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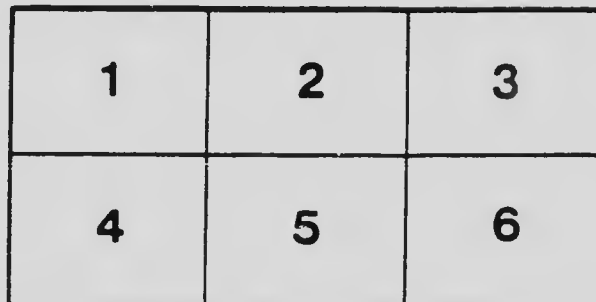
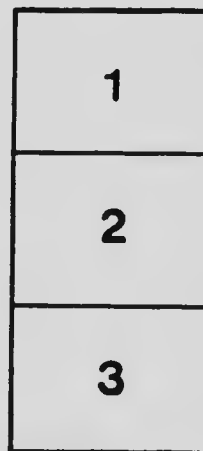
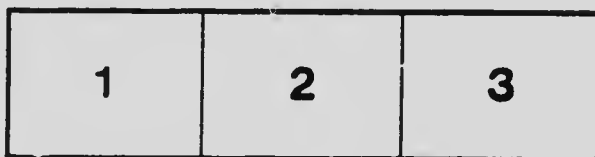
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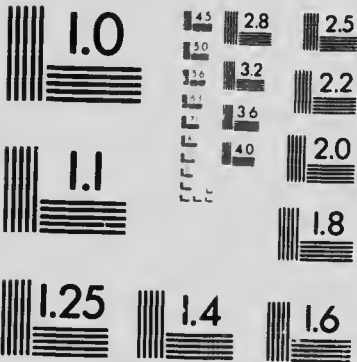
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THE
GALVESTON PLAN OF CITY
GOVERNMENT

BY
WILLIAM BENNETT MUNRO

Reprinted from the Proceedings of the National Municipal League
1907

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QUEEN'S UNIVERSITY,
KINGSTON, CANADA

The Galveston Plan of City Government.

WILLIAM BENNETT MUNRO, Ph.D.,

Assistant Professor of Government in Harvard University.

The recent growth in popularity of the "commission" system of city government is no doubt the offspring of a more or less widespread dissatisfaction with the complexity of contemporary American municipal administration. Paradoxical as it may seem, however, this curious system which students of comparative politics know as the "American type" of

Genesis of the Present Framework of City Government

city government, with its division of powers, its diffusion of responsibility, and its bewildering mechanism of checks and balances, has evolved logically from the crude framework of local government applied to the colonial boroughs by the British authorities. This simple system, consisting of a mayor and a small council, the former with no special executive functions, no veto power, and no right of making appointments to office, has been maintained by the English cities down to the present day; and to its very simplicity much of the efficiency which characterizes British municipal administration must, without doubt, be attributed.

After the American Revolution, however, and especially after the adoption of the federal Constitution, the system of municipal government as transplanted to this side of the Atlantic underwent a gradual but very important change; for the influence of the "federal analogy" dominated decisively the course of organic development in all the areas of local administration. A study of the civic charters granted at or about the beginning of the nineteenth century will, in almost every case, disclose the desire of municipalities to copy at every point the complex mechanism of the federal government. The mayor had come to be an independent executive officer, with a power

Changes Wrought in the American System after the Revolution

of veto over local legislation, with the right of appointment subject to confirmation, and with a variety of other administrative prerogatives which the lapse of a century has greatly augmented. The municipal council has likewise become bicameral, apparently for no good reason save that the demands of analogy had seemed so to dictate. In short, it seems to have been assumed that a framework of government devised to reconcile the jarring interests of a dozen independent states would bear reproduction in miniature, and would prove efficient in application to comparatively small urban units of a thoroughly homogeneous character. For three quarters of a century the cities of the United States have expended much political energy in attempting to patch an administrative garment which was not devised with an eye to their direct requirements. It may be doubted whether they have succeeded in doing more than to make the misfit

Defects of the Present System

more pronounced. They have been weighted down with an administrative organization which has sacrificed the highly essential qualities of efficiency and promptness in action to a blind adherence to the principle of "division of powers," heedless of the fact that the proper governance of a municipality makes no urgent demands whatever for any strict recognition of this principle. Steering wide of centralization of powers they have, however, floundered into the slough of a hopelessly divided jurisdiction with its unfortunate accompaniment of diffused responsibility.

A logical result of all this has been a reaction against the very cumbrousness of municipal machinery—a reaction which has manifested itself in some cities by the abolition

The Reaction Against the Multiplication of Municipal Organs

of bicameral councils and the substitution of single elective bodies. In other cases the dominant influence in civic administration has been transferred to the mayor, the local legislative authority being thus shorn of nearly all its jurisdiction. Even more frequently the delicate adjustment of powers has been ruthlessly disturbed by the direct intervention of state authorities and the assumption of purely municipal functions by state boards. This movement toward definiteness in the location of

responsibility has proceeded slowly, but none the less effectively, during the last quarter of a century, as may be readily seen by any one who chooses to study the history of municipal organization in cities like Boston or New York. The system of "government by commission" must, therefore, be regarded, not as a new experiment successfully conducted by a few scattered cities, but as the climax of a well-defined movement, from the influence of which hardly a single large city in the country has been entirely exempt.

Galveston, as is well known, was the first American city to give the system of "government by commission" a trial. This Texan city, having been called upon to pass through the dark waters of affliction, found itself, in 1900, face to face with practical bankruptcy. Under the old system of government by a mayor and sixteen aldermen the finances of the municipality had been badly mismanaged and the authorities had fallen into the disastrous practice of bonding the city to provide for annual deficits. In less than twenty years nearly three millions of debt had been accumulated in this way alone. The enormous new demands upon the civic treasury presented by the calamity in 1900 brought matters to such a crisis that the Texan Legislature found itself called upon by the business men of Galveston to take heroic measures for dealing with the financial problem. The old municipal framework was abolished root and branch, and by a new charter, granted in 1901, the administration of the city was entrusted to five commissioners, three of whom were to be appointed by the governor and two elected by the citizens of Galveston. Before long, however, the constitutionality of the charter was called into question, and the Supreme Court of Texas decided that certain functions which the commissioners had been authorized to assume could not be exercised except by elective officers. In March, 1903, therefore, the Legislature was appealed to for an amendment to the charter making all the commissioners elective, and the five original commissioners were forthwith endorsed by the voters at the polls.

The Galveston charter, as amended in 1903, provides for the popular election, every two years, of five commissioners, one of

The Galveston Experiment

whom is given the title of mayor-president. All are elected at large. The mayor-president is presiding officer of the commission but otherwise has no special powers. By a majority vote of the five commissioners all municipal ordinances are passed, and all appropriations are voted, the mayor-president having no right to veto either absolute or qualified. The commissioners likewise, by majority vote, apportion among themselves the headships of the four main departments of civic administration, namely, finance and revenue, waterworks and sewerage, police and fire protection, and streets and public property; the mayor-president having no special department but exercising a general coördinating influence over all. A single commissioner is, therefore, immediately responsible for the administration of each department. The commission as a whole draws up and passes the annual budget, awards all contracts, and makes all important appointments. Minor appointments are made by the individual commissioners each in his own special department. There is throughout a complete centralization of all powers, legislative and administrative, and a very definite location of all responsibility.

No one who has made any impartial attempt to follow the work of the Galveston commission during the last six years will venture to gainsay its very striking success.

The Results in Galveston The financial condition of the city has been most decidedly improved; all the municipal services have been brought to a much higher point of efficiency; a better grade of citizens has been found willing to seek and to accept civic office; and the general tone of municipal administration has been very noticeably raised. The commissioners present, in their reports, such a convincing array of facts that it would be idle to question the success of the new régime. This success has been attributable in general to three or four canons of policy, from which the commissioners have not swerved during the last five years, and which may be summed up as (1) the use of approved business methods in civic financing; (2) the entire elimination of all leakages in expenditures; (3) the making of all appointments on the basis of individual efficiency; and (4) the strict accountability of each commissioner for the on-goings of

his own department. All the improvements of the last half decade in the Texan city can be attributed, substantially, to the fact that the new system of government has rendered strict adherence to these fundamental rules of sound municipal administration possible and even imperative.

It is not necessary to speak in any detail of specific advances made in municipal administration by Galveston under the sys-

**The Galveston
Example in
Other Texan
Cities**

tem of government by commission. It is enough that these were readily noted by neighboring Texan cities, and that the latter soon bestirred themselves to the task of inaugurating a similar framework of administration. Since 1903 charters fundamentally similar to that of Galveston have been sought and obtained by five other cities of Texas: Houston, Fort Worth, Austin, Dallas, and El Paso. The experience, moreover, was not lost upon many cities in the North, and during the last two or three years measures have been introduced into the legislatures of at least a dozen states all aiming to permit cities to simplify their framework of administration more or less generally in accord with the Texan plan. At its last session the Legislature of Iowa put such a measure upon the statute books, rendering optional to all cities of over 25,000 population the adoption of the commission system. This privilege has already found acceptance in the capital city of Des Moines; in this case provision being made for the employment of certain advanced methods of securing the strict and consistent responsibility of the authorities to their constituents.

Despite a general impression that the commission system of local administration is a novelty in American government, the principle involved is by no means new in the United States. It is in almost no important respect different from the New England system of town government by a board of selectmen, who, with their chairman, assume and concentrate in themselves all administrative and legislative functions from one annual election until the next. There are many New England "towns" with populations quite large enough to entitle them to rank as cities, which have, for more than a century, maintained what is

**The System
Not a New One
in America**

to all intents and purposes a system of government by commission. Their selectmen, who are chosen by the people at large, represent in their jurisdiction a complete fusion of local power and responsibility. In every state of the Union, moreover (with the exception of Louisiana and Rhode Island), county administration has been vested almost wholly in the hands of an elective commission. The use of the term "commission" has misled many into overlooking a system with which they have been long familiar under a different designation. American cities have had occasion, no doubt, to become familiar with "commissions," but with commissions of a very different sort.

No aspect of the general problem of municipal reform has received more attention in the press and on the platform during the last year than the merits and defects of the commission plan. In the main, however, these discussions have dwelt largely upon the advantages of the system, many of which are almost too obvious to require emphasis. The defects, on the other hand, do not appear on the surface so plainly, though a closer examination will disclose that the system of government by commission, if generally applied to American cities under present conditions, would in all probability encounter important objections which no real friend of permanent municipal reform ought to treat lightly. Some of these relative merits and defects may be briefly noticed, so far as it may be accounted safe to generalize in the light of American municipal experience.

The cardinal advantage of the system is that it affords definite hope of putting an end to the intolerable decentralization of responsibility which now characterizes American civic administration. By concentrating powers and focusing public attention upon a narrow area it will render more effective the scrutiny which the voters may apply to the conduct of men in public office. If the system does not guarantee efficient administration, it at least promises to disclose where the blame for inefficiency should be made to fall. It will undoubtedly facilitate the election of a higher type of men, for American municipal experience has plainly demonstrated that small bodies

**The Merits and
Defects of the
Commission
Plan**

**The Important
Advantage of
Centralizing
Responsibility**

with large powers attract a better class of citizens than large bodies with restricted jurisdiction. The reduction in numbers of the school boards of St. Louis, Boston, and other large cities have served to show the truth of this aphorism in conclusive fashion. Even though party organizations may continue to dictate the nomination of commissioners, as they now do that of councilmen, these organizations will no longer be placed under pressure to give representation to every sectional, racial, and religious interest at the cost of placing inferior men in candidacy. That government by commission will eliminate partisan candidatures is something scarcely to be hoped for; but there is good reason to believe that it would remove from party organizations much of the sinister pressure with which these have now to contend.

Again, it is well known that municipal corruption nowadays arises as frequently from the power of municipal authorities to

The Lessening of Civic Corruption

thwart the meritorious plans of public-service corporations as from their power to forward reprehensible projects. If the present system of checks and balances puts a restriction upon the ill-considered granting away of privileges, it none the less puts a premium upon the withholding of rights which should, in the public interest, be granted without hesitation. It is extremely doubtful whether the chances of obtaining a municipal franchise at the present time in any large city are properly proportioned to the merits of an application therefor. A small commission would, indeed, simplify the task of dealing with civic franchises on a business basis, and, if there be any fear that the unchecked power of granting municipal franchises is a jurisdiction too momentous to be vested in the hands of a small body, provision may be made, as in the Des Moines charter, for having the acts of the commission in this sphere subject to ratification by the voters.

Still again, as we are frequently reminded, the work of administering the affairs of a city is in every essential respect akin to that of conducting the affairs of a private business corporation. Now, the salient characteristic of sound corporate management is the centralization of powers in the hands of a small board of directors. What, we are asked, would

Approximates the Government of the City to that of a Business Corporation

be thought of a business corporation which intrusted the management of its interests to a bicameral board, made up of classes of members selected in different ways, representing different interests, possessing separate jurisdictions, and designed to embody a system of checks and balances? Why should the affairs of a municipality demand an administrative machinery so much more complex than that of the largest private corporation? There is danger, however, of pressing this point too far, for it must be remembered that the analogy between the work of the municipal and that of the private corporation is by no means perfect. The city, for example, enjoys many legal privileges and immunities which an ordinary business corporation does not possess. It is not legally responsible for the torts of its police officers, of the employes of its fire department, or for those of several other classes of its agents; whereas the private corporation is directly liable to be heavily mulcted for the negligence or inefficiency of those whom it takes into its service. Furthermore, in determining matters of policy the authorities of a municipality must give weight to many considerations of social well-being which the management of a private corporation may afford to neglect. It must be admitted, too, that administration by a board of directors is not necessarily synonymous with integrity and efficiency. One need not go far afield to find instances in which directors have been deficient in their knowledge of affairs immediately in their care, or in which they have personally profited at the expense of those interests which they were chosen to guard. Nevertheless, it may be said with truth that there is plenty of room for the infusion of "business principles" into civic administration, and the analogy, if not pushed too far, has much force.

The system of government by commission will serve to render municipal administration more prompt and more effective in action. In a multitude of counselors there may be wisdom, but there is also, almost inevitably, friction, delay, and intrigery. A system of division of powers is almost certain to counterbalance what it gains in security against hasty and arbitrary action what it loses in inability to cope with problems

**The Commission
is More Prompt
and Effective in
Action**

which demand prompt, united and uncompromising attention. In local administration promptness and efficiency are imperative; and it may be properly urged that, in order to secure these essential qualities, a municipality is justified in weakening its organs of deliberation and in assuming a reasonable amount of risk that concentrated power will be abused.

There are, no doubt, many incidental advantages which cities may reasonably hope to secure from the introduction of the commission system, and to these the experience of Galveston bears abundant testimony. Most of these, however, are relative to the existing conditions in particular cities, and may not, therefore, be dealt with in general terms.

To the casual student the defects of the commission system are, perhaps, not so apparent as the merits. They exist, nevertheless, and are of sufficient importance to demand careful and judicious consideration; for the cause of municipal reform may receive permanent injury through the open advocacy by its friends of any plan of administration which has not been adequately studied in the light of conditions which now exist or are likely to exist in American cities.

**The Defects of
the Commission
System**

The most common objection urged in the public press and by the rank and file of municipal politicians is that the plan is un-American and undemocratic; that it involves a radical departure from American traditions of local self-government and proposes a step in the direction of municipal dictatorships. This objection is as easy to raise as it is difficult to support. The present framework of municipal administration, with its division of powers, is not a whit more traditionally "American" than is the New England town system of government by a board of selectmen with no division of powers whatever. That the system of administration by a small body of men tends to remove control "away from the people" is an assertion which the whole history of local government in the United States absolutely refutes. Indeed, it has been proven time and again that a single elective officer may, in his official actions, more faithfully reflect public opinion than a large body of elected

**The Commission
System Claimed
to be un-Ameri-
can and un-
democratic**

representatives. Much of the latent and unreasoning prejudice against the new plan springs, no doubt, from the popular association of the "commission" with the idea of state interference in municipal matters.

The observant De Tocqueville once remarked that local government is to national what the elementary school is to the university; that each in its respective sphere performs the work of preparation. Political education, it has been observed, consists in the exercise not only of the right to choose but of the right to be chosen—in candidacy and in service—and under the present municipal régime such education is annually afforded to a large number of citizens. The plan of government by commission proposes greatly to reduce this number. It would cut down the list of elective officers to four or five, all other posts being filled by appointment presumably for long terms. This policy, it is objected, would tend to vest the work of civic administration permanently in the hands of a very few men, and might very well assist in the development, as in the German cities, of a professional city bureaucracy. The present multiplication of elective offices affords to a unique degree the opportunity for a large number of citizens to be brought into touch with local political affairs and to obtain such political education as this contact involves.

Again, objection is made that the system will serve to strengthen rather than to weaken the influence of the regular partisan organizations in civic affairs. The concentration of power and patronage in the hands of a few commissioners would, it is claimed, make it seem imperative to the party leaders that the commission should be controlled; and the party energies, now spread over a wider area, would thus be concentrated at a single point. It is quite true that whenever the power and the patronage of the mayor have been extended the result has not been to diminish the force of partisanship in mayoralty elections; on the contrary, party leaders have been impelled to make more energetic campaigns and to perfect their organizations in order that they might control an office which

The Plan Proposes to Narrow the Educative Work of Local Government

The System will Tend to Increase the Influence of Party Organizations

had become the more valuable to them. Furthermore, the election of four or five commissioners by the voters at large would, in all probability, result in selections from the ranks of a single party; the dominant party could in most cases elect its whole slate, and the minority party would in consequence be wholly unrepresented. There might, no doubt, be frequent exceptions to this, but it would be the more usual outcome. On the other hand, a large council, the members of which are elected by small districts, will almost certainly contain representatives of the weaker political party. Much of the hopes placed upon the new system arise from the proposal that commissioners shall be elected at large; but it must not be forgotten that the plan of election at large is not without its counterbalancing defects.

It has, perhaps, been characteristic of the American voter that he is prone to lay too much stress upon the form of government and too little upon its personnel. He is not always quick to see that the more efficient administration of European cities results not at all from their superior framework of local government, but from the higher calibre of men who seek and obtain municipal office. Without a change of personnel, the substitution of government by commission for the existing system would assuredly avail but little. Indeed, a corrupt or an inefficient commission with wide powers would be much more capable of injuring the best interests of a city than an equally corrupt or inefficient set of administrative organs with powers and patronage decentralized; for the very complexity and cumbrousness of the present system serves in some degree to place an obstacle in the way of any widespread or consistent wrongdoing. The real question is, therefore, whether a better class of men would be attracted to a small commission than to a large council. To this the lesson of experience seems to give an affirmative reply. But it is a matter of probability rather than a matter of certainty.

Sponsors of the commission plan have sometimes urged that its adoption would ensure administration by skilled experts, since appointments made by a small body would probably be dictated by reasons of merit and experience alone. It may be noted,

**A Change in
Form of Govern-
ment will Avail
Little without
a Change in
Personnel**

however, that the vesting of the right of appointment in the hands of a small body, or even in the hands of a single officer, would not necessarily ensure this result. There was a time in

The System does not Assure Administration by Experts American cities when patronage was committed to the municipal council, and under this system partisan considerations almost exclusively influenced the making of appointments to office.

Municipal reformers insisted that this pernicious policy could be brought to an end only by transferring the appointing power to the mayor and by placing upon the mayor alone the full and entire responsibility. But during the decade or more since this transfer has been made it may well be doubted whether individual merit and capabilities have counted much more in determining appointments than they did in the days when the council possessed the patronage. Now it is proposed to vest the patronage once again with a body of men; but one may scarcely venture to hope that partisan considerations will lose much of their strength because of any such further transfer. Definite location of responsibility for civic appointments seems, as experience shows, to afford some assurance against gross inefficiency; it does not, apparently, afford a guarantee that the degree of efficiency will be very high.

An important feature of both the Galveston and Des Moines plans of city government by commission is that the "appropriating" and "spending" authorities are fused.

The Concentration of Appropriating and Expending Powers in the Same Hands In other branches of American government it has been the policy to keep these two jurisdictions distinct and independent; and this has been true alike of national, state and local administration. The legislative organs appropriate the funds, the administrative organs supervise their expenditure. In the New England system of town government the board of selectmen does not appropriate moneys for any purpose; this function is reserved to the annual "town meeting." The concentration of both powers in the hands of a single small commission might, and probably would, serve the interests of integrity so long as men of the right caliber constituted the commission; but there are those who see in this fusion of jurisdictions a

potential element of danger. It involves, at any rate, a radical departure from a principle which has hitherto characterized not alone American government, but the governmental systems of the leading European states as well. In the successful administration of German cities, for example, this separation of the appropriating from the spending departments has always been strongly emphasized.

It is sometimes urged that the general adoption of the system of government by commission would encourage state intervention in municipal affairs. In every large city there come up, year by year, many important questions which demand broad legislative action. Now, whether their policy has been wise or unwise in this direction, it is an undoubted fact that state authorities have been extremely loath to entrust broad legislative functions to small boards whose jurisdiction is mainly administrative. The association of well-considered legislative action with large bodies is deeply imbedded in the American mind and will not be easily eradicated. If large municipal councils are eliminated from the framework of city government there would seem to be a danger that state legislatures would be tempted to assume for themselves some of the broader legislative functions which the councils have been accustomed to exercise. At any rate, we know from experience that where the legislative powers of municipal councils have been curtailed their former powers have usually been assumed by the state legislature and have not been transferred to some other organ of local government. That there has been, on the whole, too much state interference in municipal affairs most students of government are disposed to admit; this intervention has been on occasions salutary, but more often detrimental to the best interests of the cities concerned. It may properly be urged, therefore, that any step which promises to afford an incentive to greater inroads upon the principle of civic autonomy should not be taken hastily or without due consideration of its less immediate but none the less important consequences.

In weighing the respective merits and defects of the Galveston plan as these would probably work out were the system given general application, the burden of proof ought in fairness to be placed upon those who advocate the extension. A change in

any department of American government which involves a transformation so complete of the whole framework of organization should not be readily adopted until it can be said to promise, with a reasonable degree of certainty, a very decisive improvement in civic administration. It must not be forgotten that the

**Relative Merits
and Defects of
the Plan**

experiment of government by commission has as yet been adequately tried in Galveston alone, and that here the circumstances were distinctly unusual. A receivership may be the best means of getting a bankrupt business corporation upon its financial feet, but it does not follow that all sound and solvent concerns should forthwith permanently adopt this method of administering their affairs.

On the other hand, as the present system of civic administration is too complicated, and too cursed with the curse of divided responsibility to prove reasonably efficient, any

Conclusion

step in the direction of simplification should be welcomed by those who have the best interests of American cities at heart. Those who are prone to look askance at anything which involves concentration of power may be reminded that such is never dangerous when accompanied by an equal concentration of responsibility. Not a few American cities at the present time are, as every one knows, controlled by small coterie of men—party managers—who dominate the official organs. These men are dangerous because they concentrate power without responsibility. The system of government by commission, if it would not eliminate the “bosses,” promises at any rate to compel them to work in the open.

Experiments with the Galveston plan in a number of cities differing in size and situated in different parts of the country, will serve to mark out more clearly the merits and defects of the system in action. Such experiments may be welcomed as paving the way for what may secure substantial improvement in civic administration; but no one who appreciates the difficulties of the problem will readily hope to find in this or in any other formal change a panacea for all municipal ills. The plan can be said to have established a *prima facie* case; and it well deserves a sympathetic trial on a sufficiently broad scale to enable it to be fairly judged.

