

“Towns and Cities.”

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# University of Oregon

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ADDRESS

BY

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U. S. DISTRICT JUDGE,

OREGON.

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# ADDRESS.

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*Mr. President, Ladies and Gentlemen :*

Having been honored with an invitation from the learned faculty of this promising school, to address you on this interesting occasion, I propose to call your attention to the subject of municipal government.

The well-being of the country is largely dependent on the constitution and government of its TOWNS and CITIES.

Wisely directed and restrained, this growing town, so beautifully situated at the head of this great valley, may become a place noted for learning, order and sober industry, or otherwise a degraded nursery of vice and idleness.

“God made the country, but man made the town.”  
So said the Bard of Olney, the author of John Gilpin’s famous ride, and England’s great moral teacher.

And so every lover of nature—of woods and fields,

of mountains and streams—has thought and felt some time in his life.

The country which the poet had in his mind was the green fields, trim lanes and umbrageous woods of England, dotted over with the cottages, mansions and castles of a people, who, from the ploughman to the prince, were to the manor born, and bound together by numerous kindly ties and dependent interests, having their origin far back in the twilight of history.

On the other hand, the towns referred to were comparatively small assemblages of unimportant people, socially and otherwise dependent on the country.

In their origin, the English towns were generally a mere collection or guild of artisans or traders, settled on the land of the crown, church or noble, and looking to the neighboring castle or abbey for patronage and protection.

In time the struggling hamlet or village merged from the shadow of the tower or spire and assumed exceptional importance. And, first, it became distinguished for the successful conduct of some handicraft, or as a place where adventurous commerce gathered the products of foreign lands for sale and exchange.

Then, with the growth of population and the increase of wealth, a church arose above the low-roofed houses

of the burghers, and a market was established, and the place became a center of trade and communication with the surrounding country. But its exposed and unprotected wealth often provoked the rapacity of the officers charged with the collection of taxes, to avoid which, the burghers agreed with the crown to pay a round sum annually in lieu of all taxes, in consideration of which they were incorporated by letters patent of the king.

Thus was the town emancipated from feudal control, exempted from the visits of the tax-gatherer, and constituted an integral part of the state.

These corporations had a limited power of self-government, including authority to levy rates for town purposes and for the payment of the crown dues, called the *firma burgi*—that is, the rent of the burg—the word *firma*, from which we get our word *farm*, being only a Latinized form of the Saxon *feorme*—food or victuals. Now, as the rent for land was originally paid in food or kind, the term in time came to signify the rent itself, and finally, the thing out of which the rent issued—the farm.

They also had the power to prescribe, within the limitations of their charters, the qualifications for membership in the civic fraternity, by which means they preserved the integrity and character of the corporation.

As organized elements of society, separated from the squirearchy of the shire, in time they were called by the king's writ to the privilege, or burden, as the matter was then regarded, of sending two or more of their number as burgesses to the house of commons, and maintaining them there during the session of parliament, at the comfortable wages of two shillings per day.

But the burgess might agree with his constituents to serve for less wages. Indeed, one John Strange, a member for Dunwich, agreed, whether parliament held for a short or long time, to serve for a "cade and a half barrel of herrings, to be delivered by Christmas." But the Strange people are not extinct, for we still meet with persons who are willing to serve the public cheaply; but so it is, they are generally dear at any price.

Out of these towns, in time, came largely the great middle class of England. From the beginning they were nurseries of order, industry and independence among the common people; and the ever vigilant foes of idleness and vagrancy. They were close corporations—guilds of handi-craftsmen and traders—and excluded from their fellowship all such as did not possess the requisite qualifications of capital or skilled labor to make them profitable partners in the enterprise.

During the middle ages, in the oft-recurring conflicts between the crown and the barons, the kings frequently

availed themselves of the services of the sturdy train bands of the towns, in return for which they granted them special privileges.

The ultimate power of the town was vested in the freemen of the corporation. They were, in fact, the stockholders of the association, and chose the mayor, aldermen and other administrators of the civic affairs, and returned the members of parliament. They did not include strangers, sojourners, paupers, vagrants or criminals. They were either the sons of freemen, who, on coming of age, had been found worthy by the borough court and duly admitted and enrolled as freemen of the town, or such as had earned the privilege by working acceptably as an apprentice at some trade or craft therein for a prescribed number of years. To these were added occasionally such persons from without the corporation, by a vote of the council or otherwise, as the charter and by-laws might prescribe, and generally on the payment of a substantial fee.

Sometimes distinguished persons were made freemen of the town, as a mark of respect or commendation—and this kind of compliment came to be known as "the freedom of the city." The custom is still extant, and General Grant was honored in this way in several places during his journey through Great Britain.

As an illustration of, the terms on which strangers

were admitted into the brotherhood of these municipal corporations, I cite the case of Northampton, long ago and still distinguished for its workers in leather and lace. Strangers might be admitted as freemen of the town by a vote of the council, on the payment of £10, but if one was already married to the daughter of a freeman, then on the payment of half that sum. But in every case the amount required had to be paid in "cash."

How the times have changed! So far from putting any price on our civic citizenship, we thrust it on any and every one—pauper, vagabond or mountebank—who chances to dwell within the limits of the corporation for a few days or weeks. What an improvement in our municipal affairs would follow the payment of a similar fee as a condition of becoming a voter therein. It is barely possible that in such case we might find some more effective discipline for our habitual petty criminals than a brief confinement in idleness on a diet of soft bread and butter.

Neither did the freemen of the town include the other extreme of society—the great folk, as they were called in the olden time.

As a rule, the nobility and landed gentry formed no part of the urban population of England. They lived on their estates in the country, making an occasional

visit or sojourn in the town—London—for pleasure or attendance on the courts or parliament. Indeed, the country still preserves its social superiority; and the successful merchant, manufacturer, lawyer or adventurer, who occasionally emerges from the burgher class into wealth and distinction, instead of marking the change in his fortune by rearing a costly mansion, in what was the hamlet where his rude forefathers sleep, leaves the busy hive for the country, to join the ranks of the squirearchy and found a family that will in due time rejoice in a lineage coeval with the Conqueror.

For whatever the changes that time has wrought in English society, and however much *Ars* has supplanted *Mars*, as a means of gaining wealth and distinction, the ultimate aim and object of English ambition is still English rank, acres and a seat in parliament, with all that these imply.

True civilization works from above downwards. In England it has come largely from the landed gentry, and those whom it affects often seek to enter their ranks. As any true process of amelioration and improvement must, it operates by lifting up rather than leveling down. And in this respect it is the exact opposite of our modern *sans culotte*, or sand-lot sociology, the disciples of which are just now blindly making war against the elements of right and justice.

Burke says: "Nothing is more certain than that our manners, our civilization, and all the good things which are connected with civilization, have, in this European world of ours, depended for ages upon two principles, and were indeed the result of both combined. I mean the spirit of a gentleman and the spirit of religion. The nobility and the clergy—the one by profession, the other by patronage—kept learning in existence, even in the midst of arms and confusion, and whilst governments were rather in their causes than formed. Learning paid back what it received from nobility and priesthood, and paid it with usury, by enlarging their ideas and furnishing their minds."

From the conquest to the passage of the municipal reform act of 1835, a period of about eight hundred years, the affairs of English towns were managed under their charters in the manner indicated, the governing power generally filling all vacancies in its own body. The common council was generally composed of the leading men of the community, and they seldom deviated in their official action from the path of average rectitude.

Since the passage of the municipal act the towns have been placed under a uniform administration, in which the householders and ratepayers elect a council, who appoint the mayor. This council is composed of persons selected from districts or wards in accordance

with an arrangement by which property, as well as people, forms an element of the basis of representation. The scheme has worked well to this day, and the jobbing, incompetency and flagrant dishonesty which so often disgrace the administration of the affairs of our large cities are there quite unknown.

The cities of the ancient world were not mere towns, but governments in the largest sense of the word. Athens and Rome, particularly the latter, owned and governed large and distant external possessions. There arose on the continent of Europe in the middle ages, out of the wreck of the Roman empire, cities with outlying territories, as Florence, Venice and Genoa. All these were governments proper, whose authority over the people within and without the urbs acknowledged no superior, and in which the administration of merely municipal affairs was of comparatively small moment.

The American towns are formed on the English model. The local legislatures stand in place of the king, and the town is organized under a statute instead of letters patent.

But these acts of incorporation are not contracts with the inhabitants of the town, founded on a consideration, as were the charters granted by the king, and therefore they may be modified or repealed to suit pub-

lic policy or local convenience, at the pleasure of the legislature. The inhabitants are also usually subject to all the general laws of the state, and all general taxes are imposed on their property, whether within or without the corporation. In short, while the American town of to-day is formed on the model of the English town of three hundred years ago, the extent of its power and the field of its operation is comparatively very much limited.

But the money involved in the management of its affairs has often very much increased. By means of taxes and assessments on the property and business within its limits, it erects and maintains public buildings, lays out, paves, lights and cleans streets, constructs sewers, supplies the inhabitants with water and gas, maintains a police and fire department and public schools.

In the United States, those who can afford to live in luxury and splendor, and who are candidates for social rank and distinction, instead of taking themselves to the country, as the English do, seek the great towns. With these go also many who are striving and hope to be rich, adventurers who live by hook or crook, and, whether successful or not, there they generally remain.

Our country, with perhaps a few exceptions in some portions of the older states, has never had what may be called a landed gentry. The rural population is

mainly of the farmer class, living between the extremes of poverty and wealth. The sprightliest and most ambitious of their sons, as fast as they acquire a little education, hasten to turn their backs on the paternal farm and its rustic society, and enter the towns and cities to mingle in the fierce scramble for wealth and supremacy; and whether successful or not, to remain there probably the rest of their lives.

The immigrants from the old world, being mostly of the poorer class, and dependent on wages for a living, press into the towns, where they can most readily find employment or aid.

And thus it happens that the drift of the population is steadily towards the towns, particularly of the two extremes, the rich and poor. By this means they are growing out of all healthy proportion to the country.

The heart of the body politic is the country, but the town is its brain.

Owing to its mobility, compactness and mental activity, its intimate relations with the three great modern engines for the manufacture and dissemination of news and public opinion, the press, the telegraph and the railway, the people of the town are always first heard on any matter that interests the public, and there-

by too often give the cue and direction to the scattered and slower but more disinterested and sober mind of the country.

From these suggestions it appears that the extremes of wealth and poverty, intelligence and ignorance, predominate in the populations of the towns. As might be expected, such a population is not well calculated to manage the affairs of a municipal corporation. They are generally conducted by boards and councils, selected at short intervals by universal suffrage, and these again are subject to irregular but not infrequent changes at the hands of the legislature, upon some specious plea or pretence of improvement or reform, but generally for the patronage or gain that results to the party or faction procuring them.

There is a wide-spread impression that these municipal governments are a failure. And judging by results, there is much reason to apprehend that unless a change for the better is brought about, the consequence will soon be moral and pecuniary bankruptcy.

The very rich find it easier in some way to procure or purchase immunity from the effects of improvident and extravagant expenditure, than to prevent it by direct personal participation in the conduct of municipal affairs; while the very poor are constantly used and abused by knaves and demagogues, to authorize in-

debtedness and bring about the levy and expenditure of taxes that they do not expect to pay, but hope to consume.

In 1790, the town population of the United States was 3.3 per cent. of the whole people, but in 1880 this per cent. had risen to 22.5.

Considering that nearly one-fourth of the population is urban, and that the prosperity and well being of the entire country is largely dependent on that of the cities, it is apparent that the whole people are vitally interested in the honest and efficient administration of municipal affairs. Whatever tends to impair the morality or abate the prosperity of the town, affects unfavorably the surrounding country.

The following statements, taken from the census reports, show the comparative progress of indebtedness in the states and towns of the Union, including in the former that of counties, townships and school districts: Total debt of states and territories in 1880, \$1,056,405,208. The same in 1870, \$864,785,058. Difference, \$191,621,150, or an increase over the latter debt of near 22 per centum. Total state debt, excluding towns, in 1880, \$407,603,102. The same in 1870, \$539,163,732. Difference, \$131,560,630, or a decrease from the latter debt of near 33 per centum. Total town debt in 1880, \$648,803,106. The same in 1870, \$325,621,326.



Difference, \$323,181,780, or an increase over the latter debt of near 100 per centum.

The gain in town population between 1870 and 1880 was near 43 per centum, while in that of the whole country the increase was not to exceed 29 per centum.

The total assessed value of property for taxation in 1880 was \$16,902,993,543, four-fifths of which was real property. On this valuation taxes to the amount of \$302,200,694 were levied, as follows: State, \$52,019,955; county, \$69,606,571; towns, \$180,574,168—the amount of the latter being near 28 per centum over both the others.

From these facts it appears that during the decade immediately preceding the year 1880, the towns increased their population 43 per centum and their indebtedness 100 per centum—and this while that of the country was decreasing, with a much less increase of population—and that the taxes levied for municipal purposes during this period on town property over and above that levied thereon for state and county purposes was more than one-fourth greater than both of these.

At this rate the people of the towns are consuming their capital or anticipating the future, and must in time become bankrupt. It matters little how well the national and state governments are conducted, if this

growing canker continues it will eventually corrode and destroy them both.

Many causes are probably at work to produce this evil result; but the principal and all-sufficient one, in my judgment, is the fact that the affairs of the towns are largely managed and controlled by those who have but little, if any, proper comprehension of them and no pecuniary interest therein. A town is a mere corporate convenience for the administration of municipal business, and only those who have a pecuniary interest in the matter ought to exercise any control over it. They who fill the purse should hold the strings. No one is entitled to a voice in the levy or expenditure of taxes by the corporation unless he is substantially a stockholder in the association.

It is true, the national and state governments are practically founded on an unqualified male suffrage. But these are sovereigns, with power over poor and rich, criminal or otherwise, and may define crimes and impose punishment therefor, involving the loss of property, liberty and life. For this reason it is maintained with much plausibility that the poor man, in matters of national and state concern, ought to have the suffrage as well as the rich, and that he needs it more as a protection from partial and unjust legislation. Universal suffrage, with a population of good origin, but

latterly somewhat alloyed with colored freedmen and the ignorance, discontent and vice of the old world, is now on trial in the United States. Never before in the world's history has the experiment been made on such a grand scale and under such favorable circumstances. What will be the issue of it time alone can tell. Wishing that mankind may attain the highest earthly good of which it is capable, I sincerely hope that it may succeed.

But this feeling does not blind me to the danger attending the experiment, or the wisdom of reducing this danger to the minimum by subjecting the right of suffrage to such guards and restraints as will preserve it from abuse and corruption.

In the past few years many things have occurred in this country which are calculated to give probability to the gloomy predictions which have been made concerning our future. In a letter written by Lord Macaulay in 1857 to the biographer of Thomas Jefferson, he asks the question: How will the United States, with its government by majority, pass through a crisis caused by a scarcity of bread and work? And answering it, says: "With you the majority is the government, and has the rich, who are always in the minority, at its mercy. The day will come when in the state of New York a multitude of people, none of whom

has had more than half a breakfast or expects to have more than half a dinner, will choose a legislature.

"Is it possible to doubt what sort of a legislature will be chosen? On one side is a statesman preaching patience, respect for vested rights, strict observance of public faith. On the other is a demagogue, ranting about tyranny of capitalists and usurers, and asking why anybody should be permitted to drink champagne and ride in a carriage, while thousands of honest folk are in want of necessaries. Which of the two candidates is likely to be preferred by a working man, who hears his children cry for more bread? I seriously apprehend that you will, in some such season of adversity as I have described, do things which will prevent prosperity from returning; that you will act like people who should, in a year of scarcity, devour all seed-corn, and thus make the next year a year not of scarcity, but of absolute famine. There will be, I fear, spoliation. Spoliation will increase distress. The distress will produce fresh spoliation. There is nothing to stop you. Your constitution is all sail and no anchor. As I said before, when a society has entered upon its downward progress, either civilization or liberty must perish. Either some Cæsar or Napoleon will seize the reins of government with a strong hand; or your republic will be as fearfully plundered and laid waste by barbarians in the twentieth century as the Roman empire was in the fifth—with this differ-

ence, that the Huns and Vandals who ravaged the Roman empire, came from without, and that your Huns and Vandals will have been engendered in your own country by your own institutions."

But I trust that our constitution will prove to have more anchor on board than this brilliant essayist thought, and that when our trouble comes, as come it must, if more is needed, there will be found wisdom and courage enough to put it there; and further, to shorten our popular sail, if need be, and throw overboard some of our political fallacies, such as "America is a refuge for the oppressed of all nations"—including their chronic discontents, criminals, paupers and Ishmaelites.

The public good is the only standard of right in politics; and probably the only logical limit to the exercise of the suffrage in a professedly republican government, is the public welfare and safety. And on this ground, at least, all those whose votes are most likely to be wilfully given or disposed of on other considerations, ought to be excluded from the polls.

In the consideration of this subject more than twenty years ago, I wrote and published the following: "A person has no more natural right to vote at a popular election than he has to a seat in the assembly or to the

presidency of the United States. \* \* \* Voting is the exercise of political power, and society through its expressed will, the law, confers or withholds it, as may be thought best for the public good. To whom it shall be given and whom not, will always be a debatable question; but the public good is the only true test for its determination."

As was once said by an eminent English liberal, Mr. Goldwin Smith, in an address to an American audience, "A man has a right to such institutions as will best promote the public good in which his own is included; he has no other right in a civilized state, whatever he might have in the bush. The suffrage, of course, will be a failure, if it is given to those who are manifestly disqualified for political life."

An eminent American historian, Francis Parkman, has lately written: "When a man has not sense to comprehend the questions at issue, know a bad candidate from a good one, or see his own true interests—when he cares not a farthing for the general good, and will sell his vote for a dollar—when, by a native instinct, he throws up his cap at the claptrap declamation of some lying knave, and turns with indifference and dislike from the voice of honesty and reason—then his vote becomes a public pest. Somebody uses him and profits by him. Probably it is a demagogue, possibly a priest, or possibly both. In any case it is folly to call

him a free agent. His inalienable right may, perhaps, be of value to him for the bribe he gets out of it; but it makes him a nuisance and a danger to the state. It causes pulpit, platform and press to condone his vices, and debauch the moral sense of the people by discovering objects of sympathy in vagabonds, thieves and ruffians. It gives power to the communistic attack on property, and makes it difficult to deal with outbreaks of brutal violence, against which even humanity demands measures of the most stern and exemplary repression."

But the administration of the affairs of a city is a very different thing from the government of the nation or a state. The corporation itself is a subordinate creature of the law, formed expressly for the transaction of municipal business, and those who exercise its powers and perform its functions ought to be selected on business principles and by those who have stock in the enterprise.

Who ought to be considered as stockholders in the corporation, is a question that does not admit of an absolute answer, and is not always easy of solution. In a general sense every inhabitant of a town has, or ought to have, an interest in the correct administration of its affairs; but experience has shown that, in the great ma-

ajority of cases, such an interest is not sufficient to control the action of the voter for the public good, when brought in conflict with some individual gain or gratification. So every inhabitant of a town has an interest in the solvency of its reservoirs of wealth and credit—the banks, and also the lines of transportation on which depend its trade and business with the world. But such a remote, sentimental interest in the subject has never been thought sufficient to justify the direct participation of the inhabitants in the affairs of these corporations; and if the experiment is ever tried it is safe to predict that dividends will soon cease.

Upon the occasion already referred to, Mr. Goldwin Smith said: "A municipal government is mainly concerned with the collection and distribution of local taxes, and as these are proportioned to property, so in some measure ought the power to be. The principle of the joint stock company is more applicable to municipalities than that of the nation. While the wealthier class have lost, the poor have in no way gained by municipal pillage, which has enriched the demagogues alone."

And Mr. Madison, who has been called the "sagest of the Virginia sages," in considering the utility of a property qualification for voters, wrote: "If all power be suffered to slide into hands not interested in the rights of property, which must be the case whenever a majority fall under that description, one of two things can not fail to happen: either they will unite against

the other description and become the dupes and instruments of ambition, or their poverty and dependence will render them the mercenary instruments of wealth. In either case liberty will be subverted; in the first, by a despotism growing out of anarchy; in the second, by an oligarchy founded on corruption."

But after all, experience is the best teacher in human affairs.

Whatever may be said or thought of universal suffrage as a basis of the national and state governments, experience is daily demonstrating that in the case of towns and cities, as was predicted, it has proved a failure. In the great majority of American towns there is a very considerable portion of the inhabitants who have no property interest in the corporation; and these, in many instances, are also altogether wanting in every other qualification for participation in municipal affairs. In their hands the ballot is a constant and dangerous menace against property and order, and a means by which demagogues and thieves grow powerful and rich at the expense of the community.

The city of New York is a good illustration of the working and evil results of the system. In 1880 it had a population of 1,206,299, of which 478,670 were foreign born, and probably as many more were the immediate descendants of foreigners. Its vote in round num-

bers is 200,000. To this great mart and financial center and arena flock the best and worst people from all parts of the old and new world. Probably twenty-five to fifty thousand of these voters live precariously from hand to mouth, without any legitimate or regular employment. Many of them are habitual criminals, living constantly under the surveillance of the police, and pass much of their time in prison. Yet their votes are regularly polled—it may be at more places than one. Often they decide the result, not only in the municipal elections, but in those of the state and nation. No one supposes for a moment that these votes are ever purposely given for the public good, or that they are not usually sold or disposed of for some petty personal gain or gratification. Generally they are obtained by those who make it their business to control them, for the purpose of living off the property and business of the city.

A few years ago the world was startled with the exposure of the Tweed frauds—a monument of municipal peccation and corruption, every stone of which was cut and put in place by the hands of ignorant, careless and criminal suffrage, under the immediate direction of the Tammany chiefs. The public rose in their might and in time the principal actors in the transaction were in prison or hiding in foreign lands.

But the root of the evil was never touched. The unqualified vote was left undisturbed, to tempt the

cupidity and ambition of other Tweeds and Oakey Halls.

And now the wires are laden with the revelations and of the wholesale bribery of aldermen, who for a half a million of dollars, divided among some twenty-two of them, gratuitously gave one Jacob Sharp a franchise for a surface railway on Broadway, for which the city had been offered \$2,000,000 by other parties, and out of which Sharp and his associates probably cleared more than that sum.

The transaction took place in 1884, but was not discovered until lately. And now the legislature and the courts are on the track of the aldermen, who are either in prison or Canada. The people are aroused and some one may get hurt. But in a year or two the matter will be forgotten; and the alderman of the near future, who is in politics for the "boodle" there is in it, will again crawl into place on the backs and shoulders of this vicious, ignorant vote.

As an illustration of how the matter is regarded abroad, I quote the following trenchant paragraph from *Le Temps*, one of the chief journals of Paris:

"Several years have elapsed since a great popular movement swept out the Augean stables, and transferred Tweed and his band from the Hotel de Ville to the penitentiary. The metropolis of the empire state has never ceased to grow bigger,

richer and prettier. The political machine has also become bigger and richer, until now it has obtained such perfection that it crushes all competition of independent citizens acting upon their own free initiative. Personal and selfish factions openly fight for the plunder. Irving Hall and Tammany Hall—the two wings of the democratic party—struggle with each other with ferocity, hatred and family feud, while the republican minority, also rotten and corrupt, takes one day one side, another day another side, selling itself to the highest bidder. Universal suffrage is nominally the supreme master of the municipal government, but is really the slave of the wretched cliques and coteries."

The working of universal suffrage is in some degree attended with the same results in the principal towns of the United States as in New York, not excepting the metropolis of the Northwest.

Indeed, a glance at the proportion of taxpayers and voters in Portland, and the large amount of money raised and expended for corporate purposes by people who contribute next to nothing of the same, may serve to illustrate the effect on municipal affairs of unqualified suffrage, as well as elsewhere.

In 1885, the assessed value of property in Portland was \$19,246,715, of which \$5,054,725 was personal property, including money, notes, accounts and stocks.

From this \$4,797,255 was deducted for indebtedness within the state, and \$133,025 for exemptions, leaving \$14,316,435, on which a direct tax of \$128,847.91 was levied and collected, less \$6,850.73. There was also collected from licenses \$72,549.16, and on special assessment for improvement of streets \$103,915.09, making in round numbers the sum of \$300,000 of revenue collected and expended during the year.

At the city election held in June, 1885, there were 4,832 votes cast for mayor. Multiplying the names in the directory for that year by three gives a population in round numbers of 35,000, which, divided by six, gives 5,716 voters in Portland. On the assessment roll there were not quite 3,000 names, including women and children, of persons owning property assessed for taxation. The major portion of the eight or nine hundred who did not vote were probably dissatisfied taxpayers; but of the votes actually cast there were 1,800, or over one-third of the whole number, who were not taxpayers. And, allowing that one-half of this 1,800 were householders and rent payers, there remains the fact that probably not less than 900 of the 4,832 votes cast at an election for the mayor, or head of the corporation, were in no sense stockholders in the association. Nor is it likely that they had any other qualification which would make it probable that their participation in its affairs would be otherwise than injurious to the public.

Principally for the votes of this unqualified nine hundred, the "sack" is filled and emptied on election day, and free rides, whisky and luncheon abound. The taxpayers generally divide on politics, persons or something of that kind, and whoever gets the majority of this irresponsible vote carries the day.

The result is such as might be expected. Neither the leading business men nor the large property holders and taxpayers usually fill the office of mayor and are seldom found in its council. The directors of the corporation, the nine members of the council, who have the control and expenditure of this large sum of money, paid, in 1885, collectively, a tax of \$249, while five, or a majority of them, paid nothing. The mayor, or chief of the corporation, who is better than an average in this respect, paid \$67.05.

But I do not wish to be understood as calling attention to these facts for the purpose of censuring any one in particular. The non-contributing nine hundred are not really to blame that the law allows them to vote. Many of them who dispose of their votes for a consideration have very little, if any, idea of the wrong and harm involved in the transaction. The purchasers are persons whom they are accustomed to look up to, and very naturally they act on the maxim that what one may purchase another may sell.

Neither are these persons who pay little or no taxes in fault because universal suffrage elects them to the council, to manage and conduct the business of a corporation in which they have little or no pecuniary interest. The one is the natural complement and logical sequence of the other; and attention is only called to the matter to show where the system inevitably tends.

Portland, owing to an exceptionally good charter and the constitutional limitation on its power of contracting debt, a vigilant press and a tolerably healthy public opinion, is probably, after all, one of the best governed towns of its wealth and mixed population in the United States. And this is not so much of a compliment as I wish it was.

Still, the fact remains that a revenue of \$300,000 is collected and expended annually by a body of men who only contribute the paltry sum of \$249 of the amount, which does not indicate that the corporation is controlled by the stockholders.

The drift of any municipal administration in which those who pay no taxes, collect and expend the revenue, is to waste and corruption. For a time, under favorable conditions, this result may be prevented or delayed. And now and then the taxpayers, aroused by the exposure of some gross fraud or extravagance, may

combine and take the management into their own hands.

But the good effects of these spasms of public virtue are not permanent. The cause of the evil—the vicious and irresponsible vote—is left untouched. The leisure class, the men who from defective organization or training are unfitted for or indisposed to labor in the ordinary vocations of life, return to the work and are soon battling away again, night and day, under and above ground, in the press, the primaries and at the polls for the lost places. The busy people go back to their private affairs and are soon absorbed in them, and ere long things are as they were before. Each failure of these occasional efforts at reform to accomplish any abiding result, diminishes the chance of their being repeated. Men tire of rolling the municipal stone up hill, only to see it, as soon as their backs are turned, go down again.

The remedy, to be of any permanent value, must go to the root of the matter. No one should be allowed to vote at a municipal election who does not regularly and substantially contribute to the revenue of the corporation. This may properly include the indirect as well as the direct contributor—the rent payer as well as the taxpayer. This is substantially the basis of municipal suffrage under the English act of 1835. The amount of this contribution ought to be something cer-



tain and substantial. The commissioners appointed by Mr. Tilden to prepare a plan of government for New York, recommended that in all matters relating to property, taxation and expenditure, the city should be under the control of a board of finance, the members of which should be elected by persons who had for two years in succession paid a tax on property of the value of \$500 or rent on a shop or dwelling of \$250 a year.

This might be a good basis for municipal suffrage generally—the amounts being subject to reduction in proportion to the size of the town and the value of property and rents. True, there might be a slight falling off in the municipal vote; the political activity and importance of the leisure class might be abated and diminished; the members of the municipal councils might not belong to or even live off the criminal classes; prosecuting attorneys and policemen might be found who would absolutely enforce ordinances against vice and immorality; and the political scepter might even depart from the corner grocery or the gilded saloon.

And now, in conclusion, let me remind the young men and women, students and graduates of this, our *University of Oregon*, that on you and your generation, rather than me and mine, devolves the correction of this evil. By the favor of the nation and the state, and the timely generosity of a public-spirited man, for

whom the regents have fitly named the new college building in which we are assembled—Villard Hall—you have been helped to an education.

But learning without honest and good government is a mere whitened sepulchre. And such government while our towns and cities, the nerve centers of the body politic, are under the control of the ignorance, poverty and vice that inhabit them, or of those who use and abuse them, is simply impossible.

The danger is no longer indefinite nor in the distance. The virus of municipal corruption and mismanagement is steadily extending to the affairs of the state and nation. Political parties systematically use the places and pickings in municipal affairs as a sort of feeding and training ground for their workers and strikers in general politics. From there, in time, they graduate into state and national politics, and carry with them the morals and tactics of the well-drilled ward club.

Nothing can check this movement but a reform in municipal politics, and this can only be done by eliminating the irresponsible voter from municipal suffrage. We have seen that the indebtedness of the towns and cities of the United States has increased during the last decade, a period of peace and comparative prosperity,

one hundred fold. Probably the greater portion of this went to the support of politics, municipal bosses and their henchmen, for which purpose they were primarily, though not professedly, incurred.

The robber baron of the middle ages, with his devoted and dangerous following of armed retainers, has passed away. We only know of them from the pages of history and romance. Civilization is no longer in danger from them. But human nature is much the same under all circumstances. In our large cities they have reappeared in the form of a vulgar and rapacious plutocracy and an ignorant and vicious rabble, which together menace the existence of a republican form of government. Though far apart socially, in politics, so called, they are natural and effective allies. With the cheaply purchased votes of the latter the gilded bullies of the former rob the wealth and crush the industry of the cities as ruthlessly as ever did their lawless, mail-clad prototypes, the Front de Bœufs and De la Marks of centuries ago.

In the discharge of your duties as citizens, distinguish between municipal affairs and state and national politics. Never sacrifice or prostitute the former to the advancement of parties in the latter. The politics of a town or city should consist only of a wise and effi-

cient administration of its affairs. And above all things, seek by all proper means to bring about a return to the good old rule when a town was regarded as a corporation formed primarily for certain business or administrative purposes, in which none but those who had stock had a right to vote. This rule is founded in the highest political wisdom and the deepest knowledge of human nature. Let it be fairly applied in the government of our towns and cities, and the municipal rings and robberies which have made some of them a by-word and reproach will disappear.

Not only this, but the politics of the state and nation, no longer affected by the virus of municipal corruption, will be permanently elevated and purified.