

## MUNICIPAL DEMOCRACY.

The original conception of our present form of government contemplated the division of the functions of administration into three distinct departments, each designed to take careful cognizance of all matters which pertained to it, and so divided and so specified that there should be the minimum amount of friction. These departments were to be known as the legislative, judicial and executive. One to initiate legislation, one to execute, and one to arbitrate.

It was designed that the laws which would be enacted, should conduce to the highest amount of liberty, consistent with the rights and privileges of all men; that they should be effectively executed and, in the event of a controversy, adjudicated by the judiciary of the government. The problem of a substantial and permanent state government was determined by a careful and comprehensive solution, which allowed to each state a liberty of independent legislation, consistent with the rights of its neighboring states, or, in other words, not inconsistent with the constitution and the national legislature. States are not chartered; the federal government does not provide that the states shall perform specified and allotted duties; but it merely denies to the state, certain liberties in legislation, or rather defines certain limitations. The privilege of legislation in the state, therefore, is not restricted, up to a point, which is not antagonistic to the limitations provided by federal law.

The various states of the national union are very similar in their mode of control, to that of the central government, which, in the writer's judgment, furnishes an almost faultless model. But, following the democratic idea to its head, the people, one is confused, and drifts about in a perpetual and vain attempt to discover the thread, which should lead through the administration of state affairs, to the control of even the smaller divisions of self-government. It is not denied that the people, in a sense, still retain the heritage of franchise, and that they exercise it; but it is apparently true that, either through ignorance, indifference or intent, the subdivision of governmental functions, suggested in the constitution, is no longer followed in municipal affairs.

Statistics of the late census show that municipalities embrace a larger percentage of the population, of the more thickly settled states, than is comprehended in the rural districts. Density of population adds difficulty and complexity to self-government. It has been said that "one man's rights cease where another's begins," thus, circumscribing him with specific privileges. In our modern municipalities, the existence of a great number of these circumscriptions, some, ignorant of the scope of their sphere, hence, trespassing; others jeal-

ous, some unscrupulous, and still others who know their confines; all combine in the development of a very delicate situation.

The intricacies of the problem should not offer any permanent or reasonable apology for our refusal to work it out; rather should it inspire a worthy and enduring solution. The lack of a democracy, pure and simple, in the municipality, should not be tolerated in a republic. Hence, are submitted a few structural points, tending toward municipal democracy.

At present, the government of the state marks the limit of the truly democratic and constitutional type, first conceived by the founders of the republic. Commencing at this point, why is it not feasible to apply the same method of governing to the lesser political divisions?

First, the limits of district, county or city should be as permanently fixed as the bounds of a state. But, an immovable boundary to a congressional district would be an utter impossibility, owing to the rapid changes of people from points in one district to another, as well as the constantly augmenting population of all districts. It may also be suggested that the definite bounding of a city would be impracticable. In this event, municipal bounds should coincide with the county bounds, in which they are situated. Therefore, we will follow the latter suggestion, making the county and municipal boundaries identical. In other words, the state should take no cognizance of cities, founding its legislation entirely upon the basis of a county division.

Second, there should be no chartered incorporations, now known as cities. The state constitution and legislature, should pattern after the federal constitution and legislature in this respect. They should not authorize nor establish certain geographical divisions, counties, cities or wards, to perform certain duties; the state constitution ought never to define the limitations of local or county legislation, but, on the other hand, should permit each county to adopt its own methods of government, not inconsistent with the Bill of Rights, in effect, in the state of which it is a part. The federated counties should, unquestionably, sustain the same relationship to the state as the federated states sustain to the national union. In the same manner that our nation is known as the United States, so should our state be known as the United Counties.

Third. Let there be chosen in each county, by the unfettered choice of the people, an executive officer; let his duties be to the county, exactly as the duties of the governor are to the state and those of the president to the nation. Let there be a bi-legislative department, possibly known as commissioners, bearing a decided resemblance to the lower

house in the state and the nation, and a higher body, a board of aldermen, possessing, in a degree, limited only to local necessities and laws, the attributes of the United States and state senate. Let there be a judicial department, similar to the style which is now so generally existent, the county court. It might be properly said that the county court is today the only department of county administration which resembles the machinery at Washington.

Fourth. The county might be districted to advantage, as the state now is, by population, in the matter of choosing its commissioners. The source of the judicial department should always reside in the people, whose interests it is intended to subserve. The method of selection of aldermen will be taken up later. This, then, constitutes the frame of a proposed form of municipal government.

It may be inquired, would any prevalent, municipal defect be, in any way, obviated by the adoption of this plan? Probably not, further than the possibility of the two arms of the county government, serving as a check upon each other.

Bearing directly upon the correction of existing abuses in municipal administration, and following the outlined plan, still further, it is suggested that each county be allowed the number of commissioners which could economically control the government of each county. The population of the county should then be quartered or districted, and a definite number of aldermen should be specified for each quarter of the population. This method contemplates that the commissioners shall be chosen without regard to their individual location in the county, thus rendering them responsible to the whole body of citizens and not to any particular, political subdivision; while the aldermen would be liable to their district constituency. The aggregation of illiterate, foreign and vicious people in well-defined districts and localities, makes the choice of legislators, by the whole people, almost a stern necessity, thus preventing such districts from electing representatives of their own. Ideal government does not require that vice be present in its legislative representation.

It is admitted that there are many obstacles which might be offered to this innovation, some valid and others easily surmounted. The existence of counties, in which a sparse population in one portion is offset by a thriving city in another, introduces the question of public utilities. People, residing in the thickly settled part of the county, would probably feel the apparent injustice of the lack of a public water supply, granted to the other end of the county. Nevertheless, is it not true that many portions of cities, embracing large area, are without such utilities until the value of