and cities which lie within their compass further than by observing that cities, even the smaller ones, are usually separated from the townships, that is to say, the township government is superseded by the city government, while cities of all grades remain members of the counties, bear their share in county taxation, and join in county elections. Often, however, the constitution of a State contains special provisions to meet the case of a city so large as practically to overshadow or absorb the county, as Chicago does the county of Cook, and Cincinnati the county of Hamilton, and sometimes the city is made a county by itself. Of these villages and other minor municipalities there are various forms in different States. Ohio, for instance, divides her municipal corporations into (*a*) cities, of which there are two classes, the first class containing three grades, the second class four grades; (*b*) villages, also with two classes, the first of from 3000 to 5000 inhabitants, the second of from 200 to 3000; and (*c*) hamlets, incorporated places with less than 200 inhabitants.[1] The principles which govern these organizations are generally the same; the details are infinite, and incapable of being summarized here. Of minor incorporated bodies therefore I say no more. But the larger cities furnish a wide and instructive field of inquiry; and to them three chapters must be devoted.

[1] *Ohio Voters' Manual*, Appendix K. Ohio contained in 1888: Cities — 1 first class, first grade, 1 first class, second grade, 1 first class, third grade, 2 second class, first grade, 1 second class, second grade, 9 second class, third grade, 23 second class, fourth grade; Villages — 34 first class, 395 second class; Hamlets — 32, besides 785 unincorporate places or towns.

CHAPTER XLIX

OBSERVATIONS ON LOCAL GOVERNMENT

It may serve to clear up a necessarily intricate description if I add here a few general remarks applicable to all, or nearly all, of the various systems of local government that prevail in the several States of the Union.

I. Following American authorities, I have treated the New England type or system as a distinct one, and referred the North-western States to the mixed type. But the European reader may perhaps figure the three systems most vividly to his mind if he will divide the Union into three zones — Northern, Middle, and Southern. In the northern, which, beginning at the Bay of Fundy, stretches west to Puget Sound, he will find a primary assembly, the Town or township meeting, in preponderant activity as the unit of local government. In the middle zone, stretching from New York to California, inclusive, along the fortieth parallel of latitude, he will find the township dividing with the county the interests and energy of the people. In some States of this zone the county is the more important organism and dwarfs the township; in some the township seems to be gaining on the county; but all are alike in this, that you cannot lose sight for a moment of either the smaller or the larger area, and that both areas are governed by elected executive officers. The third zone includes all the southern States; in which the county is the predominant organism, though here and there school districts and even townships are growing in significance.

II. Both county and township are, like nearly everything else in America, English institutions which have suffered a sea change. "The Southern county is an attenuated English shire with the towns left out."[1] The Northern township is an

[1] Professor Macy, "Our Government," an admirable elementary sketch for school use of the structure and functions of the Federal and State governments.

English seventeenth-century parish, in which age the English parish was still in full working order as a civil no less than an ecclesiastical organization, holding common property, and often co-extensive with a town. The Town meeting is the English vestry, the selectmen are the churchwardens, or select vestrymen, called back by the conditions of colonial life into an activity fuller than they exerted in England even in the seventeenth century, and far fuller than they now retain.[1] In England local self-government, except as regards the poor law, tended to decay in the smaller (*i.e.* parish or township) areas; the greater part of such administration as these latter needed, fell either to the justices in petty sessions or to officials appointed by the county or by the central government, until the legislation of the present century began to create new and larger districts, especially poor law and sanitary districts, for local administration.[2] In the wider English area, the county, true self-government died out with the ancient Shire Moot, and fell into the hands of persons (the justices assembled in Quarter Sessions) nominated by the Crown, on the recommendation of the lord-lieutenant. It is only to-day that a system of elective county councils has been created by statute. In the American colonies the governor filled the place which the Crown held in England; but even in colonial days there was a tendency to substitute popular election for gubernatorial nomination; and county government, obeying the universal impulse, is now everywhere democratic in form; though in the South, while slavery and the plantation system lasted, it was practically aristocratic in its spirit and working.

[1] Few things in English history are better worth studying, or have exercised a more pervading influence on the progress of events, than the practical disappearance from rural England of that Commune or Gemeinde which has remained so potent a factor in the economic and social as well as the political life of France and Italy, of Germany (including Austrian Germany) and of Switzerland. If Englishmen were half as active in the study of their own local institutions as Americans have begun to be in that of theirs, we should have had a copious literature upon this interesting subject.

[2] However, the parish constables and way-wardens in some places continue to be elected by popular vote; and the manor courts and courts leet were semi-popular institutions. Even now the parish vestry has some civil powers.

In counties the coroner continued to be elected by the freeholders, but in A.D. 1888, the appointment was transferred by statute to the newly-created county councils.

III. In England the control of the central government — that is, of Parliament — is now maintained not only by statutes defining the duties and limiting the powers of the various local bodies, but also by the powers vested in sundry departments of the executive, the Local Government Board, Home Office, and Treasury, of disallowing certain acts of these bodies, and especially of supervising their expenditure and checking their borrowing. In American States the executive departments have no similar functions. The local authorities are restrained partly by the State legislature, whose statutes of course bind them, but still more effectively, because legislatures are not always to be trusted, by the State Constitutions. These instruments usually — the more recent ones I think invariably — contain provisions limiting the amount which a county, township, village, school district, or other local area may borrow, and often also the amount of tax it may levy, by reference to the valuation of the property contained within its limits. Specimens of these provisions will be found in a note at the end of this volume. They have been found valuable in checking the growth of local indebtedness, which had become, even in rural districts, a serious danger.[1] The total local debt (less sinking fund) was in 1890: —

Counties	$145,048,045	(£29,000,000)
School districts	36,701,948	(7,340,000)
Total	$181,749,993	(£36,340,000)

This sum bears a comparatively small proportion to the total debt of the several States and of the cities, which was then —

States	$228,997,389	(£45,799,000)
Cities over 4000 inhabitants	646,507,644	(129,300,000)
Municipalities under 4000 inhabitants	77,955,416	(£15,590,000)
Total	$953,460,449	(£190,689,000)

[1] See also Chapter XLIII. on "State Finance." These provisions are of course applied to cities also, which need them even more. They vary very much in their details, and in some cases a special popular vote is allowed to extend the limit.

County and school district debts declined eight per cent between 1870 and 1880, whereas city indebtedness was then rapidly increasing. Since 1880 all three have risen, though slowly, except as regards the school district debt, which has doubled; State debts on the other hand have fallen about twelve per cent in the same decade.

IV. County and township or school district taxes are direct taxes, there being no *octroi* in America, and are collected along with State taxes in the smallest tax-gathering area, *i.e.* the township, where townships exist. Local rates are not, however, as in England, levied on immovable property only, but also on personal property, or rather upon so much of it as the assessors can reach. Lands and houses are often assessed far below their true value, because the township assessors have an interest in diminishing the share of the county tax which will fall upon their township similar to the interest of the county assessors in diminishing the share of the State tax to be borne by their county.[1] Real property is taxed in the place where it is situate; personalty only in the place where the owner resides.[2] But the suffrage, in local as well as in State and National elections, is irrespective of property, and no citizen can vote in more than one place. A man may have a dozen houses or farms in as many cities, counties, or townships: he will vote, even for local purposes, only in the spot where he is held to reside.

The great bulk of local expenditure is borne by local taxes. But in some States a portion of the county taxes is allotted to the aid of school districts, so as to make the wealthier districts relieve the burden of the poorer, and often a similar subvention is made from State revenues. The public schools, which are everywhere and in all grades gratuitous, absorb a considerable part of the whole revenue locally raised,[3] and in addition to what taxation provides they receive a large revenue from the lands which, under Federal or State legislation, have been set

[1] As to this and the Boards of Equalization see Chapter XLIII. *ante*.

[2] Of course what is really the same property may be taxed in more than one place, *e.g.* a mining company may be taxed as a company in Montana, and the shares held by individual proprietors be possibly also taxed in the several States in which these shareholders reside.

[3] The expenditure on public elementary schools in the United States is stated by the U. S. Commissioner of Education (*Report* for 1888–89) at $121,930,000 (£24,386,000), public secondary schools, $10,199,000; total, $132,129,000.

apart for educational purposes.[1] On the whole, the burden of taxation in rural districts is not heavy, nor is the expenditure often wasteful, because the inhabitants, especially under the Town meeting system, look closely after it.[2]

V. It is noteworthy that the Americans, who are supposed to be especially fond of representative assemblies, have made little use of representation in their local government. The township is usually governed either by a primary assembly of all citizens or else, as in such States as Ohio and Iowa, by a very small board, not exceeding three, with, in both sets of cases, several purely executive officers.[3] In the county there is seldom or never a county board possessing legislative functions (though New York has begun to tend that way); usually only three commissioners or supervisors with some few executive or judicial officers. Local legislation (except as it appears in the bye-laws of the Town meeting or selectmen) is discouraged. The people seem jealous of their county officials, electing them for short terms, and restricting each to a special range of duties. This is perhaps only another way of saying that the county, even in the South, has continued to be an artificial entity, and has drawn to itself no great part of the interest and affections of the citizens. Over five-sixths of the Union each county presents a square figure on the map, with nothing distinctive about it, nothing "natural" about it, in the sense in which such English counties as Kent or Cornwall are natural entities. It is too large for the personal interest of the citizens: that goes to the township. It is too small to have traditions which command the respect or touch the affections of its inhabitants: these belong to the State.[4]

[1] Students of economic science will hear without surprise that in some of the States which have the largest permanent school fund the effect on the efficiency of the schools, and on the interest of the people in them, has been pernicious. In education, as well as in eleemosynary and ecclesiastical matters, endowments would seem to be a very doubtful benefit.

[2] Expenditure has however greatly risen. In the Massachusetts town of Quincy, for instance, the average annual levy of taxation between 1792 and 1800 was $1000, about $1 to each inhabitant taxpayer: it is now $12.57. In 1792 the education of each child in the public school cost $3 per annum: now it costs $16 (*The Centennial Milestone*, by Charles F. Adams).

[3] In a few Western States the Town board has (like the New England selectmen) a limited taxing power, as well as administrative duties.

[4] In Virginia there used to be a county feeling resembling that of England, but this has vanished in the social revolution that has transformed the South

VI. The chief functions local government has to discharge in the United States may be summarized in a few paragraphs: —

Making and repairing roads and bridges. — These prime necessities of rural life are provided for by the township, county, or State, according to the class to which a road or bridge belongs. That the roads of America are proverbially ill-built and ill-kept is due partly to the climate, with its alternations of severe frost, occasional torrential rains (in the middle and southern States), and long droughts; partly to the hasty habits of the people, who are too busy with other things, and too eager to use their capital in private enterprises to be willing to spend freely on highways; partly also to the thinness of population, which is, except in a few manufacturing districts, much less dense than in western Europe. In many districts railways have come before roads, so roads have been the less used and cared for.

The administration of justice was one of the first needs which caused the formation of the county: and matters connected with it still form a large part of county business. The voters elect a judge or judges, and the local prosecuting officer, called the district attorney, and the chief executive officer, the sheriff.[1] Prisons are a matter of county concern. Police is always locally regulated, but in the northern States more usually by the township than by the county. However, this branch of government, so momentous in continental Europe, is in America comparatively unimportant outside the cities. The rural districts get on nearly everywhere with no guardians of the peace, beyond the township constable;[2] nor does the State government, except, of course, through statutes, exercise any control over local police administration.[3] In the rural parts of the eastern and middle States property is as safe as anywhere in the world. In such parts of the West as are disturbed by dacoits, or by solitary highwaymen, travellers defend themselves, and, if the sheriff is distant or slack, lynch law may usefully be invoked. The care of the poor is thrown almost

[1] The American sheriff remains something like what the English sheriff was before his wings were clipped by legislation some seventy years ago. Even then, however, he mostly acted by deputy. The justices and the county police have since that legislation largely superseded his action.

[2] Or, in States with no townships, some corresponding officer.

[3] As to recent experiments, see p. 495 *ante*, State police.

everywhere upon local and not upon State authorities,[1] and defrayed out of local funds, sometimes by the county, sometimes by the township. The poor laws of the several States differ in so many particulars that it is impossible to give even an outline of them here. Little out-door relief is given, though in most States the relieving authority may, at his or their discretion, bestow it; and pauperism is not, and has never been, a serious malady, except in some five or six great cities, where it is now vigorously combated by volunteer organizations largely composed of ladies. The total number of persons returned as almshouse-paupers in the whole Union in 1880 was 73,045. Adding 23,000 for persons in receipt of out-door relief, we have a proportion of 1 to 652 of the whole population.[2] In England and Wales in 1892 there were 676,693 paupers (not including pauper lunatics 53,000, and vagrants 7000) to a population of 29,001,018, or 1 to 42 of population.

Sanitation, which has become so important a department of English local administration, plays a small part in the rural districts of America, because their population is so much more thinly spread over the surface that the need for drainage and the removal of nuisances is less pressing; moreover, as the humbler classes are better off, unhealthy dwellings are far less common. Public health officers and sanitary inspectors would, over the larger part of the county, have little occupation.[3]

To education, I can refer only in passing, because the differences between the arrangements of the several States are too numerous to be described here. It has hitherto been not only a more distinctively local matter, but one relatively far more important than in England, France, or Italy. And there is usually a special administrative body, often a special administrative area, created for its purposes — the school committee

[1] In some States there are poor-law superintendents, and usually State institutions for particular classes of paupers, *e.g.* pauper lunatics.

[2] The census returns of 1890 (so far as published) do not give the number of out-door paupers, but so far as can be gathered from the (apparently untrustworthy) figures of 1880, it is less than one-third of that of in-door paupers. The figures in 1880 were 67,067 to 21,598. The proportion of paupers to population in England, which, in 1863, was 4.97 to 1000, was, in 1892, 23.3 to 1000.

[3] Sanitation, however, has occupied much attention in the cities. Cleveland claims to have the lowest death rate of any large city in the world.

and the school district.[1] The vast sum expended on public instruction has been already mentioned. Though primarily dealt with by the smallest local circumscription, there is a growing tendency for both the county and the State to interest themselves in the work of instruction by way of inspection, and to some extent of pecuniary subventions. Not only does the county often appoint a county superintendent, but there are in some States county high schools and (in most) county boards of education, besides a State Board of Commissioners.[2] I need hardly add that the schools of all grades are more numerous and efficient in the northern and western than in the southern States. In old colonial days, when the English Commissioners for Foreign Plantations asked for information on the subject of education from the governors of Virginia and Connecticut, the former replied, "I thank God there are no free schools or printing presses, and I hope we shall not have any these hundred years;"[3] and the latter, "One-fourth of the annual revenue of the colony is laid out in maintaining free schools for the education of our children." The disparity was prolonged and intensified in the South by the existence of slavery. Now that slavery has gone, the South makes rapid advances; but the proportion of illiteracy, especially of course among the negroes, is still high.[4]

[1] Though the school district frequently coincides with the township, it has generally (outside of New England) distinct administrative officers, and when it coincides it is often subdivided into lesser districts.

[2] In some States provision is made for the combination of several school districts to maintain a superior school at a central spot.

[3] Governor Sir William Berkeley, however, was among the Virginians who in 1660 subscribed for the erection in Virginia of "a college of students of the liberal arts and sciences." As to elementary instruction he said that Virginia pursued "the same course that is taken in England out of towns, every man according to his ability instructing his children. We have forty-eight parishes, and our ministry are well paid, and, by consent, should be better if they would pray oftener and preach less." — *The College of William and Mary*, by Dr. H. B. Adams.

[4] The percentage of persons unable to read to the whole population of the United States was, in 1880, 13.4; it was lowest in Iowa (2.4), highest in South Carolina (48.2) and Louisiana (45.8). The percentage of persons unable to write was in the whole United States, 17; lowest in Nebraska (3.6), highest in South Carolina (55.4) and Alabama (50.9). The census returns of 1890 respecting illiteracy have not yet been published (December 1892).

It was recently proposed in Congress to reduce the surplus in the U. S. treasury by distributing sums among the States in aid of education, in proportion to the need which exists for schools, *i.e.* to their illiteracy. The objections on the score of economic policy, as well as of constitutional law, were obvious, and stimulated a warm resistance to the bill.

It will be observed that of the general functions of local government above described, three, viz. police, sanitation, and poor relief, are simpler and less costly than in England, and indeed in most parts of western and central Europe. It has therefore proved easier to vest the management of all in the same local authority, and to get on with a smaller number of special executive officers. Education is indeed almost the only matter which has been deemed to demand a special body to handle it. Nevertheless, even in America the increasing complexity of civilization, and the growing tendency to invoke governmental aid for the satisfaction of wants not previously felt, or if felt, met by voluntary action, tend to enlarge the sphere and multiply the functions of local government.

VII. How far has the spirit of political party permeated rural local government? I have myself asked this question a hundred times in travelling through America, yet I find it hard to give any general answer, because there are great diversities in this regard not only between different States, but between different parts of the same State, diversities due sometimes to the character of the population, sometimes to the varying intensity of party feeling, sometimes to the greater or less degree in which the areas of local government coincide with the election districts in which State senators or representatives are chosen. On the whole it would seem that county officials are apt to be chosen on political lines, not so much because any political questions come before them, or because they can exert much influence on State or Federal elections, as because these paid offices afford a means of rewarding political services and securing political adhesions. Each of the great parties usually holds its county convention and runs its "county ticket," with the unfortunate result of intruding national politics into matters with which they have nothing to do, and of making it more difficult for good citizens outside the class of professional politicians to find their way into county administration. However, the party candidates are seldom bad men, and the ordinary voter is less apt to vote blindly for the party nominee than he would be in Federal or State elections. In the township and rural school district party spirit is much less active. The offices are often unpaid, and the personal merits of the candidates are better known to the voters than are those of the

politicians who seek for county office.[1] Rings and Bosses (of whom more anon) are not unknown even in rural New England. School committee elections are often influenced by party affiliations. But on the whole, the township and its government keep themselves pretty generally out of the political whirlpool: their posts are filled by honest and reasonably competent men.

VIII. The apparent complexity of the system of local government sketched in the last preceding chapter is due entirely to the variations between the several States. In each State it is, as compared with that of rural England, eminently simple. There are few local divisions, few authorities; the divisions and authorities rarely overlap. No third local area and local authority intermediate between township and county, and similar to the English poor law Union (or District with its proposed Council), has been found necessary. Especially simple is the method of levying taxes. In most States a citizen pays at the same time, to the same officer, upon the same paper of demand, all his local taxes, and not only these, but also his State tax; in fact, all the direct taxes which he is required to pay. The State is spared the expense of maintaining a separate collecting staff, for it leans upon and uses the local officials who do the purely local work. The tax-payer has not the worry of repeated calls upon his cheque-book.[2] Nor is this simplicity and activity of local administration due to its undertaking fewer duties, as compared with the State, than is the case in Europe. On the contrary, the sphere of local government is in America unusually wide,[3] and widest in what may be called the most characteristically American and democratic regions, New England and the North-west. Americans often reply to the criticisms which Europeans pass on the faults of their State legislatures and the shortcomings of Congress by pointing to the healthy efficiency of their rural administration, which

[1] Sometimes the party "ticket" leaves a blank space for the voter to insert the name of the candidates for whom he votes for township offices. See the specimen Iowa ticket at the end of Chapter LXVI.

[2] City taxes, however, and the local school-tax, are sometimes paid separately. Some States give the option of paying half-yearly or quarterly; and many allow discount upon payment in advance.

[3] The functions are not perhaps so numerous as in England, but this is because fewer functions are needed. The practical competence of local authorities for undertaking any new functions that may become needed, and which the State may entrust to them, is great.

enables them to bear with composure the defects of the higher organs of government, defects which would be less tolerable in a centralized country, where the national government deals directly with local affairs, or where local authorities await an initiative from above.

Of the three or four types or systems of local government which I have described, that of the Town or township with its popular primary assembly is admittedly the best. It is the cheapest and the most efficient; it is the most educative to the citizens who bear a part in it. The Town meeting has been not only the source but the school of democracy.[1] The action of so small a unit needs, however, to be supplemented, perhaps also in some points supervised, by that of the county, and in this respect the mixed system of the middle States is deemed to have borne its part in the creation of a perfect type. For some time past an assimilative process has been going on over the United States tending to the evolution of such a type.[2] In adopting the township system of New England, the north-western States have borrowed some of the attributes of the middle States county system. The middle States have developed the township into a higher vitality than it formerly possessed there. Some of the southern States are introducing the township, and others are likely to follow as they advance in population and education. It is possible that by the middle of next century there will prevail one system, uniform in its outlines over the whole country, with the township for its basis, and the county as the organ called to deal with those matters which, while they are too large for township management, it seems inexpedient to remit to the unhealthy atmosphere of a State capital.

[1] In Rhode Island it was the Towns that made the State.

[2] This tendency is visible not least as regards the systems of educational administration. The National Teachers' Association of the U. S. not long since prepared an elaborate report on the various existing systems, and the more progressive States are on the alert to profit by one another's experience.