

The Illinois Legislative Session of 1921. The session of the Fifty-second General Assembly of Illinois which ended in June was memorable mainly for its meteoric finish, in which the legislature was aroused from a state of docile obedience to political bosses to unexpected assertion of its independence and self-respect. After suffering themselves to be controlled for five months by the state organization, many legislators became deeply disgusted with the objectionable methods of the organization leaders and rebelled with such effect that the most cherished administration measures failed of enactment.

Through the united efforts of Fred Lundin, former lieutenant of Lorimer; Mayor William Hale Thompson of Chicago, his political protegee; and Len Small, governor of Illinois by virtue of his alliance with these two, one of their adherents was made speaker of the house at the beginning of the session and a safe margin of control was established in both branches. These results were accomplished partly by utilizing the good will many reputable down-state Republican members naturally felt for a newly elected Republican governor; and partly, it is alleged, by the lavish use of state patronage. Such administration measures as were brought to an early vote were passed through both houses with little difficulty.

Among these was a joint resolution calling upon the President and Congress to put into effect "policies" advocated by Mayor Thompson and Governor Small during the last state campaign and subsequently set forth in the governor's inaugural message. These included opposition to compulsory military service or conscription; and favored the exemption of incomes less than \$5000 per annum from taxation. Although members argued strenuously against these doctrines on the ground that they were calculated to stir up class hatred and to render the nation defenseless in time of war, the resolution was put through both houses. This action in requiring legislators, as a test of "loyalty to the governor" to vote for distasteful proposals, helped bring about revolt two months later.

Early in March legislative business was so far advanced that Speaker Dahlberg and other legislative leaders prophesied that final adjournment would take place not later than May 15. This prediction was based partly on the fact that the work of framing the appropriation bills had been greatly expedited by the preparation of a complete state budget under the direction of Omar H. Wright, director of finance under Governor Lowden, before the session began; and partly on the

expectation that the bills included in the legislative program of the state administration would be promptly introduced and acted upon.

Instead, the organization leaders delayed the introduction of most of their important measures until May or June, and in the meantime the legislature did little more than mark time. Gradually the impression gained ground that the presentation of those measures was being intentionally delayed until the closing days of the session, seemingly for the purpose of preventing some of them from receiving adequate consideration. Action on many other bills was also delayed apparently in order that members who desired their passage might be forced to support the administration measures. Even the great omnibus appropriation bill, carrying appropriations of more than \$40,000,000 for the ordinary and contingent expenses of the state government, was not introduced until June 8, obviously with a view to preventing proper scrutiny of its multitude of items. So that instead of adjourning early in May with its calendars cleared, as had been predicted, the general assembly found itself in June facing the worst jam in the legislative history of the state.

Even with almost continuous work day and night during its closing week the legislature was physically unable to give proper consideration to measures of importance to all the people of the state. The extent of this legislative congestion is indicated by the fact that on June 18, its last legislative day, the general assembly passed more than 200 bills, grinding out legislation without consideration in a continuous succession of roll-calls. Of the 361 bills which passed both houses during the entire session, 315 were given final passage during its last 72 hours. In bringing about this situation, which tended strongly to defeat the purposes for which legislative sessions are held, the state administration and its allies were guilty of a most serious offense against the public welfare.

Two weeks before the end of the session the Lundin-Thompson-Small combination launched an intensive campaign to bring about the enactment of four measures which were the principal remaining features of their program. All of these had been introduced late in the session. They were:

1. The tax commission bill (Senate Bill 472) amending the 1919 act regarding the assessment of property so as to give the state tax commission complete control over all local assessors and full authority to re-assess property, such re-assessment not to be subject to revision by boards of review. It also increased the membership of the tax commission from three to five.

This bill was bitterly opposed on the ground that the proposed power of reassessment was liable to gross abuse as a political weapon; and that the proposed increase in the number of the commission was merely for the purpose of creating high salaried jobs for the state administration to dispense.

2. Mayor Thompson's Chicago traction measure (House Bill 816) providing for the creation of transportation district in contiguous territory wholly within one county, to be directed by a board of elective trustees, vested with authority to acquire street railways by purchase, lease or condemnation and to operate them. The bill expressly limited the rate of fare to five cents, unless another rate should be authorized by a popular vote.

This measure was widely regarded as an extremely doubtful experiment in legislation, presented for the purpose of enabling Mayor Thompson to go through the motions of fulfilling his campaign promise that he would bring about "people's ownership" of the Chicago car lines. It was pointed out that municipal operation of street railways under such tutelage would be likely to lead to utilization of the thousands of street railway employees as an active political force for the purpose of strengthening the machine's control of Chicago and of the state.

3. Governor Small's pet measure (Senate Bill 531) to amend the Civil Service Act so as to remove nearly 2000 state employees, including all employees of the department of public works and buildings and the department of agriculture, from the protection of that law. Friends of the governor who were spokesmen for this bill made no secret of the fact that it was intended as a death-blow to the merit system in the state service. In a special message urging support of the bill Governor Small himself attacked the state civil service system as impracticable.

4. The prohibition commissioner bill (Senate Bill 500) creating a prohibition enforcement department apart from the attorney-general's office. Enactment of the bill would have allowed the governor to appoint a state prohibition commissioner, two deputy commissioners and twenty-five investigators, all of which positions were expressly exempted from the civil service law. This bill was attacked as a spoils proposition, by which the state administration aimed to gain extensive new patronage and to control the expenditure of a large appropriation for enforcing the prohibition law.

About June 6 Mayor Thompson arrived in Springfield accompanied by Lundin and by Dr. John Dill Robertson, health commissioner of Chicago. Their coming was ostentatiously heralded, and in coöperation

with the governor they began a systematic canvass of the members of the house and senate for the purpose of passing their favored measures, making their headquarters in the governor's office and in the speaker's room. The mayor and his chief political associates called in the legislators one by one and sought to line them up for the bills above mentioned. At the same time every other available influence was brought to bear upon the doubtful members of both branches. State officials appointed by the governor and their office employees became feverishly active, and lobbying was carried on with such persistence that it interfered seriously with legislative work and became a constant nuisance. Time and again members of the house called the attention of the speaker to the fact that prominent aides of the governor were openly violating the rules by lobbying on the floor while the house was in session. Even when the business of the house was stopped in order that they might be driven from the floor the jobholding lobbyists lost little time in returning to invite ejection again.

Reports became prevalent that state patronage was being freely promised in the effort to win votes and that members were being given to understand that the fate of their measures depended upon whether they "went along" with the administration program.

The four administration measures were given the right-of-way in both the house and senate and were rapidly advanced. The anti-civil service bill, introduced by Senator Wheeler on June 7, was passed by the senate a week later. Its consideration on second reading in the house on June 16 precipitated one of the most tense and stormy scenes ever witnessed at Springfield.

Representative John A. MacNeil of Olney, a Democratic member of high standing, took the floor and angrily related how he had been offered a favorable decision in a case then pending before the public utilities commission, through a well-known state employee whom he named, if he would vote for the tax commission and anti-civil service bills. Mr. MacNeil's indignant and dramatic speech was listened to with the closest attention by every member of the house, several of whom, including Representatives Snell, Searcy, Barbour and Kauffman, related somewhat similar experiences in support of Mr. MacNeil's charge that improper and unlawful methods were being used to pass those bills. The better element in the house was deeply impressed by these statements, and a motion to strike out the enacting clause of the anti-civil service bill was barely defeated by a vote of 72 to 70.

The Legislative Voters League of Illinois, which reports periodically on the record of each legislator, considered that the state administration's assault on the civil service system and the methods used to pass the bill constituted a challenge to the decent citizenship of the state. It therefore issued a warning statement on June 17, signed by its executive officers, which it placed in the hands of each member.

When the anti-civil service bill was called for passage late on the night of June 18, Representative Holaday of Danville, the administration floor leader, attacked the Legislative Voters League on the ground that its statement had been issued with a view to "dominating" the general assembly. This attack was answered effectively by Representative Castle of Barrington. Both the state administration and its Cook County allies exerted themselves desperately to pass the bill but it was decisively defeated, receiving only 66 votes on the roll-call, ten less than the required constitutional majority.

At Governor Small's request Representative MacNeil put his charges in writing and the governor sent a special message to the legislature before the vote was taken in the house on the anti-civil service bill or on the tax commission bill, disavowing any responsibility for attempts to influence votes by unlawful means and promising a full investigation. At the same time the resignation was announced of the state employee named by Representative MacNeil and other members.

On the day following the MacNeil expose the tax commission bill, which had been passed by the senate on June 8, was called up on third reading in the house, after the Democratic members of the house revenue committee had secured an unfavorable report. Representative Holaday moved non-concurrence in the committee report and Representative Baker offered a substitute motion that the house concur in the report of the committee. On a roll-call Mr. Baker's motion was carried by a vote of 99 to 45, and the bill was killed.

The lengthy and complex Chicago traction bill, which had been introduced on May 18 and had been reported favorably by the house committee on public utilities and transportation on the same day, easily passed the house on June 9 by a vote of 87 to 31, but when it was called up for passage in the senate on June 18 its supporters could muster only 22 votes for it, four less than the constitutional majority required to pass a bill in that body. Eighteen senators voted against the bill and seven were recorded as "present." The prohibition commissioner bill was also defeated in the senate on June 17, by a vote of 29 to 15. Immediately following the defeat of these principal

administration measures Governor Small announced that he would call a special session of the general assembly in November to reconsider the transportation district and tax commission bills.

As Governor Small made no public report on his investigation of the charges preferred by Representative MacNeil and others, and as the state employee whose name was mentioned in those charges was given official promotion with an increase in salary by the governor soon after the legislature adjourned, the Legislative Voters League on July 7 called the above-mentioned charges to the attention of Attorney-General Brundage, as the chief law officer of the State, with the suggestion that they be presented to the July grand jury of Sangamon County for full investigation.

Early in July that grand jury returned indictments at Springfield against Governor Small and Lieutenant Governor Fred E. Sterling, charging embezzlement and conspiracy to defraud the state of interest-earnings on state moneys which came into their hands while serving as state treasurer, which office both men had held. Investigation of this sensational matter so occupied the grand jury's time that it was unable to take up the MacNeil charges.

Among the measures enacted during the session which had the backing of the organization were the following: Public Utilities—This act nominally repeals the public utility law of 1919 and abolishes the public utility commission appointed by Governor Lowden, but reenacts most of the old statute and changes the name of the board to the Illinois commerce commission; it increases the membership of the commission from five to seven and authorizes the appointment of eight assistant commissioners; it has "home rule" features under which a municipality desiring to regulate its local utilities may take over such regulation, if such action is approved on a referendum vote initiated by a petition signed by twenty-five per cent of the number voting at the last city election. This so-called "home rule" feature is weakened by a provision that a public utility may appeal to the state commission from an order of the city council. The bill expressly provides that officers and employees of the Illinois commerce commission (about 150 in number) shall not be included in the classified civil service of the state.

Sanitary District Salary Raise—This measure increases annual salaries of the trustees of the Sanitary District of Chicago from \$5000 to \$7500; vests the election of the president in the board instead of the people; and requires the sanitary district to use some other effective method of sewage treatment besides dilution.

State Highways—This act establishes a system of state highways and gives the department of public works and buildings full control of road construction and maintenance; and expressly exempts about 450 employees from the operation of the state civil service law.

Primary Law—This changes the date of the primaries for the nomination of candidates for county, state and legislative offices from September to April, supposedly for factional advantage.

Tax Rates Increased—By this measure authority is granted for increasing the tax rates of the city of Chicago, the county of Cook, the Sanitary District of Chicago, the Forest Preserve District, the park districts and for educational purposes. By reason of these changes it is estimated that taxes in Chicago will be forty per cent higher next year.

State Salary Increases—Raises in salary were given to state officers and employees, including nineteen whose offices were created by the state Administrative Code and who hold office, under that act, for a definite term of four years. A suit has been filed to test the validity of this measure, on the ground that it violates the constitutional prohibition against increasing or diminishing the salary of a public officer during the term for which he was appointed.

Administration bills that failed of enactment included the following:

A bill to empower the Chicago board of education to sell school lands without obtaining the sanction of the city council. This attempt to abolish a reasonable safeguard against possible private sale of enormously valuable school properties aroused such a storm of public protest that the bill, after having passed the house without due consideration, was killed in the senate committee on education.

A bill which provided for the appointment by the governor of a health commissioner for each of the 102 counties of the state, each health commissioner to receive a salary equal to that paid to the state's attorney of the county. This bill was regarded as one of the most objectionable patronage schemes of the session. It would have afforded the means of vastly strengthening the organization throughout the state and was especially championed by Health Commissioner Robertson of Chicago. It passed the senate, but died in the house committee.

Additional legislation placed on the statute books during the session includes the following:

The Soldier's Bonus act authorizes a bond issue of \$55,000,000 to provide compensation at the rate of fifty cents a day for residents of Illinois who served honorably with the military and naval forces of

the United States for at least two months during the World War, prior to November 11, 1918, said compensation not to exceed \$300; the proposed bond issue to be submitted to a referendum vote in November, 1922.

An enabling act for comprehensive zoning in cities and incorporated towns revises the law of 1919, provides that no zoning ordinance shall be passed until a report is made by a zoning commission appointed by the mayor with approval of the city council, and provides for a board of appeals to hear complaints and recommend changes in zoning provisions.

The balance of the 1919 appropriation for expenses of the constitutional convention, amounting to \$180,000, was reappropriated. The school distributive fund was increased from \$6,000,000 to \$8,000 000 per annum. The University of Illinois appropriation was increased from \$2,500,000 per year to \$4,462,500 per year.

An educational commission was created, with an appropriation of \$25,000, for the purpose of standardizing and unifying the educational system of the state, to investigate inequalities in taxation for school purposes, the comparative needs of elementary and higher education, the functions of the normal schools, and the practicability of placing the higher state institutions of learning under a single controlling body.

Provision was made for admitting to state charitable institutions the children of service men in indigent circumstances, also for giving such children a high school education at state expense.

An act requiring that not less than one hour of each school week be devoted to the study of the principles of representative government; this requirement to apply to the seventh and eighth grammar grades and to the high school grades in all schools supported wholly or in part by public funds.

Laws governing election contests were amended so as to provide a method for contesting the result of the vote on a bond issue or other proposition in cities, towns and villages; and also on a constitutional amendment or other public measure submitted to the voters of the entire state. Women were placed on the same basis with men as to registration and method of voting.

A joint commission composed of members of both houses was authorized to continue the inquiry into the causes of excessive costs of building in Chicago, begun by a joint committee headed by Senator Dailey which was appointed early in the session and which accomplished highly important results, including the indictment of a large number of persons for alleged connection with conspiracies in restraint of trade.

The commission was given an appropriation of \$50,000 to carry on its work.

Four bills were passed to ameliorate conditions imposed on renters of dwellings and apartments by the housing shortage.

A deep waterway commission was authorized, with an appropriation of \$20,000, to investigate the practicability of a proposed water route to connect the Great Lakes with the Atlantic Ocean, by way of the St. Lawrence River.

A commission was created, with an appropriation of \$25,000, to act with a similar body representing the state of Indiana and with United States engineers to investigate the feasibility of creating an interstate harbor near Wolf Lake and Lake Michigan.

The city of Chicago or the sanitary district was authorized to construct a deep-water harbor in Lake Calumet.

The proceeds of a \$20,000,000 bond issue, formerly voted for construction of Illinois waterway, was re-appropriated.

Sums aggregating about \$66,000,000 were voted for road construction purposes, including \$30,000,000 derived from bond issue, re-appropriated.

A commission was authorized to standardize the salaries of state employees and given an appropriation of \$25,000.

A commission was authorized to investigate methods and conditions of mining in the state with especial reference to the safety of life and conservation of coal deposits; appropriation of \$7,000.

Inheritance tax-rates were doubled.

The prohibition enforcement law was greatly strengthened and made to conform to the act of Congress.

Acts in relation to pensions for teachers, policemen and other public employees were revised. The most important of these rehabilitates the Chicago police pension fund, as recommended by the state pension commission.

The secretary of state and other elective state officers were required to turn all moneys collected by them into the state treasury within thirty days instead of quarterly, as heretofore.

Provision was made by law for the payment of additional mileage to members of the general assembly elected in 1922 and thereafter.

Cities and villages of 5000 or less population were authorized to adopt the city manager form of government.

Chicago aldermen elected in 1920 for a two-year term were authorized to hold office for an additional year until the 1923 election.

Important measures that failed during the session included the state police bill, which was bitterly opposed by labor unions; a bill to place the election of mayor of Chicago on a non-partisan basis; proposals to require a referendum on bond issues of the Sanitary District of Chicago and the forest preserve district; several bills presented by labor organizations, including one limiting the working day of women in industry to eight hours, as recommended by Governor Lowden in his last biennial message; and one to fix a minimum wage for women workers. A bill to shorten the ballot by eliminating the names of presidential electors was vetoed by the governor on the ground that the plan had been adopted in only two other states and that its validity was doubtful.

Aside from matters incidental to the crush of legislation near the close of the session, the business of the house was conducted with tolerable efficiency. Speaker Dahlberg, while obedient generally to the wishes of the organization leaders, showed independence at times and was fair in his rulings. He kept close track of legislation and used the power of his office to kill a number of bad measures.

The events of the session, however, emphasized the great need for changing the rules of the house so that the speaker will have less autocratic power and will be required to call bills substantially in the order in which they appear upon the calendar. It is equally evident that the rules of the senate should be changed so as to decrease the number of committees, as each senator is now on so many committees that committee work in the senate is largely farcical. The senate rules should also require the keeping of records of committee roll calls, as is done in the house.

A valuable development in the house was the formation, on the initiative of Representative Castle, of a group of about forty members, who met weekly at dinner throughout the session to discuss pending bills. Partisanship and factionalism were strictly tabooed at those meetings. Besides giving members a better knowledge of proposed legislation these meetings proved to be highly beneficial in promoting closer acquaintance and more effective coöperation.

Appropriations to meet state expenses for the biennium beginning July 1, 1921, total \$79,368,267, as compared with \$62,109,030 appropriated at the 1919 session. This increase of \$17,259,247 is more than 27 per cent, the largest percentage of biennial increase in the recent history of the state.

SHELBY M. SINGLETON.

Chicago.

NEWS AND NOTES
PERSONAL AND MISCELLANEOUS
EDITED BY FREDERIC A. OGG

University of Wisconsin

The committee in charge of the program for the annual meeting of the American Political Science Association at Pittsburgh, December 27-29, has prepared the following tentative program: two sessions will deal with present problems of state government, including nominations and primary elections, and the reorganization of state administration; a third session will be devoted to present problems of the national government, including the question of centralization versus decentralization, and the question of ministerial responsibility versus the separation of powers; a fourth session will discuss the conditions on which the United States should enter a world organization for the maintenance of peace; a fifth session will be given to pending Far Eastern questions; and the sixth session will deal with Latin American questions. In addition to the joint session with the American Economic Association at which the presidential addresses will be given, a second joint session may be arranged to discuss questions of common interest, such as taxation problems, the economic interpretation of the fourteenth amendment, or international aspects of the tariff problem. Three round-table conferences are planned, one to discuss the report of the committee on the teaching of civics in high schools, and the other two to consider problems of college teaching, with special reference to constitutional law and international law.

In accordance with a resolution adopted during the last annual meeting, and with the approval of the executive council, the program committee has planned to have but one principal paper at each session, with the object both of concentrating attention upon questions of present political importance and of making possible the expression of views by a much larger number of the members of the association. It is desired that the principal paper be presented in spoken form and that the speaker arrange to have several other persons follow his address with a discussion of certain phases of the subject specially assigned to