# Government of Cities in the United States

# by Harold Zink

FRANK L. HALL PROFESSOR OF POLITICAL SCIENCE
DEPAUW UNIVERSITY

The Macmillan Company

NEW YORK

### Copyright, 1939

#### BY THE MACMILLAN COMPANY

All rights reserved—no part of this book may be reproduced in any form without permission in writing from the publisher, except by a reviewer who wishes to quote brief passages in connection with a review written for inclusion in magazine or newspaper.

Published September, 1939
Printed in the United States of America

Reprinted June, 1941 Reprinted, August, 1946

# TO ANNE AND SARA ANN

### PREFACE

The writer of a new textbook is traditionally expected to present a justification of his temerity. Being particularly interested in machine politics this writer is mindful of the soundness of the observation of Boss Richard Croker to the effect that "He who excuses himself accuses himself"; nevertheless, it may be appropriate to point out certain factors that have entered into the decision to undertake such a task.

First of all, it may be noted that the last few years have witnessed significant changes in the field of municipal government in the United States. The enlarged role of the federal government in city affairs, the problem of large-scale public relief, the notable expansion of supervised recreation, the changed emphasis in city planning, the improvement in local public personnel practices, the considerable progress in municipal police administration, the added interest in public housing, and the accentuation of the difficulties incident to obtaining adequate municipal revenues may be cited as examples of these recent developments.

In the second place, substantial progress has been made in municipal research during the immediate past. The work of the Urbanism Committee of the National Resources Committee is well known, but the achievements of such bodies as the National Committee on Municipal Accounting, the International City Managers' Association, and the various bureaus of governmental research are also impressive. The textbook writer of today consequently has at hand a body of material which is distinctly superior to that available a relatively short time ago.

Finally, it may be pointed out that certain trends in the teaching of political science perhaps warrant a new text in the field of city government. The addition of more or less elaborate courses in public administration to the curricula of colleges and universities gives rise to the question as to whether a new boundary line is not desirable for courses in municipal government and administration. An increased appreciation of the influence of pressure groups in city government as well as greater attention to public

viii PREFACE

reporting also help to justify a new text which deals with these topics. The drift away from a predominant emphasis upon the legal aspects of city government, especially in undergraduate courses, and the growing realization of the vigorous role of political organizations and machines may also be mentioned as developments which contribute to a new treatment of municipal problems.

With almost every aspect of city government in the United States adding to its complexity, the writer of a textbook which attempts to survey the entire field must more than ever rely upon others. The present writer is very conscious of the debt which he owes to colleagues, to such publications as the National Municipal Review, The Municipal Year Book, and Public Management, and to the various bureaus of governmental research.

To be more specific, there is the deep gratitude which is felt for the stimulating interest of William B. Munro both during and since student days. The distinguished lucidity and incisiveness of his lectures on city government at Harvard will always remain a vivid memory.

My friends, Albert Lepawsky and Hiram M. Stout, of the "1313" group in Chicago, and J. T. Salter of the University of Wisconsin have given generously of their encouragement in a variety of ways, while my colleagues at DePauw, Harry W. Voltmer, F. M. Vreeland, and Vernon Van Dyke, have contributed by reading sections of the manuscript and furnishing other assistance. David M. Lewis, prosecuting attorney of Marion County (Indianapolis) and a former student, has kindly gone through the chapters dealing with political organizations and the administration of justice in cities. Edward Dunton and Don Matthius, candidates for honors in political science at DePauw, have assisted by contributing reactions as to the use of certain types of materials.

The directors of the Boston, St. Paul, and Chicago Bureaus of Governmental Research and of the Atlanta Chamber of Commerce Bureau of Governmental Research have furnished illustrative charts and permitted their use. Professor S. Gale Lowrie of the University of Cincinnati, Dr. J. P. Harris of the Social Science Research Council, and Mr. E. D. Woolpert of the Institute for Training in Municipal Administration have also supplied data of several varieties.

PREFACE ix

HAROLD ZINK

Finally, thanks are due to numerous members of the "1313" and other agencies who have been kind in their willingness to read chapters falling within their respective provinces and frank in their comments. Among these may be mentioned: Clarence E. Ridley, director of the International City Managers' Association; Frank W. Herring, executive director of the American Public Works Association; Walter H. Blucher, executive director, and his associate, Paul Oppermann, of the American Society of Planning Officials; John A. McIntire, executive director, and his associate, Charles S. Rhyne, of the National Institute of Municipal Law Officers; Marietta Stevenson, assistant director of the American Public Welfare Association; Arnold Miles of the International Association of Chiefs of Police; Ronald B. Welch of the National Association of Assessing Officers; and members of the staffs of the Municipal Finance Officers' Association and the Civil Service Assembly of the United States and Canada.

It should be stated that the writer has felt free to disregard suggestions and consequently must be held responsible for errors, although it is but fair to acknowledge that most of the criticisms have been so well founded that they have been carefully heeded.

"Many Cedars" on Lake Michigan August, 1939

# CONTENTS

## PART I. INTRODUCTION

CHAPTER		PAGE					
Ι.	THE PLACE OF CITIES IN THE UNITED STATES	3					
II.	Political and Social Consequences of Urbanization	24					
PART	II. THE PLACE OF CITIES IN THE GOVERNMENTAL SYS OF THE UNITED STATES	TEM					
III.	The Relation of Cities to States: Constitutional						
	AND LEGISLATIVE	37					
IV.	THE RELATION OF CITIES TO STATES: ADMINISTRATIVE	54					
V.	The Relation of Cities to the National Government . 71						
VI.	THE RELATION OF CITIES TO GOVERNMENT UNITS OTHER						
	Than States and the National Government	96					
	PART III. LEGAL ASPECTS OF CITY GOVERNMENT						
VII.	Charters	111					
VIII.	THE LEGAL STATUS OF CITIES	131					
	PART IV. MUNICIPAL ELECTIONS AND POLITICS						
IX.	MUNICIPAL ELECTORS	143					
$\mathbf{X}$ .	MUNICIPAL ELECTIONS	155					
XI.	POLITICAL ORGANIZATIONS IN CITIES	172					
XII.	THE SUPERSTRUCTURE OF POLITICAL ORGANIZATIONS IN						
	Cities	196					
XIII.	Money and Graft in Municipal Politics	218					
XIV.	Municipal Pressure Groups	228					
	PART V. THE STRUCTURE OF CITY GOVERNMENT						
XV.	THE MAYOR-COUNCIL FORM OF CITY GOVERNMENT: THE						
	$M_{ ext{AYOR}}$	259					
XVI.	The Mayor-Council Form of City Government: The						
	Council	279					

CHAPTER		PAGE
XVII.	THE COMMISSION FORM OF CITY GOVERNMENT	. 299
XVIII.	THE COUNCIL-MANAGER FORM OF CITY GOVERNMENT.	. 315
XIX.	THE ORGANIZATION OF THE ADMINISTRATIVE DEPART	-8
	MENTS	342
P.	ART VI. THE ACTIVITIES OF CITY GOVERNMENT	
XX.	MUNICIPAL PERSONNEL ADMINISTRATION	359
XXI.	Municipal Revenues	374
XXII.	Municipal Expenditures	393
XXIII.	Public Works: Streets	416
XXIV.	Public Works: Sanitation	432
XXV.	Public Utilities	443
XXVI.	PUBLIC SCHOOLS AND LIBRARIES	464
XXVII.	PUBLIC WELFARE	479
XXVIII.	PROTECTION TO PERSON AND PROPERTY	501
XXIX.	THE ADMINISTRATION OF JUSTICE IN CITIES: JUSTICE	3
	AND MAGISTRATE COURTS	531
XXX.	THE ADMINISTRATION OF JUSTICE IN CITIES: OTHER	
	Agencies	545
PART	VII. THE PROBLEM OF BETTER CITY GOVERNMEN	T
XXXI.	CITY PLANNING	565
XXXII.	THE PROBLEM OF CREATING A POPULAR DEMAND FOR	9
	GOOD CITY GOVERNMENT	587
Appendix:	A Project in Municipal Measurement	609
INDEX .		619

# PART I INTRODUCTION

# THE PLACE OF CITIES IN THE UNITED STATES

#### DEFINITION OF THE TERM CITY

Political or Legal.—Like many other words in common use, the term city does not permit a simple definition. Perhaps three uses are of sufficient frequency to justify the attention of the student of municipal government. First of all-and most important from the standpoint of municipal government—there is the political or legal concept. The political city is a local government which is recognized by the law of some state as a city. Incorporation is an attribute of political or legal cities, but incorporation is not strictly limited to cities in as much as towns and villages also may be given corporate status by states.1 Before a local government can qualify as a political city, a certain minimum population requirement must ordinarily be met. For example, Illinois and Nebraska specify a population of 1000 as the smallest that any city within their borders may have. Ohio asks for five times as many inhabitants, while New York and Pennsylvania demand a minimum population of 10,000. It should be pointed out that merely because a local community can claim sufficient population, municipal status does not automatically follow. Legislative, judicial, or popular action must transform the local government from a town or village into a city.

Socio-Economic.—Not infrequently the term city is used in a socio-economic sense. Greater Boston, Metropolitan New York, and the Metropolitan Area of Chicago are not cities in the political or legal sense—Greater New York includes something like 271 governmental units. However, from the standpoint of industry, finance, social organization, and cultural offerings political lines

<sup>&</sup>lt;sup>1</sup> For the difference between a city and other municipal corporations see: J. F. Dillon, Commentaries on the Law of Municipal Corporations (Boston, 1911), 5th edition, Vol. 1, sec. 57.

play a comparatively small role. These metropolitan areas display a great deal of unity despite their division into numerous governmental units.

Census.—A third definition is adopted by the national Bureau of the Census. All incorporated places of 2500 or more people are regarded as cities.<sup>1</sup>

#### IMPORTANCE OF CITIES IN THE UNITED STATES

As Population Centers.—As far as population numbers are concerned, cities are now more important than rural districts in the United States, although they have not enjoyed such a superior position very long. As recently as 1910 the rural areas surpassed the urban communities as population centers of the country. According to the census of 1930, 56.2 per cent of the population of the United States lived in communities of 2500 or more people, and an additional 7.5 per cent resided in incorporated places having populations of less than 2500. Thus a total of 63.7 per cent of the population in 1930 lived in either cities under the census definition or municipally-incorporated places. The situation is complicated by the fact that not all of the places of 2500 or more inhabitants qualify as political cities. In New York, Pennsylvania, and Texas all of the places of less than 10,000 must be thrown out. In many states communities which might classify as cities on the basis of any population requirement prefer to maintain town or village status. Thus there are the Oak Parks and the Brooklines. Many of the incorporated places of under 2500 fall into the category of towns and villages. A refined figure would probably show that slightly over half of the population of the United States belonged to cities in 1930. Approximately 45 per cent of the people in 1930 lived in ninety-six metropolitan areas which might be called socio-economic cities.2

From the Standpoint of Business and Industry.—From the standpoint of industry cities can rightfully claim a far greater place than as mere places of residence. While some factories are situated in rural districts and in villages, the great bulk of manufacturing

<sup>&</sup>lt;sup>1</sup> This was slightly modified in 1930 when the Bureau of the Census included certain unincorporated places in New England and a few other states as urban. See: *Gensus Abstract 1930*, p. 5.

<sup>&</sup>lt;sup>2</sup> For additional discussion and statistics see: National Resources Committee, Our Cities—Their Role in the National Economy (Washington, 1937), vii.

is centered in cities. In 1929, 155 counties, which included the great industrial cities of the United States, claimed 64.7 per cent of the industrial establishments, 74 per cent of all industrial workers, and 79 per cent of the total value of all industrial products. Transportation must necessarily cover the country, but its offices and warehouses and even its shops rarely are located out of cities. Approximately three-fourths of railroad traffic terminates in cities. The wholesale business is almost entirely confined to cities, and the majority of retail merchandizing is found in cities. Banking depends upon rural areas for some of its business, but the banking organization of the United States largely concentrates in cities.

As Centers of Culture.—Cities occupy an especially notable position as cultural centers. The theatre, music, architecture, painting, and sculptoring find most of their devotees in cities. While some educational institutions prefer small towns or rural sites, a large majority of colleges, universities, and professional schools find it advantageous to locate in cities. The publishing firms, the newspapers, the movie studios, and the radio broadcasting stations, although sometimes regarded as of dubious cultural significance, are almost exclusively confined to cities.<sup>1</sup>

As Centers of Vice and Crime.—On the other and less roseate side of the picture must be placed the greater tendency of cities toward certain types of crime and vice. City inhabitants in general are probably not very different from rural people when it comes to honesty and morals. But the dangerous criminals flock to cities because the opportunities abound there and there is greater safety than in the rural areas where everyone knows everyone else. With more congestion certain social offenses multiply, while with large numbers of people more rules and regulations must be imposed and hence more law infringements result. Organized vice finds an anonymity which is lacking in the country; cities also have more money to spend for such purposes.<sup>2</sup>

From a Political Standpoint.—From a political standpoint cities occupy a very important place in the United States. Rural areas may get along with a comparatively simple political organization,

<sup>&</sup>lt;sup>1</sup> For an interesting discussion of this question see: Lewis Mumford, *The Culture of Cities* (New York, 1938).

<sup>&</sup>lt;sup>2</sup> Consult National Commission on Law Observance and Enforcement, Report on the Cost of Crime (Washington, 1931).

but cities, with their complicated problems, must provide elaborate structures of government. With their greater wealth cities pay the larger part of the cost of carrying on national and state government. Because of their problems they must receive the especial attention of the national and state governments in the administration of relief and similar matters. With their large resources cities offer an unusually promising field for the operation of political machines and bosses, and hence these features of American politics and government often attain notorious reputations in cities. Cities employ approximately one and a quarter million persons—one out of three public employes. They spent for public purposes in 1932 about four and a quarter billion dollars—a sum greater than that spent by either the national government or the states.<sup>1</sup>

### CLASSIFICATION OF CITIES

On the Basis of Population.—A satisfactory classification of cities presents difficulties. On the basis of population there were 1332 places, not all of which were cities, having populations of from 2500 to 5000 in 1930. In the 5000-10,000 class there were 851 cities; in the 10,000-25,000 class 606 cities; in the 25,000-50,000 class 185 cities; in the 50,000-100,000 class 98 cities; in the 100,000-250,000 class 56 cities; in the 250,000-500,000 class 24 cities; and in the 500,000-1,000,000 class 8 cities. Five cities in 1930 had populations exceeding 1,000,000. The total number of places of 2500 or more inhabitants ran to 3,165. Then there were 3,087 incorporated places with populations of from 1000 to 2500, and 10,346 incorporated places with less than 1000 inhabitants. Such a classification means something, but it does not tell the entire story. Cities with the same or approximately the same populations often present great variations in problems, achievements, and general character.2

On the Basis of Economic Interest.—Another method of classifying cities involves location. Some cities are located on the ocean front, some on rivers, some in plains, and some in mountainous areas. Such a division means little. A much more significant classification is based upon the most important economic interests

<sup>&</sup>lt;sup>1</sup> See: National Resources Committee, Our Cities—Their Role in the National Economy (Washington, 1937), p. 3.

<sup>2</sup> Fifteenth Census of the United States, Volume 1, Population, p. 14.

of cities. Under this breakdown most small cities fall into the county-seat and agricultural classes. They depend upon their status as seats of counties or upon their location in agricultural areas as markets—frequently upon both. Some small cities fall into the industrial category, for they mainly rely upon mills or factories.

But even in the case of small cities, such a system of classification presents difficulties, for instead of a single interest there will often be several. A small city of 5000 may have the county seat, be the marketing center for the surrounding farming section, and also contain two or three industrial establishments. In the case of larger cities it is particularly difficult to base any breakdown on this basis, for a great variety of interests are often present. However, certain cities do stand out as primarily industrial; some of them may even be classified as being concerned largely with a single type of industry. Thus Detroit is known as an automobile city; Akron as a tire and rubber city; Gary as a steel city; and certain cities in New England and the Carolinas as textile cities. At times cities depend largely upon commerce. Galveston exists because of its ocean shipping. Other cities derive most of their income from railroad yards and shops. In contrast to the industrial and commercial type of city stands the city largely given over to residential purposes. Such a city may be located near a larger city; it may be a place where retired farmers come to live; or it may be located in a resort section where the aged flock. Finally, there is the great metropolis, such as New York or Chicago.1

A Combination of Population and Complexity.—A classification frequently employed in this treatise combines population and complexity of function into the two simple but somewhat tenuous small-city and large-city types. It is not satisfactory to generalize, but some attempt to present a general picture is necessary in a textbook. Very few statements can be made about cities in the United States as a whole. However, there are a fairly large number of characteristics common to the more complex cities and a sizable number of attributes common among the simpler

<sup>&</sup>lt;sup>1</sup> For a more detailed discussion of the problem of classifying cities see: The National Resources Committee, Our Cities—Their Role in the National Economy (Washington, 1937), p. 37; and William B. Munro, The Government of American Cities (New York, 1926), pp. 11–12.

cities. The problem is where to draw the line which divides the large cities from the small cities. Admittedly it can be done in only the most general terms. Certain cities fall easily into the small-city category; others would be considered by everyone to be large cities; but there are many which lie on the borderline and sometimes seem to belong to one and sometimes to the other class. In a general way, the population figure 100,000 probably has as much claim to be the size-dividing line as any other. Nevertheless, some cities of less than 100,000 inhabitants have more in common with large cities than their sisters with populations of perhaps 125,000. Complexity of function speaks more or less for itself, although it is at best a relative term.

### URBAN DISTRIBUTION

Distribution of Cities among Geographical Divisions of the United States.—The distribution of cities among the various geographical divisions of the United States is far from uniform. Several sections can claim a high degree of urbanization, while other sections have almost no large cities and comparatively few cities of any size. In 1930, the Middle Atlantic states laid claim to the first place among the several geographical sections on the basis of degree of urbanization, with 77.7 per cent of the people residing in urban communities.<sup>1</sup> New England fell just behind, with 77.3 per cent urbanization; the third place went to the Pacific Coast states, with 67.5 per cent; and then the East North Central states followed with 66.4 per cent. No other geographical division in 1930 had as many people living in urban communities as in rural sections. The West North Central states could show only 41.8 per cent urbanization; the Mountain states 39.4 per cent; the West South Central states 36.4 per cent; and the South Atlantic states 36.1 per cent. The least urbanized section of the United States is the East South Central, embracing Kentucky, Tennessee, Alabama, and Mississippi, with only 28.1 per cent of its population urban in 1930.2

Variation among the States as to Degree of Urbanization.—The several states also vary widely as to the relative importance of cities and

<sup>&</sup>lt;sup>1</sup> It should be pointed out that urban population refers to the census classification basing the statistics on the figure 2500. Obviously, therefore, these figures are not entirely accurate as far as political cities are concerned.

<sup>2</sup> Fifteenth Census of the United States, Volume 2, Population, p. 15.

