

turned into a fad, so that your specialist rather prides himself upon his manifest ignorance of and incapacity in everything but his specialty. This is degeneration, not development. Excessive specialization, like the fatalistic theory of evolution, is a perversion; and the signs of its passing are encouraging.

Very good advice is that which John R. McLean's Cincinnati Inquirer gives to Mayor Dunne—good, that is, by the McLean standards. It advises him, instead of sending to Glasgow for a street car expert, to consult Mr. J. Pierpont Morgan, or Mr. George J. Gould, or one of the Vanderbilts, or Alexander J. Cassatt. But the advice is inapplicable. As Mayor Dunne is not trying to rob the people of their rights he needs a different kind of expert from any that John R. McLean would be capable of suggesting. You don't consult crows about planting corn, nor foxes about chicken roosts.

#### EDWARD F. DUNNE, MAYOR OF CHICAGO.

The circumstances of the election of Edward F. Dunne as mayor of the second city of the United States (pp. 22, 37) have invested his personality with a national interest which his administration, charged as it is with the execution of a peremptory popular mandate for municipal ownership and operation of traction facilities, is likely to enhance. We therefore offer our readers a portrait\* of the man, along with this sketch of his career.

#### I

Mayor Dunne's full name is Edward Fitzsimons Dunne.

His parents, Patrick W. Dunne and Delia M. Dunne, came to New York from Ireland in 1849, and were living at Waterville, Conn., when their son was born, October 12, 1853.

Within a year they moved to Peoria, Ill., and here the son spent his youth and earlier manhood.

\*The portrait of Mayor Dunne, published with this issue of The Public as a supplement, was made expressly and exclusively for The Public by Morrison, the photographer, at a sitting given by Mayor Dunne for that purpose, on the 17th day of April, 1906. Especially characteristic in pose and expression, this portrait is in all respects an extraordinarily faithful likeness.

The father became a prominent citizen of Peoria. He served as alderman several years, and was for one term a member of the Illinois legislature. Also a prosperous business man, he was able, when his son had graduated from the public schools at Peoria, to send him to the world-famous Trinity college at Dublin to complete his education.

Doing his work at Trinity with such marked success for three years that he became first honor man of his class, young Dunne expected to graduate with distinction at the close of another college year. But this ambition was balked by financial reverses suffered by his father at the beginning of the long and desolating business depression of the '70's.

Obliged for that reason to return to Peoria, the young man served one year in his father's mill, meanwhile pursuing, however, a course of reading with reference to the legal profession. In 1876 he regularly began the study of the law at Chicago, and in 1877 he was admitted to the Illinois bar.

In partnership with such distinguished lawyers as Judge Scates, formerly of the Supreme Court of Illinois, and Congressman Hynes, Mr. Dunne built up a large practice, to which he devoted his energies for fifteen years. He withdrew from practice in 1892, upon being elected to fill a vacancy on the Circuit Court bench. Here he soon began to make a record for judicial ability and fidelity, which, strengthening as it grew, secured his reelection in 1897 and again in 1903. His nomination for the latter election was indorsed by the bar association and the various good government organizations and newspapers, and was confirmed by a popular vote which fell but slightly short only of the highest—that which was cast at the same time for the venerable and revered Judge Murray F. Tuley.

Judge Dunne had meanwhile married with Elizabeth J. Kelly, of Chicago, at Chicago in 1881. They have had 13 children, of whom 10 are still living. These range in years from 17 to 2.

In the course of his thirteen years' service on the bench, Judge Dunne decided many important cases, some of them involving

clashes over partisan and class interests; but he never fell under suspicion of bias, and only a small percentage of his decisions were reversed. His judicial reputation, no less with the judiciary and at the bar than among the people, measured up to a high standard. Yet he always refused conformity to judicial conventionalities that tend to alienate the sympathies of judges from the common life and the common interests, and are therefore supposed to shield them from demoralizing influences. His insistence upon his freedom as a citizen notwithstanding his judicial office, did not disturb his judicial balance. Throughout his career on the bench, he was a worthy example of the citizen-judge.

#### II

When the movement for municipal ownership of public utilities passed from the academic to the practical stage in Chicago, Judge Dunne did not hesitate to enter into it actively and conspicuously. His interest was awakened by his investigations as a member of a committee of aldermen and citizens appointed by Mayor Harrison in 1902 to suggest plans for dealing with the street car franchises, most of which were soon to expire. The committee consisted of Aldermen Finn, Beilfuss, Hermann, Dunn, and Daugherty, and Gen. Hermann Lieb, A. M. Lawrence, Daniel L. Cruice, Edward Osgood Brown and Judge Dunne. In December, 1902 (vol. v, p. 569) it recommended two bills for municipal ownership and operation, one for street cars and the other for gas, which were largely Dunne's work. The one relating to street cars came to be known in the City Council, to which it was presented for approval, as the "Finn bill." It was rejected by that body, under the leadership of Aldermen Jackson and Bennett, and the "Jackson bill" (vol. v, p. 663) was substituted for it for recommendation to the legislature. The "Jackson bill," recommended by the Council in the interest of the traction companies, was displaced in the legislature by the Mueller bill, which became a law and is now in force in Chicago.

Judge Dunne's earliest contribution to the municipal owner-

ship movement, after his work on the committee mentioned above, was a speech on the subject of public ownership of public utilities in general (vol. v, p. 732), which he delivered before the Henry George Association of Chicago in the Winter of 1903. But his most valuable and timely service in the matter was rendered in August, 1904. This was when he and Judge Tuley courageously attacked and exposed (vol. vii, p. 357) what was known as "the tentative ordinance."

That ordinance, designed for the settlement of the traction question, was ostensibly a municipal ownership measure. It seemed to quiet litigation by commuting all franchise claims in one new franchise grant for a term of thirteen years; it seemed to assure rehabilitation of the physical property, and to enable the city to enforce good service with universal transfers during the commuted term; and it seemed to guarantee to the city the right to purchase for the purpose of municipal ownership at the end of the commuted term, upon payment of the appraised value of the physical property.

All this was deceptive, whether so intended or not. For the ordinance did not eliminate old questions for litigation, and it did create new ones; it gave the city no better right to enforce good service than it already possessed; its terms made purchase by the city practically impossible, irrespective of the possibilities of litigation; and it would have continued corporate ownership by force of law certainly for 20 years, probably for 40, and possibly for an indefinite period beyond. It was not a municipal ownership ordinance.

Yet it was urged as such by one of the strongest combines ever formed in Chicago. It had the support not only of bad government interests but also of good government interests. The dominant influences of the Municipal Voters' League, no less than those of the gray wolves' lair, were behind it. Mayor Harrison strove to secure its speedy adoption, and to that end treated with indifference his campaign pledges and with contempt the heavy referendum vote cast less than five months earlier against all fran-

chises. In this course he was encouraged by the Republican and the independent press, by pseudo-municipal ownership advocates and candid franchise grabbers, by business and professional classes irrespective of party and by partisans irrespective of principle, by grafters of all degrees and reformers of many shades, with singular unanimity. Few opposed the measure but "hair-brained cranks," as those who did so were frankly told, and as the fact seemed to be. A set purpose to "jam through" the vicious ordinance was manifest, and the business, official, political and journalistic forces back of that purpose were truly formidable.

Such were the forbidding circumstances when Judge Tuley, in a newspaper interview from his Summer home at Mackinac (vol. vii, p. 343), and Judge Dunne in a speech in Chicago (vol. vii, p. 357), each without consulting the other, broke through the conventional dignity of the judicial office and asserted the independence of their citizenship. They denounced the character of this ordinance and warned the people against the conspiracy to "jam" it through.

Having thereby excited the wrath of the traction companies and their allies, these public-spirited judges were in consequence roundly abused. In the luxurious surroundings of plutocratic clubs, where judicial inspiration is more easily tainted than by any open participation of judges in political controversy, and also in newspapers which reflect club opinion and call it public opinion, their act of good citizenship was considered as a flagrant instance of dragging the ermine of the courts into the mire of politics. The hysterical wrath they aroused in those quarters may be considerably excused; for they had thwarted a great conspiracy which but for them would have been immensely profitable. If these two judges had honored the judicial ethic of silence on political matters, above the civic duty of honest speech, if they had not spoken when they did and as they did, the "tentative ordinance" would have been passed by the Council and signed by Mayor Harrison, and the traction corporations instead of the people would

be "in the saddle" in Chicago today.

Thanks to their brave and timely utterances, a great referendum petition against the ordinance was secured, the passage of the ordinance was consequently postponed pending the referendum vote, the vote was overwhelmingly against the ordinance, and the ordinance is now conceded to be hopelessly dead. No good citizen deplores its death. Even the mourners dissemble their grief.

### III

The "tentative ordinance" having been referred to popular vote, Judge Tuley and Judge Dunne were warranted in supposing their volunteer service in the traction complications at an end. But it had in fact only begun. They were soon confronted with the alternative of losing all they had gained for the municipal ownership cause, or of participating in the wrangles of a political campaign.

John Maynard Harlan had been generally regarded as the coming Republican candidate for mayor, and his election was conceded. There was, indeed, no strenuous opposition to him in either party. Although he was the favorite of men and newspapers which had tried to "jam" through the "tentative ordinance," although he had not uttered a word in public distinctly for municipal ownership since 1898, and although he had refused to assist the municipal ownership movement at a critical juncture even to the extent of making a public speech in favor of a referendum upon it, nevertheless his earlier activities in the matter had created a degree of confidence in him which made organized opposition, even among alert and active advocates of municipal ownership, an exceedingly difficult undertaking. The difficulties in the way of opposing Harlan were enhanced by the fact that the choice would almost certainly lie between him and some indifferent or objectionable Democrat.

As the time for nominations approached, reasons for distrusting Mr. Harlan multiplied and pronounced opposition set in. Among other things, a conviction gained ground that his election would mean the adoption of the "tentative ordinance," no matter how

the referendum vote might go. "The tentative ordinance is beaten," said one Chicagoan to another after the referendum petition had been secured. The person addressed was an uncompromising advocate of the ordinance. "By no means," he replied. "It certainly is," responded the other; "the referendum petition has been obtained, the passage of the ordinance will be delayed until after the April election, the people will then vote heavily against it, and the ordinance will be dead." The frank explanation by the ordinance advocate in reply seemed to disclose the situation as it was then understood by Mr. Harlan's immediate supporters. In substance he said: "It makes no difference how the people vote on that referendum. Harlan is in favor of the ordinance, and he will be nominated and probably elected; but lest he fail, the Democratic candidate, whoever he may be, will be pledged for the ordinance; an ordinance majority of the City Council will be nominated and so supported as to make their election sure; and as soon as the election is over, the tentative ordinance or one like it will be adopted by the new Council and approved by the new mayor, regardless of the referendum." The purpose indicated by that conversation was scarcely concealed by Mr. Harlan's supporters, and the necessity of forcing a municipal ownership candidate for mayor upon the Democratic convention became increasingly apparent.

At that time there were only two men who possessed all the indispensable qualifications: availability for the Democratic nomination, ability and fidelity with reference to the municipal ownership policy, and the popularity requisite to win the election against a candidate as strong as Harlan was believed to be. One of the two was Judge Tuley and the other was Judge Dunne. As Judge Tuley's advanced age made it unfair to him, notwithstanding the tenacity of both his physical and his intellectual powers, to draft him into a service so exciting and arduous, Judge Dunne was really the only available man.

But Dunne's nomination, notwithstanding his preeminent

availability, was not to be had for the asking. The Democratic managers had decided to let the election go by default. It was even suspected that this was part of a programme—Mayor Harrison to stand aside while a Republican administration granted the traction franchise, and to return in two years with the street car question out of his way. However unjust this suspicion may have been, the cold fact was that the Democratic managers officiously conceded the election to the Republicans "this time," and were rather frankly preparing to make a weak nomination. Whether for that reason or some other, all efforts to bring about Dunne's nomination met with studied discouragement. To arguments for it, the dominant politicians turned what is known in the language of the man in the street as the "wooden ear."

A very possible reason may have been Dunne's own emphatic refusal to solicit the nomination; for while he declared his willingness to respond to a call of the people to him to leave the bench for this new service, he steadfastly refused to make himself a candidate for the nomination. Whatever the reason, however, the movement for his nomination could not be made to move.

While this inertness controlled with reference to Dunne, and just as Harlan's nomination was gliding majestically along the lubricated rails of his party machine and the Democratic rails were being laid and greased for some unknown light weight, the courage of Judge Tuley again served and saved the cause of municipal ownership in Chicago.

He had observed the course of events with much concern. He realized that Harlan's election had been assured. He knew that only a weak adversary was to be named. He felt that an independent nomination would be futile. He grasped the sinister significance of the appearance of J. Pierpont Morgan's syndicate and its purchase for millions of dollars, of street car interests which would be almost valueless without new franchises. He foresaw the granting of such franchises, regardless of the referendum vote, immediately upon the com-

ing in of a new city administration. He was appalled by the monstrous yet delicately adjusted mechanism, with its massive parts and subtle forces, that was grinding out this result. He was keenly conscious of the more than doubtful event and the almost certain danger of attempting to block that fateful mechanism. But he cast personal prudence to the winds and rose to the altitude of that highest type of courage, the courage of the man who fears a danger yet dares to meet it. Defying the combination of forces, he published his Emergent Letter to the people of Chicago (vol. vii, p. 669), calling upon them regardless of party to save the cause of municipal ownership by demanding Judge Dunne's nomination by the Democratic convention.

Judge Tuley had not overestimated the dangers of his imprudence. His letter was met with an outburst of rage at his "descent from the bench into the mire of politics." But that storm did not have time to gather before it was dissipated. Judge Tuley had said the word which had only needed the right man to say it. He had touched a popular chord. The response of the public was almost instant. It was so magnetic that the coolness of the Democratic politicians quickly turned to fever heat, and the "wooden ear" became a microphone. In due time a Democratic convention that was to have made a weak and fraudulent nomination under orders from a party boss, made a strong and honest one under the pressure of public opinion.

Mr. Harlan's defeat was foredoomed and Judge Dunne's nomination and election assured, when Judge Tuley strode forth from the judicial bench to the public forum to warn the city of its danger. And so it came about. After an exciting campaign, wherein Judge Dunne clung tenaciously to the issue on which he had been nominated—municipal ownership and operation of traction facilities at the earliest possible day and with no dilatory settlements nor any further franchises—as the Democratic candidate for Mayor he was elected by 24,518 plurality in a city which had been carried six months before for the Republican candidate for President by 109,924 plurality.

## IV.

The triumphant election of Edward F. Dunne as Mayor of Chicago, while due to his thorough identification with the particular reform his candidacy represented, was logically a tribute also to the essential democracy of his character. Always a Democrat by party affiliation, he has never swerved from the principles of democracy as a political conviction.

The colonial programme of American imperialism, exhibited in the plutocratic policy of Philippine subjugation, was revolting to his political conscience, and his voice rang out against it from its inception.

The subjugation of the Boer republics in the march of British imperialism was equally revolting to him; and he stood by the side of John P. Altgeld in lending aid and encouragement to the victims of that benevolent assimilation. This was not because he felt the tingle of Irish blood in hatred of Great Britain; it was because he felt the surging tide of Jeffersonian democracy. His resistance to British imperialism in South Africa sprang from the same impulse as his resistance to American imperialism in the Philippines.

It was for the same reason that, in a public speech at the time, he severely criticized the Roosevelt administration for conspiring to wrench territory from a friendly neighbor in connection with the Isthmian Canal. Mayor Dunne favored the building of the canal, but he did not favor the disgraceful plot for dismembering the Republic of Colombia by conniving at the secession of Panama. He wanted the canal, but he wanted it with national honor and not at the price of national turpitude.

Because he is a Jeffersonian democrat and opposed to paternalism, he is a free trader. According to his political philosophy, government should leave individuals to their own business so long as they respect the rights of others. And just as he believes that government should leave individuals untrammelled in their functions, so he believes that individuals should leave government untrammelled in its functions. For that reason he believes in the public ownership and operation of public utilities. He realizes

that it is just as undemocratic to allow a privileged few to control public functions, as to allow government to control private functions. His political creed in this connection may be summed up in these words: Public ownership and operation of public utilities; private ownership and operation of private utilities.

In religion, Mayor Dunne is a Roman Catholic. This fact doubtless lost him many votes. For even among Americans extremely tolerant of religious differences, mild hysterics are not uncommon at any suggestion of the possible civic influence of the Pope of Rome otherwise than as a moral policeman for the regulation of "the lower classes." In connection with Mayor Dunne, this trepidation relates especially to the public school system.

Strangely enough, non-Catholics appear very generally to regard Catholicism and hostility to the public schools as convertible ideas. Yet it is a fact that sentiment in favor of the American public school system is perhaps as prevalent among Catholics as among non-Catholics. There are public school Catholics in plenty.

Mayor Dunne is of that type of Catholic. There is no more sincere supporter of the public school system. Himself a public school graduate, he and his wife, have sent to the public schools all their large family of children but one. The baby of the family, too young to go yet to the distant public school, attends a parochial kindergarten which happens to be near by; but she too will doubtless in good time answer to roll call with the other nine as educational products of the American public school.

Not alone in his personal and family life has Mayor Dunne shown that he finds fidelity to his religious convictions in no wise inconsistent with loyalty to what he regards as one of the noblest of American institutions. He has shown it also in his public declarations and in his official service.

As a speaker Mayor Dunne's style, both in composition and in delivery, is entirely matter of fact. He makes no effort to charm or amuse, but labors solely to enlighten and to convince. Not that

his speaking is without charm; but that he subordinates everything else to his dominant purpose of lucidly and forcibly presenting the material with which he always supplies himself abundantly in advance.

This intensity of concentration and aggressive seriousness characterizes his manner at all other times of responsibility, as well as when he appears upon the platform; but it is never at the expense of his native good humor, which borders upon a gayety quite foreign to his speaking style, whenever he finds himself free from responsibility.

An excellent "mixer," who pleases without "blarney" and discriminates without offense, he is also what every really good mixer must be, a man of consummate executive skill.

In his administration Mayor Dunne's executive dexterity will be taxed to its utmost. He confronts a double problem, each branch of which offers in itself a delicate and trying task.

Primarily he must carry out his programme for immediate municipal ownership and operation of traction facilities. This is the task he was elected to perform. Forces the most powerful will oppose him. Influences the most subtle will try to divert him. Gigantic interests will gather to overwhelm him. Against it all he may not be able to succeed. But if he fails he must leave no doubt that the fault is not with him.

That primary task is a special trust. It takes precedence of everything else. It is more important than good and clean government, for good and clean government we cannot hope to have while great private interests can acquire government privileges by corrupting government officials. It is a task, therefore, which must be performed even at the risk and cost of "good and clean" government. But in reality a good and clean general administration is one of the necessary conditions for the performance of Mayor Dunne's principal task. By convincing the people that the era of graft and inefficiency and peanut politics in the City Hall went out at the window when he came in at the door, he will go far to guarantee not only the accomplishment

of his municipal ownership task, but also the success of the policy of municipal ownership and operation when that task shall have been accomplished.

This is what makes his problem a double one. His is the duty of giving Chicago a clean and confidence - inspiring government; and, borne forward upon the confidence so established, it is his to wrest from the traction corporations the public rights they are withholding from public use.

Thus far everything he has done has strengthened public confidence in the scope and integrity of his purpose and his ability to promote it. Those who know him best believe that this confidence will grow in strength as his period of service lengthens.

## NEWS NARRATIVE

Week ending Thursday, April 27.

### The Traction Question in Cleveland.

As the excitement over an acute stage of the traction controversy in Chicago (p. 38) subsides while the work of actual adjustment proceeds, the older but for some time quiescent controversy over the same subject in Cleveland (vol. vii., p. 632, 713) revives. This is chiefly due to a heated controversy between the traction monopoly and the city authorities, regarding renewals of franchises, which culminated in a formal conference, open to the public, in the Mayor's office on the 24th. The conference was largely attended by city officials and citizens.

At that conference Horace E. Andrews, president of the Cleveland Electric Railway company, represented the monopoly interests, and Tom L. Johnson, the mayor, stated the policy of the city. The discussion, as reported by the Plain Dealer of the 25th, was conducted on the basis of the following plan submitted by the mayor after Mr. Andrews had consented to consider anything except a 3-cent fare proposal:

That a company, working in the interests of the people, be organized to lease the property and rights from the present company, guaranteeing the present stockholders a certain stated profit on the investment, and that all profits above that sum be used for the

benefit of the people, either in lower rates of fare, extensions over greater territory, betterment of service, or other matters.

Mr. Andrews offered to consider the plan provided a fair price were fixed as the basis for the stated profit to be paid to the stockholders of the present company. Mayor Johnson replied to this that the price ought to be fair and liberal, but that stock market prices could not be allowed to govern. After a conference with his directors Mr. Andrews is to resume the negotiations.

Meanwhile Mayor Johnson has explained his plan, which would approximate municipal ownership as closely as the laws of Ohio allow, and would serve as a transition method if a municipal ownership enabling act were passed. As reported in the Plain Dealer of the 25th, he said:

I have simply applied the recognized rules of modern finance to our local situation, only, for the first time so far as I know. It is proposed to work the trust idea backwards, so that the public may get the benefit instead of paying the freight. I am applying the same laws and rules by which the United States Steel company acquired and operates all the steel mills of the country; it is the same way that the American Stove company is operating half a dozen stove factories in this city; it is the plan by which all modern trusts are formed. The scheme as applied to street railways is now in operation in Cincinnati, where the Elkins-Widener syndicate of Philadelphia has leased all the lines and property of the Cincinnati Traction company. In brief, it is not municipal ownership, but private ownership without profit. It will absolutely take the street railroads out of politics and will also take their securities out of the speculative stock markets. Here in brief is my plan: Let the city and the Cleveland Electric Railway company agree upon a fair valuation for all its stock and bonds and a fair dividend upon the stock; in arriving at this valuation we must count in (1) the cost of reproducing the present tracks, power houses and equipment; (2) value of unexpired franchises, based on their earning capacity; and (3) a reasonable payment for the good will of the company and for peace and immediate possession. In arriving at this valuation the city should be liberal and the Cleveland Electric Railway company should be fair and just. Having arrived at a valuation, let the city (through the Council and Mayor) and the Cleveland Electric Railway company select five or seven men who are acceptable to all parties. By this I do not mean that

each side should select half, but each man must be acceptable to both sides and trusted by the public. Let these men secure a charter from the State for a company of small capitalization, and let the Cleveland Electric Railway company lease all its lines and property to this new company. The new company will be bound under its lease to pay a fixed interest on the Cleveland Electric Railway company bonds, fixed dividends on its stock, and to provide a sinking fund to retire the bonds. The Cleveland Electric Railway company is to give the leasing company an option to buy its stocks at the agreed price at any time. Under the terms of the lease, if the interest and dividends are not kept up or the property is allowed to get out of repair, the Cleveland Electric Railway company would have a right to come in, as under a mortgage, and take possession of the property. As a bond or guarantee, the City Council should pass a new blanket franchise for 25 years, six tickets for a quarter, and with all the other terms and conditions the same as are in existing franchises. This franchise will become of full force and effect if the leasing company fails in its obligations. The new company would execute to the city an option, in turn, of all the rights it may have under the lease agreement so that the city could buy at any time and without paying any profit all these rights. The members of the new company should be paid liberal salaries and should not be allowed to make any other profit out of the operation of the property. This would secure the services of the very best street railway and business men. Neither the city nor the Cleveland Electric Railway company can name any future members of the operating company. They will select their own successors just as members of sinking fund commissions or the trustees of the Society for Savings do. All profits left after paying dividends, interest and sinking fund charges are to be expended in one of three ways: First, in extending and bettering the service; second, in reduction of rates of fare; and third, in buying the property under the terms of the option in the lease. The operating company would be absolutely free of politics and would be free from the temptation to squeeze the public in order to increase dividends or affect the securities on the stock market. Under the State law, municipal ownership is impossible, but this plan gives the city all the benefit of municipal ownership, and at the same time avoids an increase in the number of city employes, which by some is urged as an objection. It is really equivalent to the best civil service regulation. Mr. Andrews has said that he, as one of the large stockholders of the Cleveland Electric Railway company, is willing to try the scheme if a fair valuation can be arrived at, and I feel sure that if we all work honestly and