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RECENT HISTORICAL INVESTIGATION IN MISSOURI HISTORY

By E. M. VIOLETTE

A new era has recently been inaugurated in the writing of Missouri history. Men and women skilled in the methods of scientific investigation of historical subjects have been turning their attention to certain phases or periods of Missouri history, and after prolonged and laborious study and research have been laying the results of their efforts before us in volumes of real merit and great value. In all probability their books will never be popular sellers and will never have a very large circle of readers. But they will furnish material for the popular writers of history who will in turn give the people something more reliable than has been given them heretofore.

Unfortunately most of the histories of our states that have had anything like a general circulation, have been very carelessly and hence inaccurately written. That was due largely to the fact that when they were written little had been done by scholars in the way of investigating special topics or different periods in state history, and hence the books that have become popular and even standard were written upon rather insecure bases. But the interest that has recently been taken in state history by well trained students and investigators, is paving the way for the writing of state history that will not only be popular, but also accurate. We may therefore expect in the course of the next few years a new order of histories of Missouri which will incorporate the results of the investigations that have been made and will yet be made by scholars.

It is the purpose of this paper to bring under review some of the recent noteworthy works in Missouri history that will for a long time be cited as authorities and will be used as the basis for the more popular forms of Missouri history.

The first of these works to be considered here is Louis Houck's "History of Missouri from the Earliest Explorations and Settlements until the Admission of the State into the Union." It is a work of three volumes and was published in 1908. (Donnelley & Sons, Chicago.) Mr. Houck lives at Cape Girardeau and has long been identified with many different kinds of enterprises for the development of southeast Missouri.

A mere glance at Mr. Houck's work reveals the immense amount of labor that he has put upon it. In fact it is perhaps safe to say that no one has ever devoted as much unflagging enthusiasm and energy to the investigation of the early history of Missouri as has Mr. Houck. When he began his labors it was his object to collect and embody in his work "every important fact relating to the early history of Missouri," and while with becoming modesty he disclaims having fully succeeded in that ambition, he has performed a monumental work for which all students of Missouri history will always be profoundly grateful. He did not start out with the intention of confining himself to the colonial and territorial periods of Missouri's history, but as he

progressed in his researches and writing the importance of those periods forced itself upon him, and he finally decided to limit himself to that field and let the world have what he had been able to produce.

When Mr. Houck started upon his investigations little had been done towards discovering the original sources for the period prior to the Louisiana Purchase. Inasmuch as during the most important part of that period Spain had been in control of what is now Missouri, he suspected that the Spanish archives would yield the richest source material on the subject if they could be but explored. That meant the expenditure of a great deal of money, and as such expenditure could never be made with the expectation of any financial return, he showed his devotion to the subject by lavishly using his own means to have a search made for this material and to have transcripts made of it when found.

With this wealth of material before him Mr. Houck was able to present facts that had hitherto been unknown and to give us a new view of conditions as they existed in Missouri during the Spanish period. The discoveries he made concerning the men who lived during that period aroused him to a high pitch of enthusiasm over them and led him to say that when the Spanish archives have been thoroughly explored "they will fully reveal to the world the unequalled labor and heroism, valor and exploits of many Spanish soldiers, commanders, navigators, discoverers and explorers, now only vaguely known and esteemed, and will add much to the glory of much maligned Spain."

For the convenience of students who are interested in Missouri history, he selected over one hundred of the most important documents and papers out of the great mass of material he had collected on the Spanish period and published them in 1909 in two volumes under the title of "The Spanish Regime in Missouri." (Donnelley & Sons, Chicago.)

Notwithstanding the great service Mr. Houck has rendered the cause of Missouri history in publishing these two works, his History of Missouri is not without defects, a matter which he readily admits in advance. These defects have to do, however, more with the style of composition and the selection and arrangement of the matter which he has worked out than with the historical accuracy of what he has produced. One frequently comes across passages that were carelessly constructed, or upon matter that hangs together very loosely, or upon facts that are inconsequential in character that could have been omitted altogether or put into footnotes without impairing the unity of the work. But these defects may be promptly overlooked. A good piece of pioneer work has been done by Mr. Houck and some day some one in whom is combined the elements of an expert historical investigator and a graceful and artistic writer, will give us a work that will approach more nearly to the ideal of historical writing than does this one.

Besides Mr. Houck, who was a business man of mature age when he embarked upon his special investigation of Missouri history and who worked his way through the subject without having had the advantages of university training in historical investigation, there have come upon the field of Missouri historiography a group of young men who have been schooled in the most

modern methods of historical research and have chosen for their study certain rather restricted subjects or topics in Missouri history. The works of only four of these men can be dealt with here.

The first of these works is John W. Million's "State Aid to Railroads in Missouri" (University of Chicago Press, 1897, \$1.75). Strictly speaking this book does not belong in the list of recent works as it was published twenty years ago. But inasmuch as it is the first scholarly monograph on Missouri history, it should not be omitted here. The author, who has been for many years President of Hardin College at Mexico, Missouri, presented this work to the History Department of the University of Chicago as his master's thesis. As far as scholarship is concerned it would do credit for the doctor's degree.

In this book Mr. Millions has traced the beginnings and early development of railroads in Missouri down to the close of the civil war. After explaining why no railroads were built in the state until 1851, he proceeds to show how the state was induced to lend its credit to the railroad companies in order that they might be able to construct their roads and put them in operation. Within two years the state had issued bonds amounting to nearly \$25,000,000 and had placed them in the hands of seven different companies to be used by them in securing the funds necessary to the completion of their roads. The companies were under the obligation to keep the interest on these bonds paid promptly and ultimately to redeem the bonds in full. But by the time the civil war broke out all of these seven companies but one had stopped paying the interest, and by the close of the war it was clear that none of them would ever redeem their bonds. The state legislature thereupon decided to sell the roads and apply the proceeds of the sale on the state's indebtedness that had been incurred in behalf of these roads. By that time that indebtedness including the principal and the unpaid interest, amounted to \$31,000,000. The amount realized from the sale was only \$6,000,000, leaving the state in debt \$25,000,000. This together with the heavy war debt which had been meanwhile incurred, continued to burden the state until 1905 when the entire amount was paid off. That the legislature did not realize more than \$6,000,000 from the sale of the railroads, Mr. Million shows was due to considerable crookedness on the part of the legislature itself.

Mr. Million confined himself to that phase of railroad history in Missouri that has to do with state aid to the railroads. There are several other phases that await the hands of energetic and skillful investigators, among which are the aid given to railroads by the counties and municipalities of the state, the economic value of railroads in the development of the resources of the state, and the control and regulation of railroads by the state. It is to be hoped that these topics will be taken up by students of history and economics very shortly and will be dealt with in the same successful manner with which Mr. Million has done his work.

In 1907 William G. Bek presented as a part of the requirements for the Ph. D. degree to the Department of History in the University of Pennsylvania a dissertation on the "German Settlement Society of Philadelphia and Its

Colony, Hermann, Missouri." (Americana Germanica Press, Philadelphia, 1907, \$1.50.)

Mr. Bek is a native of Hermann and became interested in the subject while preparing a paper on the Germans in Missouri for the Germanic Association of the University of Pennsylvania in 1903-04. His thesis as the title suggests deals first of all with the German Settlement Society of Philadelphia, and second with Hermann, Missouri, a colony of that society. It is as far as Missouri history is concerned an investigation of local history and not of state history. But the German element in Missouri has long been a very influential element, and every scientific study that is made of the different German settlements in the state contributes directly to a better and more comprehensive understanding of the Germans in Missouri and the part they have played in its history. The work that Mr. Bek has done is suggestive of what might be accomplished by many others in making careful and scholarly investigations of local history, and ought to serve as a stimulus in that direction. There are of course not many communities whose origin is similar to that of Hermann, but Mr. Bek has shown that in writing a history of Hermann it was necessary to go into other localities far removed to gather the necessary source material to develop his subject properly. It does not follow that the local history of every community would have to be developed in the same way, but there are comparatively few settlements that are of any consequence whose history would not require a fairly thoro investigation of their antecedents.

In 1914 Harrison A. Trexler of Mexico, Missouri submitted to the Department of History of Johns Hopkins University a dissertation on "Slavery in Missouri, 1804-65," (Johns Hopkins University Press, 1914, \$1.50) in partial fulfillment of the requirements of the Ph. D. degree. Though more or less technical in character the work is nevertheless one that appeals not only to students of Missouri history but also to those of our national history. It is a contribution to American history as well as to Missouri history.

In eight chapters Mr. Trexler discusses slavery in Missouri from the economic, legal, social, political and religious points of view. By dint of diligent investigation in a great many different directions, including the archives of many of the counties where slavery had prevailed, he has been able to state conclusively a good many things that have been heretofore only vaguely conjectured or broadly suspected. For one thing he has shown that slaves were not as a rule held in large numbers by slave owners and that most slave owners had not as a rule more than two or three slaves each. He has also shown that the typical plantation of the far south did not exist in Missouri. The nearest approach to it were the hemp farms on the Missouri river, where overseers were required to a certain extent. Most of the farmers who held slaves put them to work at general farm work and supervised the work of their slaves directly. Although there were instances of actual mistreatment of slaves, Mr. Trexler is convinced that as a rule the slaves in Missouri were treated kindly and that their lot was not so bad as was that of the slaves in the south. The slave laws of Missouri were not directed so much

against the slaves as it was against people who were inclined to tamper with slavery and to destroy the institution.

The most recent work of real scholarship on Missouri history is F. C. Shoemaker's "Struggle of Missouri for Statehood." (Hugh Stephens Printing Co., Jefferson City, 1916, \$5.00.) Mr. Shoemaker is Secretary of the State Historical Society, a state institution with its headquarters in the library building at the University of Missouri. In this book we have a thoro treatment of the Missouri Compromise from the point of view of the people of Missouri. Heretofore that familiar subject has been dealt with by all writers from the point of view of Congress, and practically all the material that has been used by them has been drawn from the Congressional debates. A suggestion of the new view of the subject was given a few years ago by Professor Hodder of the University of Kansas in a brief article by him published in the Missouri Historical Review in which he offered a few things showing what Missourians thought of the issue that had been raised over the admission of Missouri into the Union. Mr. Houck in the last chapter in his History of Missouri up to 1821 also presented a few facts along the same line. But these two writers had only skimmed the surface and it was left to Mr. Shoemaker to go to the very bottom of the matter and bring up all the essential matter available. Inasmuch as we are approaching the hundredth anniversary of the admission of Missouri into the Union, it is in order to set forth here in some detail an analysis of this very important work.

In eleven chapters there is presented the story of Missouri's struggle for statehood. In the first chapter there is given an account of the constitutional history of Missouri during the territorial period, and in the second an account of the various petitions that were submitted to Congress in 1817, 1818, and 1819 asking for admission into the Union. The next two deal with popular opinion in Missouri during the troublous years 1819-20, while the four that follow are devoted to the work of this convention and to the constitution itself. The last three chapters are given to the organization of the state government, the second Missouri Compromise, and the final admission of the state into the Union.

The chapters dealing with popular opinion in Missouri in 1819-20 are by far the liveliest in interest. In the interval between the failure of the Missouri bill on account of the Tallmadge amendment and the passage of the first Missouri Compromise, Missourians were profoundly disturbed by the delay of Congress and they expressed themselves most vigorously on the matter. From the resolutions that were passed by the mass meetings held in the various counties and also by the grand juries, from the speeches that were made and the toasts that were proposed and drunk at dinners and banquets, and from the editorials and numerous articles that appeared in the newspapers of the territory, the author has constructed a most interesting account of the temper of the people of Missouri at that time. He has also shown that while the general attitude of Missouri against Congressional restriction in the state was based ostensibly upon constitutional grounds, it was in reality founded upon their economic interests in the institution. He has also gone

into considerable detail concerning the election of delegates to the first constitutional convention of Missouri and has thus made it clear why none of them favored putting any restrictions on slavery in the constitution they were authorized to draft.

The four chapters dealing with the constitutional convention and the constitution itself reveal the author's industry and analytical skill to best advantage. In one of the chapters in this group there is presented not only a brief biographical sketch of each of the forty-one members of Missouri's first constitutional convention, the material for which had to be sought for most diligently in out of way places as a rule, but also an analysis of the forces that had had a determining influence upon the views and opinions of these men. In another chapter the manner of organizing the convention and the method of procedure that was followed in drafting the constitution are described, and an explanation is also given as to why the convention put the constitution into immediate effect without submitting it to the people of Missouri. In the remaining chapters of this group the sources of Missouri's first constitution are discussed, and by careful comparisons between it and the existing state constitutions of that time, the author concludes that those of Kentucky and Alabama were the chief sources, although it is evident that sections were taken from the constitutions of Maine, Delaware, Connecticut, Pennsylvania, Ohio, Indiana, and Illinois.

The tense situation that arose in Missouri when Congress reopened the Missouri question because of the offensive provision in her new constitution regarding free negroes and mulattoes, is dealt with here for the first time. From the study of the expressions of public opinion of Missourians under these trying circumstances when it was uncertain as to whether Congress would allow Missouri to enter the Union or not, the author concludes that the people of Missouri acted very sanely—"that they were neither boastful nor defiant," but were nevertheless "firm in their conviction that Missouri was a state and that she would never become a territory again unless force was used."

Several time honored traditions of Missouri history are effectively proved false in this book. One of these traditions had given to David Barton, President of the Constitutional Convention, the honor of being the author of the Constitution, and another concerned the election of Missouri's first United States Senators according to which Barton was elected unanimously on the first ballot but Benton was not elected until after several days of balloting. Thanks to Mr. Shoemaker's investigation we now know that the authorship of the Constitutions belongs to several men instead of one, and that Barton and Benton were both elected at the same time and on the same ballot and that Barton did not get a unanimous vote.

The author has not only brought to light a lot of new material but he has used it with great care and has been very successful in his analysis and combinations of this material. So skilfully has he done his work and so convincing has his reasoning been, it appears that most of the facts he had produced and most of the conclusions and generalizations he has made, will long remain uncontrovertible.

In addition to these works of scholarship on Missouri history that have been produced in recent years, mention ought to be made of certain noteworthy articles that have appeared in the Missouri Historical Society Collections (published by the Missouri Historical Society at St. Louis) and the Missouri Historical Review (published by the State Historical Society at Columbia). There has been a decided improvement recently in the tone and character of the articles that have appeared in these publications which shows that the editors have been able to enlist the interest of men and women of considerable ability along the lines of historical research. Space will permit brief mention of only a few of these articles.

In the Missouri Historical Society Collections, Vol. III, Nos. 3 and 4, Judge Walter B. Douglas of St. Louis has presented an exhaustive biographical sketch of Manuel Lisa, the most prominent fur trader of Missouri in early times. Chittenden in his "Fur Trade in the Far West" (1902) brought together many facts pertaining to Lisa and gave him his proper place in the history of the fur trade industry in Missouri. But Judge Douglas has gleaned the field more thoroughly than Chittenden did, and has added considerably to our knowledge of this indefatigable trader and pioneer. In this connection mention should also be made of Professor Isaac Lippincott's article on "A century and a half of Fur Trade at St. Louis," published in the Washington University Studies for April, 1916. In this study Professor Lippincott has traced the fur trade industry in St. Louis from earliest times down to the present, showing how after a century of great activity it began to decline and did not recover its position of primacy in the raw fur market of the world until the last few years.

In the April, 1916 number of the Missouri Historical Review there was published an article by Professor C. H. McClure of the Warrensburg Normal School on the "Early Opposition to Thomas Hart Benton". In this article Professor McClure shows that, contrary to popular belief, opposition to Benton began to gather and show itself long before his fifth and last election to the United States Senate in 1845. Neither Roosevelt, Meigs nor Rogers in their excellent biographies of Benton seemed to have suspected the existence of any marked opposition to Benton prior to 1844. In developing his thesis Professor McClure has incidentally thrown some side lights upon the political conditions in Missouri during the decade from 1835 to 1845.

In the July, 1916 and April-July, 1917 numbers of this same Review Professor F. F. Stephens of the University of Missouri has offered a very valuable study on "Missouri and the Santa Fe Trade." With the exception of Chittenden in his work mentioned above every writer who has touched this fascinating subject has confined himself largely to the romantic phase. But in dealing with the economic phase Chittenden left much untouched that needed to be considered. After long and patient research Professor Stephens has brought together some very valuable data on this phase and has worked them up into this most helpful study. Hereafter every one interested in comprehending the full significance of the Santa Fe Trade will find this study of indispensable value.

In the January, 1916 number of this same Review Mr. Walter B. Stevens

of St. Louis has given us an article of considerable length on "Lincoln and Missouri" in which he has traced the relations between the Blairs of Missouri and Lincoln from 1857 to Lincoln's death in 1865. In this article Mr. Stevens shows that Lincoln's interest in Missouri affairs began before he became President, and that for information and advice regarding Missouri matters, both before he became President and during the troublous years of his presidency, he leaned most heavily on the Blairs. The efforts of Lincoln to assist the provisional government of the state during the war period to solve its most pressing problems, especially that of emancipation, is presented in detail.

What has been done by such writers as these whose books and articles have been briefly reviewed here, should be an incentive to others interested in the field of history to do as they have done. Now that materials for the investigation of different topics in Missouri history are being collected on a large scale and made available for the use of students by at least two great societies, the State Historical Society of Missouri at Columbia and the Missouri Historical Society at St. Louis, to say nothing of what is being done by the libraries in the larger cities, the task of the historical writer is much easier than it used to be. Moreover there is an increasing interest in state history throughout the country, and as far as Missouri is concerned this interest is bound to grow quite rapidly in the next few years on account of the state wide celebrations of the admission of the state into the Union that will be held in 1920 and 1921. The preparation necessary for these celebrations and the diffusion of knowledge concerning the history of the state that will come about as one of the direct results of the celebrations, will create a desire for more of its history. It is with the hope that this article may be the means of enlisting new recruits in the field of investigation in Missouri history that it has been written and offered in this bulletin.

COUNTY GOVERNMENT IN THE STATE OF NEW YORK

By EUGENE FAIR

All attempts to study the problems of County Government throughout the United States have been of very recent date. In fact the movement has come within the last decade.

No one would deny the value of the monographs in the Johns Hopkins' Studies, Howard's Local Constitutional History of the United States, and Fairlie's "Local Government in Counties, Towns and Villages," but all these studies are largely concerned with the descriptive historical organization side. Certainly they have opened up the field, but all lay comparatively little stress on the county government of today.

Less than seven years ago the American Political Science Association devoted one session to a series of papers on the city-county problems of such communities as New York City, Chicago, St. Louis, and Boston. These were interesting papers but, as one can see, their scope was narrow and they were largely of an academic character.

Four years ago last May (1917) the American Academy of Political and Social Science of Philadelphia published a volume on "County Government." This is broader in its scope, very suggestive on the many problems concerned and less academic in its presentation. Yet it remains just a series of helpful papers. It can hardly be called comprehensive or constructive. We have here no theory of how county government should be organized. In a word, the volume is, as Mr. Childs said, photographic. It must be said, however, that here is attested some interest in the study of county government by people all over the United States.

Several months before this publication came out one California County (Los Angeles) had organized under a reform charter made by itself. This movement in California was immediately given wide publicity through one of the bulletins of the National Short Ballot Organization.

Now this brings us to the first aggressive, forward looking national organization which has as a part of its program the study and reform of county government. What Richard S. Childs said in his sprightly fashion in 1913 no doubt approximates the truth, "The short ballot movement is the first political reform with a program that seriously involves county government. Other reforms have dealt a good deal with city and state government and various phases of electoral reform. But we ran smack into the fact that the county was the worst of the long ballot governments we have; that it was very badly organized—organized for inefficiency; and it was up to us to tackle the question of how to reform it. From time to time we have studied the subject and tried to gather information about it and tried to find out whether there was anybody that did know anything about county government from our viewpoint, and we came to the conclusion after a while, that although we knew nothing, we knew as much as anybody else and accordingly we have cheerfully undertaken this Conference for the Study and Reform of County Government."

As is well known, Mr. Childs is a propagandist of the real sort, and he and his organization are responsible for a number of conferences held in the city of New York and the State Conference which was held three years ago at Schenectady. The meeting of the New York State Constitutional Convention directly caused a number of men and organizations to get busy on the matter of county government. Among the leading organizations were the Westchester County Research Bureau, The Nassau County Commission, The City Club of New York, The Municipal Government Association of New York, the New York Bureau of Municipal Research, and The Academy of Political Science of New York City. Several of these organizations submitted reports to the Constitutional Convention.

The Commission of Accounts and the City Chamberlain of New York City issued a valuable pamphlet on the "Study of County Government Within the City of New York and a Plan for its Reorganization." The State Constitutional Convention Commission published a volume on "County Government in New York."

Though the county problems have received their most serious study within the State of New York, it is valuable to know that the county was dis-

cussed by the National Municipal League and the Southern Commercial Congress about two years ago.

Though the interest in our study of county government is a quite recent movement, enough has been done to indicate the bearings of some of the problems in the State of New York

As far as time would permit, an attempt has been made to work out an annotated bibliography of the material available on this subject. The bibliography has not been arranged either chronologically or alphabetically, but with reference to its importance in writing this article. (Because of lack of space this bibliography has been omitted.) One can make a few generalizations on this material which may be of value to anyone interested. (1) As to the form of the material nearly all of it is in scattered pamphlets, newspapers or fresh from the typewriters. (Since this was written, there has appeared Gilbertson's excellent little book on *The County, The "Dark Continent of American Politics,"* and *"Documents on County Government,"* both published by the Short Ballot organization. There has been published for more than a year now *The County Commissioners Magazine*, Milwaukee, Wis. It should be of great use in the teaching of local government.) (2) Since it is such a new field, and since again most of the county reformers are sensible and level headed no cure alls and few dogmatic statements are to be found. (3) The kind of men concerned in these reforms likely have much to do with their keeping their feet on the ground. Most of them either actually occupy some county or state office or have for some time been in intimate contact with the actual government of the county. This makes the stuff they write up not only interesting but lends to it great reality. (4) One might think, from this statement, that much personal feeling and prejudice would be shown, but this does not appear to be the case. In fact little tendency is shown to storm personally at offenders. In a word it is the system (rather lack of system) which is being attacked. (5) As would be expected, then, the movement is not dominated by any party or clique and its propagandist side is mostly of facts and figures. As we shall see later on it is decidedly the idea of the party organizations to let the county problem rest where it is. (6) As any observer can see we are just beginning to get at the facts of the county situation, so the material on the subject is very incomplete and hence our discussion, if for no other reason will have to be the same way. Yet, there is this saving grace, the interest is so human and it does effect many people, whether they are conscious of it or not.

So much for a general estimate of the bibliography. It is believed that a detailed examination of the material will prove these general assertions.

Now in order to study intelligently what we popularly call county problems in New York we must recognize, even though the constitution and laws do not, (except through special legislation) that there are several types of counties. We have (1) the type where almost purely rural conditions exist—here the country and its rural subdivisions are the sole agencies of local government. Practically no material was found on this type of county. Of course it is not the prevailing type in New York. Most of the counties have urban centers of some importance. In speaking then of the county in this

discussion this type is hardly more than mentioned. Little consideration will also be given to what we may call (2) the county-city type. In this type the boundary or boundaries of one or more counties is practically identical with that of the city. New York City with its several counties is an example. So is Buffalo which covers nearly all of Erie County. As has been indicated above considerable study has been made of this type (e. g. the study by the Commissioner of Accounts and City Chamberlain of New York City) but the conclusions all point to one end—substantially the doing away with the county or its absolute consolidation with the city. Of course there is a real problem to be solved where there is a considerable rural fringe as is the case with Buffalo. But it seems the suggestions which have been made to make these fringes into special tax zones, a new county, or attach them to another county are practical. We have as a third type the county which contains the mixed urban and rural communities. Westchester and Nassau represent two of the most populous of this type. While Oneida County represents an average (see *Cookingham First Conference, Schenectady*, p. 30.) This “typical New York County” (*ibid* p. 30) contains two cities, twenty-six towns, nineteen incorporated villages, twenty-three special districts and 355 school districts outside of the cities. It is this third type then that we have primarily in mind.

It may be hard to convince the average dweller in the City of New York that the county is of any vital concern save as a thing to be gotten rid of as soon as possible. He is not to be blamed for such a view. There may be argument produced as we shall show later, that the general abolishment of the county is desirable, that does not effect the question of its existence now—but it does create a need for pointing out why the county is important as a governmental unit.

New York is just one of the many states which has to face the urbo-rural county problem. There are throughout the United States about 3000 counties, only about 10% of these have no incorporated place within their boundaries. The average extent of these counties is from 400 to 600 square miles, though San Bernardino County, California is larger than New Jersey. The population varies a great deal but the average will run from 10,000 to 30,000. (The typical county has about 18,000.) These are important facts, because the size of the population and the territorial compass have great influence in the determination of most governmental problems, but to try to judge the importance of the county from these two viewpoints would end in great confusion.

One helpful way to look at the county is to note that it is important (1) in its relation to the state government, (2) in its relation to smaller units of government, (3) and in itself. With the exception of a few constitutional provisions it is legally a creature of the state legislature. In fact the state legislature has imposed minute regulations upon the county and then neglected almost wholly to see that these regulations were carried out. This is seen especially in the assessment and collection of taxes, the keeping of accounts, the administration of justice and the civil service. Furthermore the county stands in many ways as an agent of state government—it is a unit for

legislative representation, an election unit, a party unit for the state organization, etc.

The relations of the town, village and school district are so close that it is doubtful whether any great county reform "can be carried through without reforming the governments below it."

But the county is important in itself. This may be said in spite of the fact that the county usually has no great social or economic unit such as cities possess. A county seldom has any great policy to determine. Partly as a consequence of this, little popular interest is shown in county government. These conditions are ideal for the local professional politician and he takes advantage of them. This will be noted further later on, but it goes far to show how important the county is in party organization.

Further the county is important in itself because it touches the individual at so many points. This is well illustrated by taking the statutory field of the county's control.

- I. General Administrative Functions.
 - a. Quasi-legislative functions making up of county budget, ways and means, finance.
 - b. Appointment of subordinate officials, regulation of their work and compensation.
 - c. Conduct of public elections.
 - d. Control of weights and measures.
 - e. Miscellaneous services such as public printing and advertising, etc.
- II. Construction, maintenance and operation of public works, including highways.
- III. Public Education.
- IV. Collection, conservation and disbursement of county moneys.
- V. Judicial functions, carried on partly by state officers (justices of Supreme Court) partly by county or local officials, (county judges, surrogates, coroners, etc.) Within this field also lies the control of enforcement of judicial decrees by ministerial court offices.
- VI. The detection and prosecution of crime.
- VII. The punishment of convicted malefactors (correction and rehabilitation do not seem to have place in county government.)
- VIII. Maintenance of public peace.
- IX. Public charities and poor relief.
 - X. Legal advice to county governing bodies, departments and officials.
- XI. Official inspection and investigation of the administration of government and the public affairs generally.
- XII. The custody and preservation of public records and the duty of keeping them open and accessible to seekers after information concerning public business. (Govt. of Counties of New York, type copy p. 1, Cartwright.)

Since the county has many and varied functions to perform let us see briefly what the organization is through which it performs these functions.

Each county has a board of supervisors—one elected from each township,

one from each ward of a city. The numbers therefore vary, but the board is usually so large that it is unwieldy. It does its work mainly through committees and its clerk. It has "general administrative" functions with the exception of the control of elections. The men who serve on this board are usually the leading local farmers, merchants and lawyers. They have little time to give to their official duties.

Then we have the various county officials—the county clerk, treasurer, superintendent of the poor, sheriff, district attorney, coroner, county court, and sometimes a surrogate and comptroller besides. These officers are elective, they have overlapping duties and divide responsibilities. There is no real unifying authority. Each office becomes really a law unto itself (save when the supreme political boss nods) and so we have about as many county governments as there are offices within the county. The county organization really stands as it did in colonial times save there are more elective officials. Really the biggest failure in county government not only in New York but all over the United States, is as Mr. Gilbertson says, that its organization is not adapted to modern conditions—"All officers are elected independently of each other and co-ordinated theoretically by elaborate laws; headless, irresponsible, inefficient, obscure." (Short Ballot County Amendment p. 8, 9.)

Along with this problem of organization closely connected with it, and much more acute to most individuals is that of county finances. About 1908 several counties showed an alarming increase in the tax rate. The state comptroller sent his examiners into a number of these counties. In one the board of supervisors had actually given its auditing power into the hands of an appointive employee who served without bond, in another vouchers for public expenditures had been burned, in still another fees belonging to the state had been pocketed by the county treasurer. There has no doubt been then, in the last few years, considerable feeling on the matter of county finances. These matters get close to a great many individuals—since their pocket-books are reached. More has been written on this phase specifically than on any other. Because of these facts and especially their fundamental character let us study briefly county finances as THE case in point.

In the typical New York County property is usually assessed three times each year by as many different authorities—the trustees of the school district, assess for school purposes; towns make assessment, so do villages. There may also be special district assessment—though the town assessment is usually taken. In addition the Board of Supervisors may practically assess through its power of equalization. Furthermore cities make their own assessments. In what has been cited as a typical county (Oneida) there are more than 400 bodies composed of more than 1200 persons who assess property. There are more than 400 collectors. This complicated way of fixing value results in all sorts of overlapping of authority and no doubt much injustice to property holders. Legally the assessment is supposed to be at full value—but it runs from 40 to 100%. One might argue that all this trouble would be adjusted by the Board of Equalization. But we must remember that this board is none other than the board of supervisors or some one appointed by them to do the work. Now the members are sent up from the various localities (towns

or wards) of the county. All are anxious to keep the assessment low for state purposes, and each for his respective town or ward. As a result there is no equitable adjustment. Mr. Cookingham calls the whole thing a joke. A word will be said about the party side of this when we come to that phase. From many points of view the assessment of taxes in the state of New York is a failure. Would it not be better to centralize it in the hands of a small well paid board, which would employ skilled clerical help and keep accurate records? This would do away with "the three assessment collection idea."

Once the tax is levied and collected there should be better systems of accounting. The state comptroller's office reported upon the investigation of 57 counties that there were as many systems as there were counties—and that only 4 were worthy of favorable comment. Some of the accounts were found on the backs of used envelopes and there was hardly any possible way to verify them. With these facts and many others before them, Mr. Cartwright said "We need modern accounting systems in the various counties of the state and not only in the counties but in the townships, villages and school districts; accounts that will show the exact condition of the public estate of those communities at any moment; that will show how much the community owns in all its various forms of property, how much it owes both in obligations currently falling due and in those to be paid off in the future, possibly by future generations; and of such indebtedness the accounts should show what part is a refunding of debt incurred for improvements long ago worn out and what part is for those which the present tax payers may enjoy. Although the state comptroller's office is doing excellent work in this respect, the matter is still in what might be called a state of incipient germination. A proper system of accounts would help to keep a board of supervisors from buying annually for each of its members \$8 fountain pens, (No account of this was found at the treasurer's office) or buying sets of solid silver table knives and forks. (Mr. Cartwright said, "I forget now whether they were for the jail warden or the superintendent of the poor.")

Now this may raise the question, Who is responsible for spending the county's money? Legally the Board of Supervisors is, but once they make an appropriation that substantially ends the matter. In the matter of supplies, there is practically no concentrated purchasing done—(two counties have purchasing agents)—the Board makes some purchases, so does each of the county officials. All of them have political friends and each member of the board is usually quite loyal to his local constituency. (On cases of extravagance see p. 16—First Conference, Schenectady.)

It seems only reasonable to suppose that a proper auditing system would be a necessity in county finances. The work of auditing in practically all the counties is done by the Board of Supervisors. An auditor may be appointed by the board or a comptroller may be elected by the voters, but the auditor has been little more than a clerk of the board and in the case of a comptroller a two-thirds vote of the Board may override his audits. To illustrate how well the usual auditing is done let us quote from Lewis K. Rockefeller of the State Comptroller's Staff—"In the book of one county treasurer I saw in the handwriting of the chairman of the committee appointed by the

Board of Supervisors to examine his accounts a statement, signed by each member of that committee, to the effect that they had examined the county treasurer's accounts and that they were correct in every particular. When this intelligent committee made its report to the more intelligent board, the county treasurer was haled before it and tendered a vote of thanks. Such faith and innocence would have been beautiful had it not proven so expensive to the tax payers of the county. The truth of the matter is, gentlemen, that but a few days before the committee made its examination, the county treasurer had by false entries in the very books in which they wrote their names, "worked off" a shortage in his accounts of nearly \$12,000."

A member of this same staff has said that one-third of the money collected each year is wasted, and Mr. Cartwright holds that of the eight or ten millions a year it takes to run Westchester County and its subdivisions one-half could be saved "under a simple organization."

Some of the more advanced, and it appears sensible suggestions for solving these financial problems are: (1) a scientific budget including budget hearings; (2) a simpler organization; (3) a county auditor with real and practically final power, save for court review; (4) a purchasing agent with real powers; (5) centralization of assessment and collection; (6) have the state comptroller enforce uniformity and system throughout the state.

Not only may the county be studied with profit from the financial point of view, but there may be quite as much profit—and maybe more interest in studying it from the viewpoint of partisan politics.

The statement of Mr. Buck, auditor of Erie County, it is thought represents the truth—"The county, moreover, is the unit of partisan organization, it is therefore the county which more than anything else determines the tone of politics throughout the state. If the form of the county government lends itself to the development of political machines—and it is quite certain that it does—then we have in county government an important key to the whole matter of state-wide political conditions."

Here is to be found "the invisible" government of the country. Let us notice a few of its manifestations.

The average supervisor is a good man in private life, but he is put up and elected by a party so he must be good to the organization. The board of supervisors is usually under the control of a party majority. Should any one member of this majority become too independent, his home community is likely to have assessed against it more than its share of taxes, and of course he must be in the good graces of those at home. Hence the average supervisor is hedged about by the organization and its boss, his political colleagues on the board, and his friends who elected him.

Party politics manifests itself also in the board's connection with officials of the county. The state comptroller's office discovered that the county treasurer of Westchester County was pocketing \$5,000 in fees which legally belonged to the county in addition to his \$5,000 salary. The board not only allowed him to keep what he had pocketed, but raised his salary to \$10,000 and gave him an additional clerk.

The handling of the poor is another case of politics at its worst. In a

great many counties there are from 20 to 50 overseers of the poor scattered over the county. Each one has power to commit people to the almshouse. The overseer is usually a third rate politician, "he has done a little something for his party and is put on the ticket for that reason." The overseers are paid on a per diem basis and usually make any little item of work a day's work. Two cases rarely go on the same day because they get only one day's pay. The superintendent of the almshouse has no power over admitting people. He can only discharge. So the overseer may commit and the superintendent discharge. Each time to the tune of \$2.00. As one would expect there is great political and social stress placed on the overseer to commit people, but no doubt most of the time "Barkis is willin." The patronage of the superintendent is also a joy to the mere politician." In Westchester county 26 per cent of the county expenses, exclusive of the state tax, passes through his office.

One of the worst features of the political situation is that these petty politicians stand masked behind a venal county press which depends in most cases upon the county advertising for its very existence.

Mr. Seldon Bacon has made this clear in speaking of Westchester County: "The power to give out the county printing rests chiefly with the board of supervisors; for certain purposes with other officers. It is in their absolute control for each and every separate contract which is let. The public printing is done at established legal rates—supposed to be—which are very high, but by a convenient fiction an inch of type was resolved some time ago to be a folio so if there is considerable spacing or large type is used the number of folios grows by the inch and not by the number of words. There are in the county, I believe, about sixty-six local newspapers. Of those a very large proportion are absolutely dependent for their maintenance on the money that they receive from the county treasurer. . . . You have a county press which is held right in the hands of the officers who ought to be criticised."

It would be interesting to know how much of this political robbery is bi-partisan for it seems that the partisan leadership will work for improvement up to the point of endangering the county boss.

Comparatively the study of county government has been meager, but we have gone far enough to believe it should either be abolished or reformed.

The New York County, like counties throughout the United States has two basic faults—(1) territorially and in population it has no unity save in keeping the tax rate down. There is hardly any such thing as county loyalty. (2) It has no head. The so-called departments of county government are independent of each other and of any central authority. Each department chief administers affairs almost in his own way. Statutes are detailed and indefinite—they even sometimes conflict. Even with the best intentions it is really hard for an officer to know what the law is. Looked at from the standpoints of its lack of basic unity and the minute regulations of the statutes, the New York County appears more as an administrative unit of the state than anything else. This being the case, why have any pretense of local autonomy?

Furthermore "reform in the past has continually taken the form of the

removal from the county of function after function and its transfer to the state." The counties no longer care for the insane, they are far behind the time in looking after the poor and defective. Their failure to punish crime has led to a strong desire for a state constabulary. The county jail has few things to recommend its existence. County road building has little merit. Few or no reasons can be shown for the existence of the coroner's office. Could not the cities and villages form the centers of all the local autonomy that is needed? To put it in the words of Mr. Childs—"Was it not said in years gone by that there was no good Indian but a dead Indian!"

But we Americans, we New Yorkers, and especially we politicians would be slow in abolishing something which has been at least a territory and a county seat—the home for the good things the boys want.

For New York did not Mr. Herbert R. Sands put the statement sanely when he said of the late proposed constitution "It permits several alternative plans and until we have tried out such plans, little more can be asked for"? Mr. Otto G. Cartwright makes a more comprehensive and definite statement when he says "The new constitution opens the door to new forms of county government and enables the legislature to provide such forms and leaves it optional with the several counties to choose from among those forms. It prohibits individuals from applying to the legislature for special laws for any individual county. Whether this is good or bad remains to be seen. It can hardly be much worse than the present scheme which would permit me for instance, to apply to the legislature for the enactment of some bill in which I might work out a private grudge against somebody. The constitution also provides for the creation of local courts, of inferior jurisdiction, which would be a great gain. It also makes possible the centralization of tax assessment and collection which is another great gain. Summarizing, my answer, would be, the new constitution won't make county government any worse than it is, and it will open the way to work out better conditions."

But we all know the way the proposed constitution went, "Salt River" in New York became a big stream.

Can there be any relief through the legislature? Nearly two years ago the New York Short Ballot Organization worked out a County Manager bill to be presented to the state legislature. (See Conference Dec. 8, 1913, p. 20.) This bill was not passed. Again some of the friends of county reform thought the bill would have been unconstitutional (Conference Jan. 22, 1914, p. 16.). Some thought it would not have been.

Should either the constitutional or the statute door be opened, New York counties should surely take advantage of the patient investigations of the men and organizations we have mentioned. By the time New York is ready for a general reorganization California may have something to show her in the way of things actually achieved. (See Acad. Phil., May 1913, p. 8-9; p. 229ff). And in getting ready we may expect no let up in such men as Cartwright, Childs and Gilbertson. They and many others will produce facts and maybe public sentiment—until "the county problem" is solved.

Note—This paper is published in the bulletin with the hope of suggesting some county government problems which should be worked out in Missouri. An estimate of the bibliography used will be furnished upon request.

