ascertained by asking him but one question, something like this: "if you can help me throw dirt at any opponent, I will let you work at the dirt thrown from all the chimneys in Cincinnati." And by the way, it was a very good idea, that of picking out the smoke inspector of our smoky city of all other offices for this little object lesson. We also have had lately our waterworks scare. The result mainly of constant changes in the city's employees, appointed without reference to anything except their needs and party service. We have today the disgraceful disclosures before the Legislative Committee.

I do not mean to say that our city service is more debased than that of other cities. On the contrary, I think it is rather better. Our rate of taxation shows this. In 1885 the expenditures of the city of Boston on city account, exclusive of payment on account of interest and city debt, amounted to \$27.30 for each inhabitant. In New York for that year these expenditures were \$16.75 for each person; in Baltimore \$11.67; in Cincinnati \$10.63; in Philadelphia \$10.15; Brooklyn and St. Louis were both a little lower than Philadelphia, but I have not the exact figures for those cities. Brooklyn had not been recovered from the spasm of reform which in 1882 improved her mode of government, and the machine which is now again getting a foothold in the administration of the business of St. Louis, had not at that date learned how to circumvent the protection afforded to taxpayers by the St. Louis reform charter of 1876.

Many causes have operated to preserve Cincinnati from the depths of mismanagement into which some other cities have fallen. Our early population came of the best elements. We had enough New England stock to leaven the lump and sufficient southern blood to keep it from getting too cold. Our wealthy men have generally been conservative,

cautious and conscious that their interests and the interests of the city were the same. I know of no city in the world which contains more monuments of the devotion to it of its citizens than does Cincinnati. We suffer very little from absenteeism. Our foreign population is largely German, which means that it is thrifty, and except when the simple habits of [ ]-day recreation are interfered with, always law-abiding.

Two facts have tended to overcome these and other good traits of our people. Our geographical location on Mason & Dixon's line formerly tended to influence the political passions, and since that imaginary line has ceased to exist, a very partisan press has done what it could to keep up the heat of party feeling without any regard to the welfare of the city. For the last fifteen years the cause of good government has had no organ in Cincinnati. In the scramble for office, or party success which is the same thing, the good of the city is never given a passing thought by the newspapers that grow fat off our people. No product of a regular nominating convention can be vile enough to be denied their enthusiastic support.

I read somewhere not long ago, probably in a [ ] Mugwump Journal, that if the money paid out this year to deserters, skulkers and bounty Jumpers of the late war by the [ ] department were laid in Silver Dollars edge to edge, it would [stretch] from Portland, Maine, to – well, some place a longway off. I've forgotten just where, but it was a fine bit of figuring, and I feel like trying to make a calculation of the number of silver dollars the taxpayers of Cincinnati have lost through and directly by reason of, the low and partisan character of its newspapers, leaving out as beyond the possibility of computation the trade of the south which has been turned off to Louisville, St. Louis and elsewhere by the tone of one of our papers, and considering alone the loss to the city by reason of the incompetent and dishonest servants who for almost twenty years have been quartered upon us by this partisan press, we would find the actual amount to be enormous; and yet we sit supinely by and let these pests prey upon our pockets and pollute every house they enter.

I saw the other day a decision by the Supreme Court of Maryland announcing a new and old doctrine, but which it is refreshing to see affirmed. An ordinance of the city of Baltimore regulating the educational qualifications of those who presume to hold themselves out as Sanitary plumbers had been considered by some of their trade as offensive, and with the mistaken idea which many people have of what is meant by liberty, they took up a case made upon the constitutionality of that ordinance and the Court of Appeals very naturally told them that the state could regulate any business or occupation when such regulation was for the good of the whole body of citizens.

Several years ago when the supervision of the retail liquor traffic was first undertaken by the State of Pennsylvania, it was suggested by some lawyer who didn't know the difference between liberty and license, that the supervision was an interference with the sacred liberty of the citizen to do as he pleased. Today in Pennsylvania, (and the law is the same in Massachusetts) no man can engage in the retail liquor business without first going before a board of investigation and submitting to an examination, and can produce certificates as to his good character from a certain number of citizens, and the consent of a stated number of those living in the locality in which he wishes to do business, and can

give bond to keep an orderly place, he may on paying a large license tax, open his saloon.

When I cry out against the modern newspaper and suggest a censorship of the press by the state, I am told that no such thing would be tolerated; it would interfere with the sacred liberty of the press, and besides, the newspapers are too powerful. In answer to this I have to suggest that the damage done to every good citizen by the suppression of the truth and the willful publication of what is false in regard to public affairs, to say nothing of the crimes against decency and good morals in private affairs committed daily by the average modern newspaper, is much greater, and more loudly demand interference by the state than any damage done the system by sewer gas or bad whiskey.

The retail liquor traffic was once supposed to wield enough political influence to prevent its regulation by law, but the evils of that traffic grew and the people arose and regulated it. The evils of modern journalism are being better appreciated every day, and I believe the people will some day cause it to be regulated by law, much as the retail liquor traffic is regulated.

This is not such a digression as it may seem for the modern press plays a very active part in every city in helping to cause municipal misgovernment, and one of the most effective means looking toward the permanent good government of our great cities would be the suppression or improvement of the local press.

There have been various schemes or plans suggested by those who would correct the farcical mismanagement of municipal business, but none of them have been wholly successful where they have been tried. These plans so far as I have seen them, seek to accomplish their end by some of the following means:

1. Vesting large, and in some cases is in Brooklyn, almost entire responsibility and power in the mayor and restricting the local legislature to purely legislative duties, and the voting of [supplies].
2. Cutting off all appointments by the local legislatures.
3. Providing for government by simple heads of departments and not by committees or boards.
4. Holding local elections at different times from other elections.
5. Restricting the power of State Legislatures to interfere with municipal affairs, or as Mr. Mallon puts it in his paper, giving to the cities Home rule.
6. Lengthening the terms of service of the mayor and heads of departments, so as to give them more assured positions and diminished the frequency of elections, as was done in St. Louis and Philadelphia.
7. The election of the local legislature at large.
8. Limiting the taxing and borrowing power.
9. In general reduced the number of elective officers and to increase those that are appointed by the responsible authority.

These ideas are all good, and where they have been put in practice, all have produced some good results.

It was said that giving too much authority to the mayor was dangerous, in case a bad man should be made Mayor. Limiting his power of appointment by requiring confirmation by counsel is also objectionable as always opening the door for a dicker and by dividing and thus destroying the responsibility. No well considered plan that I have seen has contained any provision for the achievement of the statesman's skill – the non-partisan board. Mr. Seth Law says they should be called Double partisan Boards, which title fitly describes them and their operation.

It is not my purpose to discuss the merits or demerits in detail of either of these several remedies. As I have said, they are being tried in St. Louis, Brooklyn, Boston and Philadelphia, the reform charters of which contain more or less of these ideas of reform.

The St. Louis charter was adopted in 1876, that of Brooklyn in 1882, that of Boston in 1885, and that of Philadelphia in 1887, so that in all of these cities they have had an opportunity to give their new form of government a fair trial, and the result, it must be admitted is not very satisfactory, when we consider that the thing sought to be done was simply to devise a plan for properly doing the business of a city. Prof. Marshall S. Snow of Washington Mo. University, who wrote for the Johns Hopkins University studies in Historical and Political Science, published in 1887 the article on the new city government of St. Louis, after the St. Louis charter had been tried for eleven years, says in closing that paper: “it may not seem to be giving the highest praise to the framers of the charter of St. Louis to say that without their labors we should be worse off than we are.” This is the most he could say.

In the article on the new city government of Boston, written for the same series by the Hon. James M. Bugbee of Boston in 1887, two years after the Boston Charter went into operation, Mr. Bugbee in closing his paper said: “It yields on the whole fairly good results—x x x but no system can be devised which will give good government if the people elect bad men to administer it.” In the article also in the same series by Edward P. Allinson and [Boris] the Peurose of the Philadelphia bar upon the Bullett bill which provided the new charter for Philadelphia, they say: —“It is time to have learned that being sound on the terriff is not the only qualification needed for chief magistrate of a city. Much of the success of the new charter will depend on the character and good faith of the men who are called upon to administer its provisions.”

In his contribution to Bryce's American Commonwealth of an American View of Municipal Government in the United States, the Hon. Seth Low, who was for two successive terms mayor of Brooklyn, in speaking upon Brooklyn's charter says: “it has been found to have precisely the merits and defects which one might expect of such an instrument; a strong executive can accomplish satisfactory results and a weak one can disappoint every hope.”

Here we have from authoritative expressions as to the result of the four best attempts which have yet been made in this Country to get good municipal government, and they tell us that the ingenuity of man cannot devise any scheme for good government without honest and capable officials; and the root of the evil in our large cities is that our

municipal officers are to a great extent incapable or dishonest.

By giving the Mayor a long term and a large salary and great power, a good man may be floated into office for one or two terms on the tide of popular revolt against misrule, but as surely as the ocean tide will ebb, so surely will the popular uprising, and leave the taxpayer stranded once more in the hands of the machine, until some remedy is secured, more radical and reaching further than any of those thus far tried.

It must be a remedy by which the taxpayer and the honest patriotic citizens will be enabled to regain control of the management of their affairs. The remedy most frequently proposed is that of limiting the suffrage by a property or an educational qualification, or both, but this is simply impracticable. However much it is to be desired, and I believe it would solve many of our problems of government, municipal and national, it cannot be accomplished. The poor and ignorant cannot be expected to vote away their right to vote. This is especially true in cities, where they are generally the larger majority of the votes. It is natural that our municipality should present in an exaggerated form the results of any defect in our system of government, and the defect which of all others is the most apparent in the administration of our public affairs is that which has contributed most to the misrule of our cities. The spoils system is the great blot upon our political intelligence and by wiping it out in our cities, the so-called problem of municipal government will be solved. The evils of that system are nowhere more evident than in municipal administration.

The business of the city, the keeping of order, the laying out, lighting, draining and maintaining streets, the management of public education and public parks, and all other functions, for proper and successful management, require in no respect any different or greater capacity, or any more complex machinery than are needed to administer successfully the business of a large private corporation. And yet for over a quarter of a century the people of this country have seen the mismanagement of the business of our large cities grow from bad to worse, and the brains of those who would remedy these evils have been racked and cudged in seeking a cure, while all about us, from one end of the land to the other, our people are doing business on certain well known and simple business principles which are quite as necessary to the successful carrying out of the business of a city as to any other business, and yet with one exception, no suggestion of these elementary principles, so far as I know, is to be found in any of the numerous plans for reform which have been evolved by the municipal reformers.

In Prof. Bryce's great book on the American Commonwealth, in his chapter on the working of city governments, after reciting the story of those abuses which we know so well, he suggests some possible reforms and the first of them is a reform in the methods of the selection of our cities' servants and the securing of them a fixed tenure of office, so long as they are honest and capable.

Among the reformed city governments, misrule has wrung from the bosses, that of Boston alone has any suggestion of reform in this vital particular. By the Massachusetts civil service law, passed in 1864, which is modeled on the Federal Statute, a State Civil

Service Commission was created which secures competitive examination to all three branches of the state service that are by the executive Classified as Subject to its jurisdiction. Their Commission has the same duties relatively as that constituted under the Federal act. It appoints examines and sees that all vacancies within the Classified Service are filled by those who have given evidence of their fitness, and that vacancies are only made for cause and not to pay political debts. In Boston the provisions of their act have been extended to the clerical, police, prison, fine and common labor service of the city. It is needless to say, with what result. To illustrate I read from the last report of the Civil Service Commission of Massachusetts showing the examination of applicants for job-foreman of laborers.

“First Subject: the

‘State your occupation during the past ten years, the names and residences, so far as you remember, of your employers during that period.

‘Have you ever been foreman or sub-foreman in charge? If so, state when, where and under whom you worked, and the kind of work in which you were employed.

‘Have you ever had charge of men? If so, state how many, where, when, for how long and in what kind of work?

‘Have you ever done any ledge work, or had the handling care of explosives? If so, state when, where and for how long.

(on these statements the applicant is marked for experience only)

“Second Subject:

1. Write in figures the following number:—one hundred sixty three dollars and twelve cents.
2. If you receive 23 loads of gravel one day, 34 loads the next, and 17 loads the next, how many loads will you have in all. Give the work in full.
3. If you have \$45 and pay out \$27 for rent and other expenses, how much will you have left. Give the work in full.
4. If a cubic yard of stone costs 88 cents, how many yards can be bought for \$39.60? Give the work in full.
5. What wages at \$1.75 a day, would be due a laborer, he having worked an entire week of six days, except one half day? Give the work in full.

Third Subject: –

Eight questions relating to general work, the use of tools, reading grade stakes, tallying &c

Fourth Subject (not obligatory)

Eight questions on ledge work; the tools used, care and use of explosives &C”

The good results of this law are still confined to those departments which have the benefit of the more efficient service which the system provides – the same system used by all sane man in the world, except American politicians.

The effect of it upon Elections is not felt because the jurisdiction of the commission has not yet been extended to a sufficiently large number of the city's employees, but when the

whole array of city servants are no longer given place for political service, but for the same good reasons which would enable them to get positions with any business house, and when the means of rewarding political activity by office is taken away from the political bosses, then will these bosses find that their province is gone, and with the loss of their powers, they would lose all opportunity for making money out of politics, and when that is gone they will want to engage in some other business, and when they do so, the business of managing elections and through them of the affairs of the city, will go into the hands of those to whom it belongs.

It has been well said that a city is really a business corporation of which the tax payers are the stockholders. Now suppose I were to ask you to go into a business enterprise in which the company servants were selected from those who had failed in every effort in life, but were friends of someone of the Board of Directors; in which no servant was required to know anything about its duties before appointment; in which these servants would be entirely changed every time a new Board was elected, and new men similarly chosen would fill their places; in which the Board was chosen by the stockholders not because of their business ability, but because they were good fellows and paid large assessments to the stockholders for the trouble they took in electing them.

Would you think that such an enterprise could succeed? However, it is not only the poor service the city gets from servants appointed in this way, but it is the political Corporation which is inseparable from the spoils system, which is the greatest evil.

Does any one suppose that the individual who is the autocrat of Democratic politics in Cincinnati could retain his power for a day if the offices of the city departments were not understood to be the spoils of victory to be awarded for political service, by him or by those largely indebted to him for their election? The fact that he was a defaulter in the last public office he held; that his bondsman had to pay the amount of his shortage, which I understand has never been repaid, and that he has other unsavory pages on his record, is of no weight, but because he knows how to act as a broker between the candidates and the workers, no man is likely to be elected to any office in the city by the Democratic Party who does not first see him. He furnishes a clear Picture of one result of the spoils system, and through it, such as he control the elections all over the country. Without some check on the power of such men as he, who can always beat us in the game of politics, no system of successful reform is worth the paper it is written upon. We may devise intricate schemes with checks and balances without number, but in the end they all will accomplish nothing unless the election of proper officers to carry on the government under them can be secured.

We are told by many of our party friends, that if the good people will only turn out and go to the primaries, they can accomplish something. That is the old story of those who want reform within the party but who don't want any kind of non-partisan reform. The attempt of decent people to overcome the machine politicians at the primaries has been tried time and again all over the country, and though in some cases it has succeeded spasmodically, the sustained effort necessary for success cannot be kept up by those who have any other business to attend to, or who are unwilling to use unfair means.

The politicians who make politics their sole business cannot be suppressed as long as they have the offices at their disposal. There never was a more concerted effort of taxpayers to recover control of the city government than was made in Philadelphia by the Committee of 100 from '82 '85. There are much better chances in Philadelphia than in our Western cities for an independent movement, because that city has larger wealth and many more young men of means who have time to spend for the city's good.

In 1880 the Committee of 100, consisting of well known merchants and professional men was organized in Philadelphia. Speaking of its movement, [ ] Allison and Penrose, in the paper of the Johns Hopkins series referred to above, say: in its nature, however, the remedy was esoteric and revolutionary and therefore naturally ephemeral. It could not retain the spoils system and thereby attract the workers. Its members became tired of the thankless task of spending time and money in what must be a continuous unending battle, and after a brave fight the work was abandoned in '83, when the Reform Candidate for Mayor was defeated by over 7000 votes by the most advanced type of the machine politician. What is true of Philadelphia is true elsewhere, as every one knows who has tried to accomplish something in this way.

In addition to our Western cities having few young man who can give their time consistently to such work, and in addition to our being without the great wealth of an older city like Philadelphia to furnish the necessary aid in money, we in Cincinnati have no newspaper which would aid any such movement. In the scramble for office a party success which means the same thing, the good of the city is never given a passing thought by the newspapers which live off our citizens. No product of a regular nominating convention can be vile enough to be denied their enthusiastic support. If before such a candidate has bought his nomination from the machine, the organ has had the temerity to suggest that he would not be acceptable, once he is on the ticket, all such futile words are quickly eaten, and the docile subjects are told that the salvation, not only of the city, but of the whole nation, demands that they should vote the straight ticket and all of that. And when the man who is thus put into office steals from such of the subjects who are taxpayers,, his rascality is for the party's sake passed over as quietly as possible. If such a candidate was not sure in advance of the support of our partisan newspapers, he would hesitate before he risked his money in purchasing his nomination.

There is a certain prejudice in the minds of people who ought to know better, against those who call themselves civil-service reformers. Of course I do not refer to the opposition of all bosses and those who hope to become bosses. Their hostility to reform is like the aversion of their great ancestor to holy water. But the feeling exists in the minds of many good people. They do not know exactly what it means. They have been taught by the partisan newspapers which they imbibe daily, to think of it as some potent complicated scheme designed by [anglo] maniac mugwumps to entice the unwary community into some monarchical trap. We consistently see in newspapers, supposed to be edited by men who have had at least common school advantages, headlines like this – “The Civil Service fraud” – meaning, of course, the civil service reform fraud, because what such papers claim is that the present civil service is not a fraud. That is what

reformers say about it. These papers and a great many of their readers seem to be ignorant of the fact that all of the servants of the United States are divided into the Naval, the Military and the Civil Service. The service of the Navy and the Army has generally been conducted on proper principles. Appointments thereto require proof of fitness and there are no discharges except for cause. Civil Service reformers ask merely that the same rule be extended to the remaining branch of the service. They are now extended to some parts of it, but we ask that they be extended to all. When I have suggested to some of our municipal reformers that they should introduce a civil service reform bill, like that which has worked so well in Massachusetts, and also has been adopted in New York, they say "Oh, no! We could not pass anything of that kind"—but reform bills really require much more effort for their passage than would pass such a law as I speak of. It is not generally known how simple the provisions of such laws are. They are really insidious and by really providing for more than the objecting politician would at first discover, and therefore they have not been so difficult of passage as might be supposed. Both the Massachusetts and New York laws are like the Federal law in substance providing simply for the appointment by the executive of a Civil Service Commission whose duty it shall be to aid the Executive in prescribing regulations for the admission of persons into the Civil Service, and that the executive shall specify what branches of the service shall fall within the jurisdiction of the Commission and be subject to its rules; and that the branches of the service so classified shall be recruited only from applicants who have passed the examinations provided by the commission. This is substantially what is covered by the main features of the law. There are, of course, minor provisions relating to assessment & C. Everything depends on the commissioners. There is no explicit provision forbidding removals in the Federal law, but this is not needed, because when the President extends the authority of the Commissions to any branch of the service, thereafter no appointments can be made therein except from the certified lists of those who have passed the examinations, and the desire to remove without cause is thus taken away.

The reason it has apparently never occurred to any of those gentlemen who have pondered over the question of municipal reform, to apply to the city business the rules of their own business, is possibly to be found in the fact that we of this generation have grown up amid the spoils system, and many people imagine that without it the machinery of the government would cease to move. This is one of the things the bosses tell us. It is quite as true as some of the other lessons the bosses and their organs teach; such as that a tariff is not a tax, and that the Cobden Club spends money in elections. It is not remembered that on a change in the administration of the English government, not over seventy officers are displaced throughout the whole British Empire, and yet the machinery of the government moves along. Not being able therefore to imagine that the spoils system could be departed from, our municipal reformers have produced the various flaws above referred to, and including that of the Commercial Club of this city, in all of which they have endeavored to provide for successfully doing municipal business in an unbusinesslike way. Here is their dilemma. They say we will not or cannot interfere with the spoils system, but we will try to divine a plan by which the city business can be well done, although no business can be well done which is managed by such officials as are invariably the product of the spoils system.

They might call down an angel from Heaven to draft a city charter for them, but if applied without a reformed service, it could not effect a permanent cure. We hear constantly of the admirable administration of the English and Scotch cities. A member of an organization which is seeking to secure good government for our city, told me the other day that they had sent over for a full copy of the code of laws by which Glasgow is governed. Unless they apply the business methods which are employed in conducting the business of Glasgow, in common with that of most commercial houses of Cincinnati, they might as well send for a copy of the Koran.

To sum up, I suggest (1) that with inefficient and dishonest city officers, no municipal reform can permanently remedy the evil now existing; (2) that because of the spoils system good citizens cannot compete in Elections, except spasmodically at times of popular revolt, when the bosses who make politics their sole business, and consequently so long as the spoils system prevails, the bosses will rule our city, no matter what form of government is provided; (3) that when the influence and the corruption funds which secured through the offices which the spoils system places at their disposal is taken away from the bosses, they and their workers will seek some other employment, because with no patronage there are no assessments, and when those who now rule our cities for the money they make out of the business find that business unprofitable it will no longer attract them; (4) that the large majority of the people of our cities desire and honest and efficient government; (5) that a majority of the poor and ignorant care nothing for politics or even that there is no money or hope of office, and that, rid of the bosses who now use the vote of the masses, the foremost of our cities would be controlled by those whose honest motive would entitle them to do it; (6) that less effort would secure the legislation needed for a reformed service and the abolition of the spoils system than is necessary to obtain the adoption of a reformed charter; (7) that once the spoils system is under ground, the taxpayer can adopt any form of government they wish.

Charles B. Wilby

December 20, 1890