

THE  
METROPOLITAN PLAN

FOR

PITTSBURGH - ALLEGHENY COUNTY

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**FOREWORD**

The following report is the result of a study conducted by the Bureau of Land Management, Denver, Colorado, in cooperation with the U.S. Forest Service, Denver, Colorado, and the Colorado State Soil Conservation Commission, Denver, Colorado. The purpose of the study was to determine the potential for soil conservation in the Colorado Plateau region of the state of Colorado.

The study was conducted in two phases. The first phase involved the collection of data on the existing land use patterns, soil characteristics, and water resources in the Colorado Plateau region. The second phase involved the development of a plan for the conservation of the soil resources in the region.

The study found that the Colorado Plateau region has significant potential for soil conservation. The region is characterized by a variety of soil types, including loamy soils, clay soils, and sand soils. The region also has a variety of land use patterns, including agriculture, grazing, and timber harvesting.

The study recommended a number of measures for the conservation of soil resources in the Colorado Plateau region. These measures include the implementation of conservation tillage practices, the use of cover crops, the establishment of riparian buffer zones, and the implementation of best management practices for grazing and timber harvesting.

The study also recommended the development of a regional soil conservation plan for the Colorado Plateau region. This plan would provide a framework for the implementation of soil conservation measures across the region.

## FOREWORD

Since 1920, the drift of population in America has been toward the cities. Consequently, every large city has become surrounded with suburban cities and towns. The big city and its suburbs, individually and collectively, face many problems involving forms of public service; pure water supply, sewers, transportation, lighting, police protection, schools, parks, and the whole vast structure of community activities that belong to modern civilization and prosperous, happy living.

All of these cost effort and money. It is an accepted principle that co-operation and organization reduce costs and increase the values through efficiencies. If the affected communities can bring themselves to work together, they can obtain the advantages and economies of co-operation. If not, the tax-payer pays the added cost, due to contention and political wrangling, and every individual man, woman, and child in the whole area is forced to suffer under living conditions which are certain to be uncomfortable and are also likely to be filled with needless hazards to life and property.

These are the exact conditions in which Pittsburgh finds itself at the present. Civic consciousness of

the problems arising from this dilemma has been steadily increasing since the turn of the last century. With the trend in municipal governments of today toward consolidation, elimination of duplication and over-lapping of functions, reorganization for efficiency and responsibility, and economy in operation despite the increase in the number of official 'duties' and organs -- it is believed [unclear, (35)] that the adoption of a Metropolitan Charter by the City of Pittsburgh and the member boroughs and townships of Allegheny County, would be a significant step forward, enabling the regional area to maintain its high position as one of the greater cities in these United States.

The survey of the plans for a Metropolitan Pittsburgh, offered herein, is an attempt to present an unprejudiced and impartial study and interpretation of the growth of this movement. Judicious analysis of developmental facts surrounding the issue has been the chief endeavor in this writing. The task of sifting the important factors from among the countless statements, assertions and claims -- authoritative and otherwise -- dealing with this subject, has been the main difficulty in organizing this work; and it is the wish of the author that the material contained within these pages will serve to clarify and

to justify the benefits and advantages to be gained from  
the adoption of regional government for the Pittsburgh  
area.

T. G. G.

Princeton, New Jersey  
March, 1937

RECORDED

CHAPTER I: 中国語の發達とその歴史

**DISCOVERED: POSSIBILITIES FOR A "GREATER PITTSBURGH"**

## CHAPTER I.

The causes of urban growth operate quite independently of the political boundaries of cities.<sup>1</sup> There has been a general tendency for growing cities to expand the area of their governmental authority by annexation and consolidation of administrative units, but this development, almost without exception, lags behind the physical growth of the community. At the present time, there are evident signs that annexation and consolidation can scarce be expected to keep pace with population concentrations. The city, therefore, in the sense of a body of people centered on the port, the stream, the railroad junction, on which its economic prosperity depends, is often a very different thing from the municipal corporation which gives its name to the aggregation.<sup>2</sup> The existence of these metropolitan areas gives rise to metropolitan problems -- problems which cannot be solved by the action of one municipality in the area. Typical topics are those dealing with water supply, drainage, electric lighting and other utilities, parks, police, health, education and more important --

<sup>1</sup> Reed, T. H., Municipal Government in the United States, p. 336.

<sup>2</sup> Ibid.

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city planning, transportation, traffic and zoning. Annexation is certainly the most obvious means of disposing of these difficulties, but unforeseen obstacles often arise wherein local civic pride proves a hindrance to annexation, as in the case of Allegheny with regard to Pittsburgh. A small city rarely encounters this type of resistance in its growth. One basic factor which must be recognized in dealing with metropolitan affairs is that a metropolis is not so much an assemblage of individuals, but rather a collection of communities in which individuals are already assembled. Such generalities apply in total to the region of Allegheny County in the center of which is located the City of Pittsburgh. This city is situated at the junction of the Ohio, Allegheny, Monongahela Rivers and on the northern limit of a bituminous coal deposit which extends to the southwest through West Virginia, southeastern Ohio and Kentucky.<sup>1</sup> These geographical factors tend to make this area function as a single economic unit. Consequently, the integration of the political entities within this region has long been a problem of no mean proportions, insomuch that this consolidation has seriously lagged far behind the financial and industrial development of the city and its environs. This lag must be attributed to several varying causes, many of which are wholly psychological and are

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See Map p.

The situation in Pittsburgh is not entirely without foundation. The duplication of functions between the city and the county governments, and the fact that people in the city rarely take any interest whatsoever in the government are two of the most outstanding features with cause and effect relationship which result from leaving the cities in the counties -- i. e. physically within the boundaries of the counties and yet politically and economically separated from the larger organization.<sup>1</sup> Pittsburgh is only one of many cities in the United States that has been confronted with the problem of developing its regional surroundings into a metropolitan district. However, Pittsburgh does differ from many of these in that its program of and for expansion by annexation and consolidation is anything but a new movement, having been carried on with varying local enthusiasm since about 1900.

The City of Pittsburgh was first founded on the historic 'Point' as Fort Duquesne (later named Fort Pitt) and its immediate growth was confined to the area lying between the Allegheny and the Monongahela Rivers and east of the 'Point' (now termed 'The Golden Triangle' of Pittsburgh). Contemporaneous with this growth, the settlements of Birmingham (now known as the 'South Side' of the present city) on the opposite bank of the Monongahela River and Allegheny (now known as the 'North Side' or Allegheny district of

1 Reed, T. H., Municipal Government in the United States, pp. 365-6.

the city) on the opposite side of that river, were developing in population and varying small industries. The first charter granted to Pittsburgh by the Pennsylvania was enacted on April 22nd, 1794<sup>1</sup> and incorporated the entity as a boro. (Charters of enlargement have been granted at several different periods in the historical growth of the city but their characteristics and dates of enactment are unimportant in that they were not and are not concerned with the problem of extensive integration with which the present plans deal.) The first important change in the city charter which was concerned with metropolitan tendencies appeared in 1907 when the City of Allegheny (supra) was annexed to the City of Pittsburgh. The consolidation of Pittsburgh and Allegheny resulted from the "Greater Pittsburgh bill" sponsored by Senator (William) Flinn, who fostered certain other measures, notably a good roads law, which established a system of state highways.<sup>2</sup> This annexation was merely a part (but nevertheless, the most important part) of a wave of consolidation that lasted for the four years, 1905 - 1909, during which the following civil and political bodies were brought within the confines of the city proper: Elliott (January 2nd, 1905); Esplen (January 8th, 1906); Sterrett Township (January 8th, 1906);

<sup>1</sup>Harper, F. C., Pittsburgh of Today, Vol. I, p. 185.

<sup>2</sup>Link, W., "City Bosses in the United States", p. 241. See Lincoln Steffens "The Shame of the Cities", pp. 145-190.

Montooth (January 7th, 1907); Sheraden (November 21st, 1907); Allegheny (December 7th, 1907); West Liberty (January 6th, 1908); and Beechview (January 4th, 1907).<sup>1</sup> The significance of this period of consolidation is that it gave new impetus to the tendency for annexation, and it was freely admitted in the state legislatures of 1915, 1917, 1919, and 1921, that to have one hundred twenty-six municipal governments virtually unrelated and wholly uncoordinated in a single urban area affected by unceasing common needs and problems, was a denial of every principle of sound economy and good government. The office-holders in the scores of underlying governments were, however, not inclined to be deprived of their emoluments and political influence, and there was a profound fear of a consolidated government on the part of many boro and township taxpayers.<sup>2</sup> Despite the supposed effect of this period of political-boundaries adjustment, the citizenry of the City (and of the County) lost interest in the progress of the plan for a consolidated city-county government and the issue appeared to be at a standstill until 1916, whenever the first move of the recent proclivity for a metropolitan Pittsburgh came from the appeal of Heidelberg for county aid for street paving.<sup>3</sup> But the rapid surge

<sup>1</sup>Editorial, Pittsburgh Post, March 6th, 1926, p. 6.

<sup>2</sup>All mentioned were boroughs except Elleret Township and the City of Allegheny).

<sup>3</sup>Harper, F. C., Pittsburgh of Today, Vol. I., p. 299  
Pittsburgh Post, July 19th, 1916, p. 1

of this new movement was handicapped by the fact that where subsidiary centers of population have existed for a long time with an individual life of their own, especially if they have been competently handling their own municipal affairs, civic pride attaches to them and to their institutions. The larger and older they grow, the stronger this pride becomes.<sup>1</sup> Although Allegheny had been absorbed by the City of Pittsburgh more than a decade prior to this incident, the three third-class cities (McKeesport, Oakmont and Duquesne) of the region continued to be the most vociferous opponents to the consolidation of governments in Allegheny County.

Between 1916 and 1923, there were no definite steps taken by any of the civic or political organizations in the county to bring about the consolidation of government in the County. At various intervals, separate independent investigations of the financial and governmental problems between the boroughs and the townships (and also the cities) brought forth a few well-founded facts that were to be used later, whenever the intensive drive to sell the Metropolitan Plan to the citizens of the county was attempted during the decade 1920 - 1930. As early as 1916, Dr. J. P. Kerr, President of City Council, emphasized the possibility of economy in water rates and in sewage disposal in the event of extensive annexation.<sup>2</sup> He also stated that

<sup>1</sup>Reed, T. H., Municipal Government in the United States, p. 359  
Pittsburgh Leader, December 21st, 1916, p. 1

the proposed legislation for a consolidated city-county government would not interfere with the local government of the boro's and townships, and that they would continue to be distinct municipalities.<sup>1</sup> The first important financial figures dealing with the problem of annexation were released in connection with the Boro, County and School taxes and water rates of Ingram boro. This data showed the possibility of a large decrease of taxes for all residents of the boro were it annexed to the City of Pittsburgh.<sup>2</sup> The spirit of co-operation at this time (circa 1920) between city and county governments was shown in resolutions introduced in the Ohio Legislature providing for submission to the voters the question of amending the state constitution so that any county including a city of more than 100,000 inhabitants may secure a charter that will combine the city and county governments. It was emphasized that the plan would save millions of dollars in the cost of government.<sup>3</sup>

But no such blanket provision has ever been adopted by the Pennsylvania Legislature and all attempts for consolidation of city and county governments have been of local origin. So difficult is it to arouse the public to

<sup>1</sup>Fitzgerald, "Consolidation of City and County Government," Pittsburgh Post, December 22nd, 1916, p. 3.

<sup>2</sup>Ingram Progressive, November 11th, 1920, p. 1.

<sup>3</sup>Editorial, Pittsburgh Post, February 9th, 1917, p. 7.

an interest in city affairs, that no opportunity should be lost for employing local patriotism in the service of the local government.<sup>1</sup> Such has been true in the case of Pittsburgh, and numerous civic bodies instigated investigations in an attempt to discover the possible advantages of the reorganization of the governmental bodies into one metropolitan corporation. Various boards of taxpayers both within and outside of the city limits made private studies of the circumstances and publicized their findings for the benefit of the remainder of the population. The advantages of a 'Greater Pittsburgh' were shown by the Boro of Homestead's bargaining with the Pittsburgh city government to purchase city filtered water, as the Boro was unable to raise sufficient taxes to construct a municipal water enterprise of its own.<sup>2</sup> In 1920, the Fourteenth Ward (Squirrel Hill section) of Pittsburgh was paying approximately one million dollars in taxes, while Homestead was paying less than one million dollars less in taxes than was Homestead -- the two being almost equal in size and in valuation of taxable real estate.<sup>3</sup> In the same year, the women voters of Homestead started a concentrated drive for annexation because of the poor water service, city advantages and reduction in tax rates of from forty to eighty per cent. A formal statement of this league reads as follows: "The annexation association believes that the boro (Homestead) should

<sup>1</sup> Reed, T. H., Municipal Government in the United States, p. 559.

<sup>2</sup> Editorial, Pittsburgh Press, April 14th, 1921, p. 7.

<sup>3</sup> Pittsburgh Gazette Times, December 18th, 1920, p. 3.

become a part of Pittsburgh for the following reasons:

There will be less taxes to pay; better police protection; wealth and development of the boro will be greatly enhanced, and because annexation will give the boro the benefit of the entire municipal machinery of a great city.<sup>1</sup> East Pittsburgh (boro) showed a much higher rate of taxation than the city for 1920 and its residents at that time were anxious for annexation.<sup>2</sup> The Boros of Ingram and Greentree applied for annexation (1921) to the City of Pittsburgh for political and economic advantages,<sup>3</sup> but when a popular vote on the issue was held some four months later, annexation was voted down by both of these boros contrary to all expectations and forecasts.<sup>4</sup>

With these numerous expressions of feeling upon the question of the creation of a Metropolitan Government, the League of Boros and Townships was organized by the actively-interested citizens of the townships and boros contiguous to the City of Pittsburgh. The league became very occupied with the spreading of propaganda destined to defeat any move of the parent city to effect forceable annexation of the smaller bodies. E. A. Haldeman,<sup>5</sup> of the Pennsylvania Department of Internal Affairs, clearly differentiated between direct annexation (of the boros, etc.) to

<sup>1</sup>Pittsburgh Press, December 18th, 1920, p. 1

<sup>2</sup>Pittsburgh Post, December 14th, 1920, p. 3

<sup>3</sup>Pittsburgh Dispatch, February 1st, 1921, p. 1

<sup>4</sup>Pittsburgh Press, May 4th, 1921, p. 2

<sup>5</sup>Chief of the division of city planning, Municipal Engineering and Budget Department of Internal Affairs, 1923-1924.

the city, and the forming of a metropolitan district in which the communities acquired would retain their local authority.<sup>1</sup> However, members of the League appeared to hold an alarmist's view of the problem, disregarding the authoritative statement of Mr. Haldeman (above) and visualizing not only the destruction of all local civic institutions, but also, the improbability of construction of any new improvements once they were within the confines of the City. The League took definite stand on the issue by stating that it was antagonistic to annexation because it believed that it would be to the great detriment of the outlying districts, which would be left without local improvements and without local development, for the benefit of the city.<sup>2</sup> It also claimed that health conditions in the City were worse than outside its boundaries. For the decade ending December 31st, 1920 (the years of the influenza epidemic not being considered), the League published the following statistics:<sup>3</sup>

Average death rate in the City of Pittsburgh per 1,000 population	17.2
Average death rate in all boroughs and townships of Allegheny County (excluding the cities of Pittsburgh and McKeesport) per 1,000 population	13.2

<sup>1</sup> Pittsburgh Gazette Times, January 6th, 1921, p. 5

<sup>2</sup> Bulletins #2 and #3, League of Boroughs and Townships of Allegheny County, January 31st, 1921 and February 5, 1921

<sup>3</sup> Bulletin #4, League of Boroughs and Townships of Allegheny County, February 12, 1921

But these figures were not accurate because some deaths occurring in the Pittsburgh hospitals were those of non-residents of Pittsburgh, and under law, deaths are registered in the municipal district in which they occur. State authorities stated that the figures should have been:

General death rate, City of Pittsburgh, 1916 - 16.5 per 1,000 population

The foregoing details are mentioned merely to exemplify the zeal with which the League functioned in order to frustrate any and all metropolitan plans. In addition, it produced a set of figures that appeared to prove (theoretically at least) that during the five-year period, 1916 - 1921, the City of Pittsburgh had a 10.61% increase in land valuation and a 72.01% increase in taxes levied; while the boroughs of the county had no increase in land valuation and a mere .61% increase in taxes levied. Certainly, figures such as these, assuming them to be basically authoritative, would appeal to the average citizen tax-payer. Another strong point in the League's fight against forceable annexation was founded in the case of Chartiers Township which experienced an increase of 76.4% in taxes upon land and buildings in the township after annexation to Pittsburgh; while the city had a lower millage rate than the township.

Bulletin #6 League of Boroughs and Townships of Allegheny Co., February 21, 1921.

previous to its annexation.<sup>1</sup> League members cited this example as the ultimate effect of a metropolitan plan upon all townships and boro's within the county. A concrete example (resulting from League investigation) showed that city taxes were \$35.88 greater on a two-story frame dwelling than the same in the boro's.<sup>2</sup> Also, the National Board of Fire Underwriters fixed fire insurance rates the same in the city as in the boro's, despite the fact that the boro's most always had (and still have) volunteer fire departments.<sup>3</sup> Certainly these last two mentioned items would be deterrents in the action of any boro for annexation --

since there would be no incentive for consolidation at the expense of increased taxes and a relatively less efficient system for fire protection. Coupled with all these too-familiarizing details of annexation, yet another statistical finding of the League was its claim that the so-called Pittsburgh political machine was run by a clever corrupt ring of grafters and gangsters in Pittsburgh governmental circles and commonwealth citizens of the city to fight against municipal officials of the city to fight against governmental circles was a strong argument against the Metropolitan Plan.<sup>4</sup> But this contention can not be taken too lightly for the city's political history is checkered, for good and evil, as the amount of graft and 'crooked' politics in the city approaches indifference; of course administrative city government of the townships and boro's was (and still is) from the Penn Valley's point of view a disgraceful lack-

<sup>1</sup>Bulletin #5, League of Boro's and Townships of Allegheny County, February 21st, 1921.

<sup>2</sup>Bulletin #7, op. cit., February 28th, 1921.

<sup>3</sup>Bulletin #8, op. cit., March 12th, 1921.

<sup>4</sup>Bulletin #9, op. cit., March 19th, 1921. Also -- Editorial, Chartiers Valley News, March 19th, 1921, p. 2

sent movements and movements of a like character throughout the country, comparatively as great, and in some instances much greater, than in the City. A true interpretation and evaluation of the fears of such civic bodies as the League has been given by Dr. Thomas H. Reed, authority on regional planning, well-acquainted with Pittsburgh's problems, in his statement that, "It is probable that the sentiment of local patriotism beats more strongly in the hearts of the municipal politicians than in that of the ordinary citizen." This was, and is, the circumstance surrounding the stand taken by countless Justices of the Peace and other minor officials throughout the County, who are destined to lose their positions by the introduction of an efficient police and law system under a metropolitan plan.

Substantiating proof of dishonesty, past and present, in Pittsburgh political circles was given by Oliver McClintock, prominent citizen of the city who fought against the 'boss' rulers of the government. He stated that: "By far the most disheartening discovery, however, was that of the apathetic indifference of many representative citizens -- men who from every other point of view are deservedly looked upon as model members of society. We found that promin-

Reed, T. H., Municipal Government in the United States,  
p. 348

ent merchants and contractors who were 'on the inside', manufacturers enjoying special municipal privileges, wealthy capitalists, brokers, and others who were holders of the securities of traction and other corporations, had their mouths stopped, their convictions of duty strangled, and their influence before and votes on election day pre-empted against us. In still another direction we found that the financial and political support of the great steam railroads and largest manufacturing corporations, controlling as far as they were able the suffrages of their thousands of employees, were thrown against us, for the simple reason, as was frankly explained by one of them, that it was much easier to deal with a boss in promoting their corporate interests than to deal directly with the people's representatives in the municipal legislature. We even found the directors of many banks in an attitude of cold neutrality, if not of active hostility, toward any movement for municipal reform. As one of them put it, "if you want to be anybody, or make money in Pittsburgh, it is necessary to be in the political swim and on the side of the 'city-ring'." (Is it any wonder that Lincoln Steffens described political Pittsburgh as 'Hell with the lid on'?)

I - Steffens, Lincoln, The Shame of the Cities, pp. 179-180.  
See his article "Pittsburgh: A City Ashamed", same publication pp. 145-190.

In 1921, the League, foreseeing that action of some sort toward the adoption of a Metropolitan plan was inevitable, proposed the establishment of a Pittsburgh Commission composed of financiers, business men, lawyers, editors, engineers, clergy men, educators and labor representatives, to be matched, man for man, by the boros and townships to study the problem and to devise a plan for a Metropolitan District. The League doubted all honest intents of the City in creating a "Greater Pittsburgh," and claimed that the \$60,000,000 credit of the outlying districts would aid Pittsburgh in its great debt. And it proposed the right of self-government, the right to control their own public property, to elect in one district, elect their own officers and employees, and the right to levy and collect their own taxes and spend these for improvement within their own districts -- which have always been the aim of the boros and townships contiguous to the City of Pittsburgh. Furthermore, these bodies would have favored a Metropolitan Plan, provided said Metropolitan District would retain to these boros and townships most of the privileges and freedoms now enjoyed, and at the same time give to the city of Pittsburgh the benefit of the population of these outlying districts and provide for any

Bulletin #3, League of Boros and Townships in the United States, p. 348

of the political subdivisions of the County, and to make necessary general improvements and public works, and make said County a unit in all its functions, and to have her fourth on the census list. From this last, it is evident that by any such action, the boroughs and townships would be the only bodies to benefit by the adoption of a Plan -- since it was implied (and broadly believed in the smaller and the larger municipalities) that the City would bear the cost of all municipal improvements in the outlying districts. Nothing could be farther from the logical co-operation of the central government with the several municipalities, than the creation of a single regional government.

The issue of the adoption of a Metropolitan Plan for the Allegheny County region resulted in the formation of two opposing cliques -- the one, headed by the League of Boroughs and Townships of Allegheny County, antagonists to the Plan; the other headed by the Pittsburgh Chamber of Commerce, protagonists of the Plan, supporting the formation

of a single regional government. From the confusion of a host of disorganized and half-baked notions of the plan, and caused by facts developed by these two factions in the metropolitan cities, the League soon lightly laid off the municipal question, the first actual definite and embracing plan for the reorganization of the County was promulgated in 1923 by Burd S. Patterson under the supervision

Bulletin #1, League of Boroughs and Townships of Allegheny County, January 31st, 1921

of the Pittsburgh Chamber of Commerce.<sup>1</sup> This primary plan was merely a stepping-stone in the approach to the scheme for complete consolidation of the governmental units within the County, since the region to be integrated consisted of about one-seventh of the area of Allegheny County, and the boro sections were too small to effect any noticeable increase in efficiency and economy of operation over the then-existing municipal organizations. But it is important because it contained several valuable points in reorganization which dealt with problems paramount at that time (1925). It provided that the mayor, controller and council (of the metropolitan district) should have jurisdiction over the fire, police, transportation, water and sanitary affairs of the whole district. This was a definite attempt to gain efficiency through the elimination of the duplication of functions among the several boroughs and townships, and to reduce the cost of carrying on the governmental duties. A compromise between the two combines concerned with the adoption of the Plan, was sought by providing that the Mayor and Controller of the metropolitan district should be selected by all the voters in the area, while officials having special jurisdiction over boro mat-

<sup>1</sup> Pittsburgh First, official publication of the Pittsburgh Chamber of Commerce, February 24th, 1925. See Appendix A.

ters were to be elected by the voters of the several boros. Also, each boro was to have at least one representative in the metropolitan council while Pittsburgh and McKeesport (both cities -- second and third class respectively) were to have additional representatives or votes, based on relative population. The public service corporations of the integrated area were to have adjustments made for their consolidation with the consent of the citizens concerned. All schools within the district were to be under the control of a central authority and teachers were to be selected from the boros of their residence. And the last important provision was that the area was to be divided into from seven to ten boros, the size and boundaries of which were to be determined by the physical characteristics of the terrain and by the character of the various pursuits of the people. Sweeping and radical changes were suggested by this early plan, but the minor details for making such changes effective were lacking, probably because of the deficiency of strong civic support for the Pittsburgh Chamber of Commerce in its action for solution of the problem.

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and the other two were in the same condition as the first. The last was a small white bird, with a black patch on each wing, and a black patch on each side of the tail.

### **CHAPTER III**

## CHAPTER III

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## LEGISLATIVE ACTION TOWARD A CONSOLIDATED CITY

## CHAPTER II

### LEGISLATIVE ACTION TOWARD A CONSOLIDATED CITY

In 1925, State Senator W. D. Mansfield fostered an interest in local and general consolidation which led him to introduce a bill in the Pennsylvania Legislature, providing for the establishment of a commission to study municipal consolidation. This bill was introduced in the Senate on May 12, 1924, at which time Senator Mansfield, the sponsor of the bill, said, "The object of the bill is to have the establishment of a commission to study municipal consolidation in Allegheny County. The Commission first met on May 12, 1924, at which time Senator Mansfield, the sponsor of the Act, stated that a report of the studies and conclusions of the Commission (Committee) was to be made to the Legislature in time to enable it to act upon the bill in the 1925 Legislature." Section 1 of the Act provided that the Commission should consist of fifteen members, but the Commission find and recommend a method for the consolidation of the cities, boroughs and townships of the County; and the membership of the Commission determined by appointment of the Governor of the Commonwealth of Pennsylvania, accepted by the public as being sufficiently competent to carry out the functions which the Commission had undertaken for its task, entered upon its duties of study and recommendation as directed. The striking characteristic of this Commission was that its membership consisted of nineteen representatives of the City of Pittsburgh, thirteen representatives of the smaller municipalities and five representatives of the county commissioners of Allegheny County. In view of the ultimate findings of this Commission as shown later, it might have been a better idea to have the members of the Commission chosen from the various municipalities.

Pamphlet #3, "Pennsylvania Commission to Study Municipal Consolidation in Allegheny County," by Col. G. O. McGovern, November 24, 1924.

misperception that the Committee was composed of the exact-factional balance of the Allegheny County Commission, in nearly opposite proportions of representatives since the small incorporated towns and villages were making the greatest changes, rather than Pittsburgh.<sup>1</sup> The Committee met at regular intervals and attempted to learn what essential features were needed for the consolidation of the district that would do justice to all concerned, and also, features that were possible of accomplishment. Despite adequate and superfluous discussions at its meetings, the Commission was stalemated and, unable to bring up any definite plan, was obliged to depend upon the favor of the assemblage of the 1925 Legislature, which, however, having no report to make, notwithstanding the valuable and commendable reports of Committeeman Morris Knowles (Pittsburgh representative) and Chairman J. P. Miller.<sup>2</sup> But the failure of this Committee can not be traced to any weakness of its legal committee. This committee believed in the soundness in its membership. Rather it was due to the inactivity of the various sub-committees that were organized to study and take up the various problems that had been recommended for specialized study of technical problems. No report from the Legal Committee was made for the determination of what changes, if any, in the status of the various municipalities could be made without amendments to the State Constitution. No action was taken upon the question of uniform police protection, uniform health, the of uniform health direction, smoke abatement, a consolidation of the various cities and towns in Allegheny County.

<sup>1</sup>"Federated Government For Pittsburgh and Vicinity", R. J. Stidensky, National Municipal Review, Vol. XV, #9, September 1926, pp. 518-522.

<sup>2</sup>Pamphlet #3, Pennsylvania Commission to Study Municipal Consolidation in Allegheny County, by Col. C. C. McGovern November 24th, 1924.

dated sewage system where feasible, cheaper and purer water, better health conditions and a more intelligent and educated population, the direction of public welfare, fiscal supervision and a centralized political administration. It is to these all forms of centralized police control. These subjects that were accepted as being of great importance and were regarded by most persons as being vitally necessary to the life and welfare of the County could have been studied and solved by the Commission itself, without the services of the citizens of the entire County could have been studied and some solution advanced without the need of advice, services or facilities of outside experts, the time element and the entailed expense and delay of experts. Further in Allegheny County and elsewhere, there is no doubt the nonconcurrence of opinion within the Commission evolved from the lack of definite information and a general lack of knowledge about the issue of the time element involved in making a complete and final report. The Commission, after a thorough and logical study of the situation. Some members believed that the problem could be solved only by a long-time survey of the local conditions, and the history and present survey of the circumstances, with the resulting report being based upon the history of municipal government and studying derived economic and governmental trends over such a period of time as fifteen years, and possibly even longer, a period of at least a decade. Some members believed that such a comprehensive and detailed report as this would the problem could only be solved by a corps of experts in the field of civil service, municipal organization and administration, but this type of expert was (and is) seriously lacking in the United States. As to the employment of foreign experts, it was conceded that such talent would be of assistance in municipal organization and administration, but require too long a time for any definite results because of the comparative paucity of knowledge of the history and growth of their sparse knowledge concerning the history of Pittsburgh's (and Allegheny County's) local governments, the intricate laws and the pulse of political opinion. But the resort to the ability of these experts would be merely

a subterfuge since they would not have the supporting statistics and evidences of the sub-committees that were well acquainted with local conditions. From the chaos of these internal differences, 'Colonel' Charles C. McGovern, member of the Finance Committee of the Commission, suggested action upon the following five fronts: The creation of a metropolitan police area, its limits to be co-extensive with Allegheny County and further, that a Committee be appointed to study this problem, apart from the general scope of problems before the Commission; The study of the geographical limits of the members in which the non-geographical limits of a metropolitan district or districts concerning health, water, sewage, public welfare and fiscal control; The study of municipal functions best suited to be vested in such district or districts and their subdivisions, and reservation of their rights; The study of a uniform and equitable system of taxation for the support of a metropolitan district or districts and sub-divisions; And the study of the elimination of duplication and overlapping of municipal functions or activities.

These proposed measures of 'Colonel' McGovern are important in that they have been incorporated in almost all the subsequent charters of the towns of Allegheny County.

Pamphlet #3, Pennsylvania Commission to Study Municipal Consolidation in Allegheny County, by Col. C. C. McGovern, November 24th, 1924, p. 13

body the more vital points in a program for the consolidation of the County which is evident in the later and more perfected charters for a metropolitan organization of the region.

In 1925, a minority report of the Commission was published by "Colonel" McGovern, calling the attention of the Governor, the Members of the Legislature and the people of Allegheny County, to the failure of the present Commission to make progress in the matter of Municipal Consolidation, giving a brief resume of the manner in which the Commission's time was spent during the year 1924, along with

documentary reference to subjects in direct conflict with the Commission's majority report. The minority report is of more value than that of the opposing majority, in that it brings to the foreground many inherent weaknesses of the Commission and its personnel. There were many members of the Committee who placed their private interests before that of the people. They failed to keep faith with their obligations to the Governor of the State who had confidence in their ability and integrity. It was determined that in order to take its place with centers of equal population and far less greatness in industry throughout the United States, Allegheny County must have a Study Commission truly

the service of all public offices, it is the duty of the representative of all the people and the protection of its own country to the best of his ability, to defend and all its great industry and wealth.

On the 1st of April, 1882, the Commission was created. A supplement to Act 282 (creating the Commission) was proposed by the majority cabal recommending the continuance of the personnel of the Commission. 'Colonel' McGovern vigorously attacked this supplemental proposal in considering the past action of the Commission. He blasted the theory of the need of expert statisticians and of a long period of time for the compilation of data concerning the operation of the governments of the various municipalities. All these data could be collected and organized for use in studying the situation within a period of ten days because these records are usually in book or pamphlet form, or are in the care of the County Comptrollers. In addition, the use of public hearings resorted to by the Majority was a sham by means of which the Commission would gain public support for its inactivity. Some of the 'picked' officials attending these hearings were dramatic in that they immortalized their local municipal history -- one of them went so far as to offer evidence that his community had helped to win the Revolutionary War -- but they failed to say one word about the tax-ridden condition of the County or about the multiplicity of office-holders or

the waste of the people's money. Another strong objection and prevailing sentiment was that the Act was unconstitutional to the supplement to the Act was encountered in the phrase "to represent the people of Allegheny County in the matter of authorizing the Commission to accept contributions from individual corporation and civic bodies to defray its expenses." Allegheny County is one of great wealth, perfectly able but not necessarily willing to pay the necessary expense of the Commission. It was felt that the necessary expense of a Commission on County Government reconstruction was to be paid by the public funds of the Commonwealth upon which the Commission was supposedly founded. The determination of a particular form of consolidation was to rest upon the basis of mutuality among the various municipalities affected. The problem must needs be solved by a purely unselfish attitude, each member receiving and also making concessions, giving due consideration to the rights of all other members in a manner consistent with the needs of the respective community of each. These faults of the Commission arising from the priority of local interests as given by the majority of the members resulted in the deterioration of this body, but it was continued by the General Assemblies of 1925 and 1927.<sup>1</sup>

Despite the disagreements within the Commission  
and the members' failure to agree on the constitutionality of the

<sup>1</sup> Bulletin of the Commission on Consolidation, September 10th 1927, p. 50.

and the long and involved sessions which were held with no apparent results, a formal amendment for the creation of a metropolitan district in Allegheny County was first submitted to the General Assembly of 1925 at its special session of 1926. The amendment was passed at this session and again by the General Assembly of 1927 at which time the Commission was instructed to submit to the Legislature a draft of a charter for the proposed Metropolitan government in accordance with the terms of the amendment.

A joint resolution was introduced into the 1925, 1926 and 1927 General Assemblies proposing an amendment to Article fifteen of the Constitution of the Commonwealth of Pennsylvania, by adding a new section to be known as

Section four of that Article. This section provided for the consolidation of the county and to be carried by the consolidation of the county, poor districts, cities, boroughs and townships of Allegheny County and the offices therein, into a consolidated city and county, with the constitutional and legal capacity of a municipal corporation, to be known as the City of Pittsburgh, and provided for a charter for the government of the City. The opening paragraph of Section four was not obligatory. It was merely permission granted to the General Assembly the powers necessary for the creation of a metropolitan government with-

in the area of Allegheny County. To this government, the powers of the county and poor districts were to be assigned, subject to certain reservations of the essential powers of the then-existent cities, boroughs and townships, and also the municipal powers necessary to the "solution of many problems common to the whole area." By this sweeping change, all possible duplication between the functions of the county and the proposed metropolitan government was eliminated. The charter creating the metropolitan government was to be submitted to the people of the county as a whole, and to the people of each municipality separately. It was to go into effect only when approved by a majority vote in the county, and also by a two-thirds vote in a majority of the one hundred twenty-two cities, boroughs or townships. This meant that the proposition had to be carried by a two-thirds vote in sixty-two municipalities. This was a sufficient and certain guarantee against the outlying communities being overwhelmed by the vote of Pittsburgh. It gave to the boroughs and townships an overwhelming preponderance of influence in determining the result of the charter election. It was based on the principle of majority rule -- first, a majority of the people voting, and second a majority of the communities. In the event of an unsuccessful attempt for the adoption of a charter, the afore-

mentioned power of the Legislature was to continue for  
to the time of the final adoption of a charter, thus leaving  
furthering the work of the Commission of Study and the  
submitting of a charter to the voters. All following at-  
tempts to create a metropolitan government were to be based  
upon the originally proposed amendment with its guarantees  
of independence to the existing communities and its pro-  
visions for approval by a majority of the voters and a  
majority of the communities affected. In the first char-  
ter as framed and submitted was not successful in secur-  
ing the required number of affirmative votes, it was be-  
lieved that debate in connection with it would bring out  
all points on which there was disagreement, and these dif-  
ferences would be compromised or eliminated, following  
which, a redrafted charter would be drawn up and prepared  
for submission at a future election. This provision was  
of considerable importance in that it made possible the  
attainment of the charter, the discarded by the people  
discussion and compromise, thus eliminating the probab-  
ility of the discard of all previous valuable results of  
the study. Following the general propositions of this  
amendment came a series of articles which placed limita-  
tions on the discretion of the Legislature, leaving wide  
opportunity for the charter to be adjusted to the needs of  
the situation and the desires of the people, subject always

to the double approval already mentioned. All the powers of Allegheny and also all the powers of its poor districts, and each other municipal powers as were included by the Legislature in the charter were to be transferred to the metropolitan government. But the power of the Legislature to effect this transfer was made subject to specific reservation of the rights of the existing municipalities. It was forbidden to the central government to trespass upon those powers which were reserved to the existing cities, boroughs and townships by the later provisions of the Amendment. It was intended that full justice be done to the needs of the greater municipality, and yet that the smaller competent parts shall have reserved to them those rights and powers which they need for their own local life and local development. A board of commissioners, the number to be fixed by the charter, was to be elected by the people of the consolidated city. This board, which was to replace the existing county commissioners, was to be vested with all the powers of the consolidated city and county except those that were reserved to the various municipal members of the confederation. This gave to the Legislature, the full and complete power to organize the metropolitan government, with such changes as were necessary from the existing

and of county government, unhindered by the fact that county commissioners and other county officers were at the time specifically mentioned in other sections of the State Constitution. It was possible to frame a scientific, modern, completely-developed, and fully-organized form of government for the metropolitan area. Or, in other words, the county government could be so reorganized as to enable it to cope efficiently with its increased powers, duties and responsibilities. The Legislature was also given the power to remove any existing abuses in the conduct of the minor courts, and to provide in the charter for a really modern system of courts of minor, civil and criminal jurisdiction. Under the antiquated forms and methods of procedure permitting magistrates, justices of the peace, and aldermen who are not learned in the law, and who may be prejudiced and partial, if not positively corrupt, to function, real justice could not be applied to the small affairs of those whose means do not allow them to have their interests protected. To many of these people, affairs, which might, be of very small matter to a person of means, are of the utmost importance. Also, there were (and are, though in a less degree) thousands of foreign-born citizens who do not understand the American customs, rights and privileges.

The appearance of certain phrases in the State Constitution seem to make it obligatory that taxation within a municipality be uniform, and thus was the provision affecting the assumption of public debt necessarily included in the charter for the new form of federated municipal government. Assessment of property, and the levying and collecting of taxes were provided for in the charter, but it extended such limitations induced by the varied character of the territory of the metropolitan city. The power of cities to pay for improvements by special assessments ordinarily, cities in Pennsylvania may assess the cost of paving at the street, for example, only on the property immediately abutting upon the improvement. This was a satisfactory enough method of distributing the cost of paving according to any street in a well-built-up section. But it was wholly inadequate as a means of financing large improvements such as thoroughfares, boulevards, parks, sewer systems, the water system, etc., all the benefit of which is spread over a considerable greater area. Overcoming this defect in the Constitution, it was provided that the charging of special assessments was permitted to all property benefited by an improvement, whether or not it abutted immediately on the improvement, as, for instance in the proposed metropolitan government of Pittsburgh, the City of Allegheny, and the County of Allegheny, the charge would apply to all property within the boundaries of the proposed metropolitan government.

improvement. In <sup>the</sup> also, the classification of property into the County as "urban," "suburban" and "rural" applied only to the portion of the sub-section dealing with special assessments. This classification makes provision that, if a general improvement district should be taxed in accordance with the character of the property unit its contribution to urban development, for example, if it does not propose to construct a section of trunk line sewer system designed for a whole drainage area, it would be proper for all parts of the area to bear a portion of the cost of the construction under this particular section. But, a distinction should be made between the lands to be immediately served, those which might be served within a reasonable time, and those outlying lands which would not actually connect because this section of trunk line sewer forms the limit of the validity of zoning ordinances as guaranteed by law above the usual enabling acts of the Legislature. The extent of the authority of the Legislature in passing such acts has never been completely settled in Pennsylvania, and the question concerning this subject would place zoning in Allegheny County beyond danger of attack and make future development self-government in local matters, and to prevent general  
For further details, see "Taxation in the Proposed Metropolitan Government of Pittsburgh", by H. R. Post, National Municipal Review, Vol. XVIII, #5, June 1929, pp. 385-90.

There were, however, certain difficulties in the boundaries of the proposed consolidation to certain towns and cities. The metropolitan government was given the power to provide for important public improvements by the creation of districts to be served by them. For example, the drainage areas which could properly and efficiently use a single sewage disposal plant often consist of the whole or parts of several units of government. Such a natural drainage area should be the district charged with the expense of erecting and operating a sewage disposal plant and the necessary trunk lines, etc., in connection with it. Other similar districts, by reason of location, could be formed for the purpose of garbage and refuse collection and disposal, for park development, for water supply or for any other general purposes as desired by the inhabitants concerned.

Despite such integration and consolidation which would cut through existing municipal boundaries, the clause was inserted in the charter to carry out the announced purpose of the Commission to Study Municipal Consolidation in the Counties of the Second Class, namely, to preserve the identity and existence of the present units of government, to allow them to continue in the exercise of broad powers of self-government in all local matters, and to prevent, for all time, their unwilling absorption by large units of govern-

Continued existence was guaranteed to every city, boro and township in Allegheny County, except as each might, from time to time, by vote of its own people, voluntarily decide to join some other city, boro or township. This legislation always left its own local, municipal corporation unchanged in the County road, as a municipal division, preserved the names and boundaries of the municipalities included in the metropolitan city, so continuing at a municipal corporation. Their forms of government were also secured except for such power as the property, their constituents, had and as they might be modified by the general laws of the state applicable to their particular class of municipality. It was obvious that there was great inequality in the proposed municipal divisions. Each, under its own name and with its existing boundaries, was to have the power to control its inner indebtedness, up to the constitutional limit. Therefore made for possible division of the City of Pittsburgh. At the time of this resolution, such action was not contemplated nor could it ever be accomplished without (election year), the charter or other non-chartering without the consent of the people of Pittsburgh. It was also made possible that any two or more of the cities, boro's or townships might form a union whenever the desire for such a union was expressed by a majority vote of the citizens and bridge, roads and sanitary which of the people of each unit voting separately. In other words, this provided for reasonable flexibility in the structure of the metropolitan government at the same time it absolutely guaranteed that there should never be any forced annexation by the power of one community on another, part of the metropolitan city. For any other

Certain definite powers were reserved to each municipal division, of which it could never be deprived by the charter or any amendment to it, or any subsequent legislation except with its own consent. Each city, boro and township in the County was, as a municipal division of the metropolitan city, to continue as a municipal corporation, with power to own property, make contracts, sue and be sued and to perform all other functions essential to municipal existence. Each, under its own name and within its existing boundaries, was to have the power to collect taxes and incur indebtedness, up to the constitutional limits of such, for the purpose of carrying out any lawful power which it might possess under the terms of the amendment (Section four), namely for the use of its conflicting laws. None might be limited financially in caring for its own needs. Each division was to be able to create and maintain its own public works and services, except through-traffic streets and bridges, tunnels and subways which might be incident to a through-traffic system. This exception also applied to trunk line sewers and power and water service systems running through more than one municipal division and designated by the Board of Commissioners as a part of the service of the metropolitan city. For any other

undered, by popular vote, their powers with regard to purposes, each municipality could have its own public works

and services. In this category was the maintenance and clearing of ordinary (non-through-traffic) streets; the upkeep of the local sewage system and the collection of refuse and solid rubbish. This left to each division the option of contracting for its water, gas, electric light and power service for the use and benefit of its citizens, or of furnishing these services from its own municipally-owned and operated plants, as determined by the voters. However, one condition that was seen to exist in several locations

within the County is worthy of discussion at this point.

The existing constitutional limitations of incorporated municipalities were to retain the same until such time as the service, or utility, it was not necessary that it be exclusively, by voter decision, after the proportionately, but only principally, for the use of its own inhabitants. For example, McKeesport has a water system through which service is incidently given to several surrounding communities. This service, being principally for the use of the people of McKeesport, would be retained by that city which would exercise full and exclusive control. The neighboring boroughs and townships have a right to contract with McKeesport or with any other public or private corporation for a supply of water. They could be included in a metropolitan water system only if they voluntarily surrendered their autonomy. The municipal divisions, by their

rendered, by popular vote, their powers with regard to water supply to the metropolitan government and the metropolitan government more than their respective several per

cent. Each of the local units if it so desired, was to have its own police force. In this manner could it determine what kind of police protection and law enforcement power each suburb per cent, according to which would it would have, independently of any other authority. The status of the metropolitan fire and police departments was not clearly defined within the charter - it was the establishment of a detective and identification bureau of the people, with full responsibility of protection to the central authority.

#### The existing constitutional limitations of the

debtors were to remain the same until such time as the municipal divisions, by their action, alter the proportion of debt incurring power which shall belong to the metropolitan government and its municipal divisions, respectively. The limits of indebtedness which may be incurred by the county or by the metropolitan government, not majority vote of the people in the county are determined by the Constitution -- this figure being set at seven per cent of its assessed valuation, and in the municipalities specifically assessed, with similar proportions, while at seven per cent of their respective valuations. The metropolitan government would succeed to the rights of the county, or its successors, in carrying on, but county, while the municipal divisions would retain their right to vote on a majority of its electors, thus come existing debt incurring power. This situation was to continue permanently unless the municipal divisions, by their

the result, decided to allow themselves less and the metropolitan government more than their respective seven per cent. But the total debt incurring power of the metropolitan government and of the municipal divisions could never exceed fourteen per cent, assuming that no use would be made of the privilege granted municipalities by the 5th section of Article IX of the Constitution of extending their indebtedness to ten per cent by a three-fifths vote of the people. This was a still further protection of the self-governing capacity of the existing cities, boroughs and townships, and the taxpayer was guaranteed that there would be no increased indebtedness beyond the figure allowed under the Constitution. The flexibility of the proposed amendment will allow a large amount of local self-government.

By provision of this proposed charter, the cities, boroughs and townships under the name of municipal divisions were to be ordinary delegates. That is to say, every power, not inconsistent with the powers granted by the charter to the metropolitan government, which they (the municipal divisions) previously possessed, they would continue to possess, hold and exercise. But, any municipal division could surrender any, (or all), of its powers to the central authority, but only by vote of a majority of its electors. This made possible the adjustment of the relations between the metro-

metropolitan government, and the municipal divisions, but this could take place only through voluntary action of the divisions. As was foreseen, no final and absolute distribution of powers could be made at this time with any degree of permanency. This was a problem that had to be worked out to the satisfaction of all concerned, with necessary changes being made as such modification became indispensable. Actual experience was in many cases the best means for determining this distribution of powers between the localities and the central municipality, but the surrender of powers by any municipality was subject to acceptance by the board of commissioners of the metropolitan government.

The amendment which has been discussed at length this last was further evidence of the flexibility of the preceding sections and submitted to vote of the people of Pennsylvania on November 6th, 1923. Before

The final clause limited the power of amendment to the charter by the legislature by requiring approval of the people of the metropolitan city before such amendment became effective. This was real "Home Rule" just as the preceding articles of the document had been home rule. In the case of amendments reducing powers of municipal divisions, this final clause required, in addition, a favorable vote in a majority of such divisions, that is in sixty-two of the existing municipalities. In

But the "bare" action submitted  
in January of 1921, put the "bare" action submitted  
other words, metropolitan Pittsburgh would function by  
the consent of the citizens of these three towns, required on the  
part of the citizens of these three towns, required on the  
consent of the citizens and of the municipal division  
constituting this region. The municipalities would con-  
tinue to be protected in their present status as far as  
local affairs were concerned so long as the amendment stood.  
They would give up no more than was necessary to the est-  
ablishment of a metropolitan government adequate to deal  
with all this group of people had undertaken. All  
of the benefits to be derived from annexation and  
with their common problems and would receive in return  
their share of the benefits accruing from its creation.  
In this unionization the realized. It was claimed that  
and an effective constitutional guarantee of their con-  
tinued existence, powers and privileges.

The amendment which has been discussed at length  
in the preceding sections was submitted to vote of the  
people of Pennsylvania on November 6th, 1925. Before mentioning the result of this ballot, it is necessary to  
consider a few circumstances that became points of issue  
in the adoption of the charter. On March 2nd, 1926, Carrick  
voted to be annexed to the City of Pittsburgh.<sup>2</sup> Petitions  
from Overbrook and Mr. Oliver soon followed. This appeared  
to be a wave for annexation that was to parallel that which  
started in 1905 and 1907 with the annexation of the City of

<sup>1</sup> See Appendix C.  
<sup>2</sup> For the Charter itself, see Appendix C. See also NY Editorial, Pittsburgh Post, March 6th, 1926, p. 7

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of Allegheny" (see page 13). But the "wave had now subsided and only the faction of these three boards remained on the records as the only steps for that year toward consolidation. Garrick was the most important from the standpoint of the adoption of a Metropolitan Plan in that it had a population of approximately 15,000 persons when it joined Pittsburgh. This group of people had made intensive studies of the benefits to be derived from annexation and it was upon the second attempt (the first had been in 1924) Pittsburgh District Metropolitan Plan, which claimed that the Unionization was realized with a claim that municipalities controlling problems merely affecting there would be an average saving of from thirty-five to forty per cent by property owning taxables of Garricks city centralizing the affairs, effecting the district service net taxes available whenever the boro would join the city. These figures were an overestimation of the savings to be realized, but stirred up the contention of the League of Boro's and Towns that annexation would in every case raise the rate for the entire boro, with an increase in the efficiency of function of the municipalities. For the sole benefit of its police and fire protection and in the standards of the citizens of Pittsburgh. In spite of a super-abundance of its public schools. Interest in a "metro" plan was raised of propaganda that was hoisted on to the rating people aroused throughout the County and a period of controversy of the entire state by the anti-metropolitan bodies. A special investigation was instigated by both antagonistic the amendment authorizing the legislature to provide for and protagonists to the plan. Authorities were consulted the formulation of a charter for Pittsburgh was passed with upon the advisability of the reorganization of the munici

Pittsburgh Sun-Telegraph, "Studeisky Backs Consolidated Pittsburgh Plan", "40% Cut in Taxes Seen For Boro By Joining City", February 9th, 1926, p. 1

government within the County, and the most prominent of these was Dr. Paul Studensky, authority of survey for the National Municipal League of New York. He stated that he saw the Metropolitan District Plan in Pittsburgh as something new in its conception and structure. It was the first effort at a federal system of municipalities (he declared) in which a large degree of local control was preserved. He further mentioned that.

The consolidated city will not (Pittsburgh) be. The federated municipalities system, under the Pittsburgh district Metropolitan Plan, with the lion, various units, or third class cities, boroughs and townships controlling problems merely affecting them as local problems, and with the consolidated city controlling the affairs affecting the district as a whole, is an assurance of great possibilities of service not now available. ... has the possibility of spreading to the County City of The majority of the arguments concerning the plan were centered about the contention of the League of Boroughs and Townships, that annexation would in every case raise the rate of taxation of the municipalities, for the sole benefit of the consolidated city, to the disadvantage and hardship of the citizens of Pittsburgh. In spite of a super-abundance of propaganda that was hoisted on to the voting population of the entire state by the anti-metropolitan bodies, supporting the original proposal of the Pittsburgh legislature of the entire state by the anti-metropolitan bodies, supporting the original proposal of the Pittsburgh legislature, the amendment authorizing the Legislature to provide for consolidating the towns of Allegheny in the formulation of a charter for Pittsburgh was passed with

Pittsburgh Sun-Telegraph, "Studensky Backs Consolidated City", February 17th, 1926, p. 1.

... the amendment authorizing the Legislature to provide for consolidating the towns of Allegheny in the formulation of a charter for Pittsburgh was passed with

considerable margin. It would be necessary, however, to  
have the state legislature to adopt such a law.

During the following year, a charter was developed by the Governor's Commission, with the able and valuable assistance of numerous civic bodies. Dr. Thomas H.

Reed, formerly of the University of Michigan was chief consultant for the state metropolitan commission. In his report, Dr. Reed said:

The metropolitan plan will put it (Pittsburgh) in a place by itself among the cities of the country. It will be the largest in area, fourth in population, and first in originality.

And Dr. Reed added:

Pittsburgh is hiding her light under a bushel. If the constitutional amendment providing for a metropolitan plan passes, Pittsburgh has the opportunity of progressing as the fourth City of the United States with a population of a million and a half, otherwise she will continue to be a town of 500,000 or so.

He added:

If this community is to continue to expand, it must be by bringing into it new and varied industries, particularly that type of industry which serves the population of the immediately surrounding country. For this reason it is important to advertise the consuming power of the Pittsburgh region. This can be done most effectively by securing for Pittsburgh the census rating it deserves. The metropolitan plan is the only practical and feasible project for extending the name of Pittsburgh to the whole of Allegheny County.

In address before the Pittsburgh Real Estate Board, reported in Pittsburgh Press, "Metro Plan Advocated by Dr. Reed", April 20th, 1928, p. 8

Address "Pittsburgh -- Legal Fiction or Economic Reality" before the Civic Club of Pittsburgh, reported in the Pittsburgh Press, May 4th, 1928, p. 3

is the . It has been proposed to advertise Pittsburgh in the national periodicals. Such advertising is very costly and it does not have the appeal to the imagination of the business world that the simple line "Pittsburgh -- 1,500,000" in the census record possesses. Census advertising costs nothing and it means more than the best propaganda the cleverest of you can write.

The metropolitan plan of federated city government, centralizing certain necessary powers in the metropolitan city, but leaving the rest to the existing local units, is a novelty. The mere suggestion that it may be applied here has already attracted worldwide attention. Its adoption will be a worldwide sensation.

This forceful statement by Dr. Reed had electric results. Very quickly, architecture and the fine arts took part in that intense and county-wide interest and enthusiasm was developed. It was pointed out that outside of Pittsburgh, forthcoming, almost immediately in the wake of the address and speech in the county hall, a total of \$15,000 in which the above claims were made. The Pittsburgh Chamber of Commerce issued a proclamation setting forth its claim of 1,500,000 to the County 3040,000 for this same year five great objectives. To wit: 1. Telling Pittsburgh's commercial functions; 2. University; 3. Fair of the small story; 4. Industrial Expansion and Diversification; 5. Plane for Great River Commerce; 4. Study of Municipal governments; and 5. Model Living Conditions for Pittsburgh.<sup>2</sup> From that date the Cultural Center Chamber of Commerce issued The newspapers of the city and of the surrounding towns entered into the spirit of the movement and published countless editorials and news items, both for and against trying to develop complete road programs and to urge the adoption of any charter. Some of these were valuable in their many valuable relations to local authorities in their

<sup>1</sup> Editorial "Metro Pittsburgh", Mt. Washington (Pittsburgh) News, April 25th, 1928. Also in the Pennsylvania Bulletin, October, 1928, p. 1-10.

<sup>2</sup> Advertisement by the Pittsburgh Chamber of Commerce, Pittsburgh Post-Gazette, November 1st, 1928, p. 13

in the formulation of the charter -- suggesting to the Commission points worthy of consideration and study which were deemed important enough to be brought before the public. It was suggested that there be a department of parks and recreation, administered by a trained and experienced executive, with a non-salaried board, the duties of which would be to determine policies. Provision is made that the board be guided by local committees, which would have the power of decision in specialized service, such as design, landscaping, architecture and like factors in park development. It was pointed out that aside from Pittsburgh, cities and boro's in the county paid a total of \$42,000 for park and recreational service during 1928. Pittsburgh spent \$850,000 and the County \$240,000 for this same governmental function.<sup>1</sup> Obviously a saving of no small proportions could be effected by the consolidation of the park systems. For the development of highways in the Metropolitan district, the United States Chamber of Commerce issued a statement appropriate for the Pittsburgh region. The committee approved of state highway departments having authority to develop complete road programs and to have advisory or supervisory relations to local authorities in their planning and construction. This is the summary:

I Editorial "Unified Park Plan Urged For Metro Charter", Pittsburgh Sun Telegraph, January 18th, 1929, p. 48.

in accord with the principles of good highway planning; of road work; of bringing local road authorities together to meet the metropolitan needs; of the employment of experts of the metropolitan area; of the coordination of municipal, borough, provincial and federal departments of public works; of technical services and the definite planning of local road work; and of co-ordinated planning of highways in metropolitan areas; of the county, state and national highway systems; of the financing of construction as well as maintenance of roads of general motor use by highway users. These propositions were especially suitable for solution of the problems with which Pittsburgh was and still is confronted in relation to its traffic congestions. A tentative plan was submitted to the Commission, calling for the division of the department of public

health into five sections known as: general offices, communicable diseases, child health, food inspection, hospitals, buildings and sanitation, traffic laws determining and sanitation and smoke regulation. The advising physician of the Pittsburgh Bureau of the Health Department, Dr. F. W. Evans asked that the head of the department be a medical doctor. Regarding independent health measures, this report stated: "It shall be left to the local option of third-class cities, boroughs and first-class townships as to whether or not they shall provide health units for the immediate execution of health measures, provided they are completely

"Instituted in the year 1928, under the title of "Coordinated Planning of Highways in the Metro Area", by the Greater Pittsburgh Chamber of Commerce, January 12th, 1929, p. 6.

1. The Co-ordination of Highway Work in the Metro Area  
2. The Co-ordination of Highway Work in the State  
3. The Co-ordination of Highway Work in the Nation

in accord with the regulations of the health department  
 but there are other ways to handle the situation,  
 of the metropolitan Pittsburgh.<sup>1</sup> The Civic Club of Pitts-  
 burgh proposed the creation of a commission of nine and  
 the employment of a city manager to handle the entire af-  
 fairs of the county, with the mayor having great powers  
 and similar responsibility to those then enjoyed by this  
 officer.<sup>2</sup> Charging that the minor courts of Allegheny  
 were corrupt and that they oppressed members of their or-  
 ganizations to the greatest degree, a committee of foreign-  
 born citizens asked the Metropolitan Plan Commission to  
 make sure that radical revision in the system of minor

courts be embodied in the proposed law.<sup>3</sup> Also, there was  
 suggested some method to relieve the situation of the "hard-  
 boiled cop". It was claimed that motorists were detouring  
 around Pittsburgh because of the "hard-boiled cop". From  
 an open letter upon this subject, the writer clearly stated  
 that -- this does not apply to all of them (members of the  
 police force); some fine men on the force who have the  
 city's interest at heart and who take a "foreign" motorist  
 in hand, can make him feel "we are human in Pittsburgh".

<sup>1</sup> Dr. R. E. Huggins, Dean of Medical School, University of Pittsburgh, "Five Health Districts Urged in New Charter", Pittsburgh Press, January 25th, 1929, p. 1.

<sup>2</sup> Pittsburgh Post-Gazette, "City Manager Urged to Run 'Metro Plan'", January 22nd, 1929, p. 1.

<sup>3</sup> Pittsburgh Post-Gazette, "County's Minor Court System Called Corrupt", January 22nd, 1929, p. 3.

But there are those few who are put on the force and kept there by politicians and all 'heck' cannot remove them.<sup>1</sup> These preceding examples are presented here to show the genuine interest that was aroused in the citizenry of the county and especially of the City of Pittsburgh. The human element was clearly in evidence, and the citizens of the metropolitan area were awakening to the importance of the problems that confronted them. It appeared that the long-awaited drive for the betterment of the government of all the municipalities was to bear fruit in the adoption of a Metropolitan Charter. But the citizens of Allegheny

on their part did not forget past mistakes and the Charter will be based upon the city of Pitts. The original campaign of the charter as authorized by the accepted Amendment of 1928, is now being conducted for carrying out the proposed merger of the city and county. It is significant to any further degree, but they prove interesting to note, the various local organizations involved in that they show the different angles from which various political and social groups and their interests viewed the question of the day. A city manager plan for the consolidated city was proposed by the Pittsburgh Planning Board<sup>2</sup> and Allegheny County League of Women Voters. The abolition of the fee system for constables and the abolition of the fee system for justices of the peace and constables

<sup>1</sup> "Proposed Charter, Justice of the Peace Under Justice Plan". Letter by J. A. Rattigan to Editor of Mt. Washington News, January 19, 1929, p. 3; See Pittsburgh Press, "Justices Seek to Save Jobs on Metro Plan" (salaries unchanged in 28 years), March 2, 1929, p. 1; Also Editorial "Squires and the Charter", Pittsburgh Press, January 21, 1929, p. 42.

<sup>2</sup> Pittsburgh Post-Gazette, "Urge Manager in Metro Plan", January 22nd, 1929, p. 3

and placing these positions in the salary class, suggested to be included in the charter, caused an uproar of protest from those directly effected -- namely, those minor judicial officers who derived their livelihood from petty graft and the settlement by fines of misdemeanors. This would result in the higher courts no longer being cluttered up with inconsequential business.<sup>1</sup> Senator W. D. Mansfield, sponsor of the Governor's Commission, claimed that the metropolitan plan, if adopted, would mean an increase in taxes throughout the county.<sup>2</sup> J. F. Malone, president of city council (1929), stated that to put the charter in effect, an increase of twenty-five or forty per cent in taxes would be necessary in the city. (n. b. The figures correspond exactly with those which Garrick estimated its saving would be through annexation to the city.) (See page 271). Mansfield, in commenting upon this statement, declared: "I believe he (Malone) was nearly right and that outside the city, the proportionate increase would be greater."<sup>2</sup> Wilmer M. Jacoby, chairman of the Pittsburgh Zoning Board of Adjustment, claimed that: "The plan involved in the

<sup>1</sup> Pittsburgh Press, "Court Revision Under Metro Plan", p. 10

<sup>2</sup> January 22nd, 1929, p. 3

<sup>2</sup> Pittsburgh Press, "Mansfield Raps Metro Bill in Bellevue Talk", May 17th, 1929, p. 2

charter does not, as some seem to think, mean an increase in taxation. It would tend ultimately toward a reduction in taxation." 1 (Mr. Jacoby was one of the more qualified officials who spoke, not as an officer of the government, but as a citizen interested in better government.) On another angle in the case, it was claimed that there would be an increase of \$10,000 per advertising of less value, an increase in the expense of garbage collection because of

the great increase in the amount of territory to be covered.<sup>2</sup> It was deemed dangerous that the charter for the Pittsburgh region will be constrained so that it will not

The boroughs and townships will occupy the same relation toward the federated city (after adoption of the charter) as do the forty-eight states of the Union toward the Federal Government. As the states are guaranteed their autonomy by the Constitution of the United States, so do the boroughs and townships receive the same guarantees from the Metropolitan charter. By the charter, the following guarantees, among others, are made to the boroughs and townships; Constitutional protection against forcible annexation through legislative action. Continued control of their local police and fire departments. Full control over their local taxes and bonding powers, as at present. The continuance of their present offices and official forms of government. Maintenance of their present control of streets, local public works and utilities. Constitutional assurance that the Metropolitan indebtedness or rate of taxation cannot exceed the limit now fixed for Allegheny County unless the increase be equally applied to the whole state of Pennsylvania, or will be, with the exception of administration in charge of the municipalities.

<sup>1</sup> Pittsburgh Press, "Tax Reduction Held Possible Under Charter", June 20th, 1929, p. 16

<sup>2</sup> Pittsburgh Post-Gazette, "Leslie Decides to Offer Bill", March 11th, 1929, pp. 2 and 4

<sup>3</sup> Editorial, "The Metro Charter", Pittsburgh Post-Gazette, April 8th, 1929, p. 6.

And another:

The creation of a consolidated city means we shall become the site of new industry. These industries will create greater employment and bring more people. There will be greater assets in the county, increased sources from which to draw the money for the debt now existing and to be incurred. There will thus be a per capita reduction in taxes, beneficial to those now living in Allegheny County.

Other cities, notably Philadelphia, are paying millions of dollars for advertising of less value than Allegheny County will receive from the Metropolitan Plan.

It was deemed desirable that the charter for the Pittsburgh Metropolitan District be constructed so that it would not

'rip' out of office any public official in the county

during the term for which he was elected.<sup>2</sup> J. P. Malone

(quoted above) stated that he believed that the creation of so many new departments (under the charter) would lead to higher taxes. Thus, he was in favor of the simplified charter, as was County Commissioner J. G. Armstrong. The latter claimed that:

The proposal for a change in the municipal court structure has been left out of the bill, as it was thought that this matter would require a great deal of study if it could be made practical at all. The welfare department of the City of Pittsburgh will be continued as it is, with the city administration in charge of the institutions

<sup>1</sup> Editorial, "The Metro Plan", Pittsburgh Press, June 22nd, 1929, p. 48

<sup>2</sup> Pittsburgh Press, "Charter Bill Not To Aim at Men in Office", January 6th, 1929, p. 1

in which Pittsburgh has invested so much money.

The poor directors of Allegheny County, who are elected in the poor districts of the county, will continue as they are. . . Before a consolidation of these two departments could be effected, on a proper basis it was felt a great amount of study would be required. . . The health departments of the cities, as well as the local boards of health in the various boro's and townships, will function as they have in the past without change. . . The amended bill has no effect upon the mayors of the various cities, members of a council or any local officers of any city, boro or township of the county. . . The police and fire systems of the county, including the county detectives, sheriff's office and the local police officers of the various cities, boro's and townships, and their local fire departments, will also remain as they are now. . . Without going into any further details, the effect of the amended bill would be to create a metropolitan district with practically complete home rule for all the cities, boro's and townships within the county boundaries.

In emphasizing the developments in the formulation of the charter that was to be submitted to the public, the cooperation between the two opposing champions for the cause is shown by the following:

Every city and every boro and township in the county will be just as independent of the present city of Pittsburgh, under the greater city plan, as it is now. Each will retain its present self-government and the government of the city of Pittsburgh will have absolutely no authority beyond the limits of the present city. . . The charter of the greater city, as now planned, simply will convert the county government into a municipal government and add to it a few functions not now possessed by the county.

<sup>1</sup> Pittsburgh Post-Gazette, "Revised Metro Bill Endorsed by Armstrong", March, 22nd, 1929, pp. 1 and 8; Also, Pittsburgh Sun-Telegraph, "Party Bosses Pull Metro Plan Teeth", March 22nd, 1929, pp. 1 and 4.

<sup>2</sup> Editorial: "Not An Annexation Project", Pittsburgh Press, p. 56.

The elimination of the objectionable departments as named in the bill may accede to the opponents of the charter. Those eliminated are: Departments of safety, welfare, parks and recreation, planning, public art, personnel, research and information, and municipal courts.

With a background of conflicting influences as have been mentioned above, the Governor's Commission drew up a charter for presentation to the people of Allegheny County at a special election on June 25th, 1929. The final draft was the result of countless hearings, conferences and investigations. Its contents in a simplified form are presented in the following section.

CHARTER OF 1929

ARTICLE I

<sup>1</sup> Pittsburgh Press, "Charter Bill Reported Out", March 27th, 1929, p. 1; also Pittsburgh Press, "Amendments in Measure Meet Demands Made", March 27th, 1929, p. 1

1. *Leucosia* *leucostoma* *leucostoma* *leucostoma*  
2. *Leucosia* *leucostoma* *leucostoma* *leucostoma*

CHAPTER III.

## **THE CHARTER OF 1929 --**

其後，漢武帝時，大司農韓安國為御史大夫，奏請將軍、太尉、御史大夫、廷尉、九卿等官員，每年定期向皇帝進呈所管事項的報告，稱為“奏事”。

### CHAPTER III.

Under the enabling act, the commission had the power to set up the number of commissioners which would govern the consolidated city; revise the existing system of minor courts; transfer to the consolidated city the property and indebtedness of the county and the poor districts and such indebtedness of the boroughs, townships or cities related to the consolidated city; power to define assessment and collection of taxes for the consolidated city and the creation of a zoning board for the entire area.<sup>1</sup> With its activities definitely outlined by this act, the commission formulated the following charter provisions:

The charter creates in place of Allegheny County a consolidated city and county government to be known as the "City of Pittsburgh". This "consolidated city" is to have all the powers of the present Allegheny County, the powers with regard to the care of the poor and insane now possessed by the present city of Pittsburgh and the directors of the poor, and certain other specified powers. The present city of Pittsburgh, and the other cities, boroughs and townships

<sup>1</sup> Pittsburgh Post-Gazette, "Big Problems Are Faced by Metro Group," January 28th, 1929, p. 1.

of the county remain in existence within the consolidated city with their names and boundaries. The present city of Pittsburgh is till called simply "Pittsburgh" as distinguished from the consolidated city. The great bulk of the powers belonging to "Pittsburgh" and the other units were to continue to be exercised by them.

The above is what is following:  
The present elective county officers will continue to be elected as at present, except the treasurer who is to be appointed by the board of commissioners. No officer is to retain any fees but they are to be paid over to the treasury of the consolidated city.

The consolidated city is to be governed by a board of seven commissioners, elected at large for four years. Three must reside in the present Pittsburgh, and three in districts outside of the present Pittsburgh and, after 1931, the president will be elected at large. The present county commissioners are continued for the balance of their term as members of the new board. At the election of 1929 three members will be elected from outside of Pittsburgh for four years and one member for two years, and for these two years the board will choose its own president.

There will be the following administrative de-

partments: Finance, Health, Safety, Public Works, Welfare, Parks and Recreation, Planning, Art, Personnel, Law, Research and Information, and Transit. The heads of each of these departments in general have power to appoint and remove all officers and employees thereof.

The charter contains the following features:

- (a) Unification of Woodville and Mayview (insane asylums) now respectively administered by the directors of the poor and the city department of welfare.
- (b) Designation of through-traffic streets which henceforth will be maintained by the consolidated city.
- (c) Planning and zoning powers which do not interfere with the similar powers of Pittsburgh and other units.
- (d) Power to create special districts for the purpose of supplying works, utilities or services such as sewage, garbage disposal, et cetera not for the benefit of any one municipal division.
- (e) Ample powers to solve the water problem which at the same time safeguards the rights of Pittsburgh and other cities owning water plants.
- (f) Power to deal broadly with the problem of rapid transit.
- (g) Power to make uniform regulations with regard to signs, signal lights and other physical devices for the control of traffic anywhere in the consolidated city.
- (h) Power to pay for public improvements by special assessments on property within the district benefited by such improvement.

The charter safeguards the taxpayers' money by assuring that it will be used for that purpose by (a) giving the controller adequate auditing powers with a permanent appropriation of \$25,000.00 a year for investigations; (b) establishing a department of finance under a director; (c) providing for a uniform modern accounting system; (d) an effective budget, and (e) an audit by certified public accountants every four years; (f) establishing a department of research and information under a non-political board with a permanent appropriation.

A fair assessment of property for taxation is guaranteed by (a) assessment according to methods used in the most progressive cities by a consolidated city assessor assisted by local assessors locally appointed and paid for by each municipality; (b) providing for a board of assessment appeal appointed by the common pleas court.

The charter will promote public health by providing a health department with power to make and secure enforcement of regulations through local health authorities wherever they exist and directly in other parts of the consolidated city.

The charter will promote public safety by creating (a) a small metropolitan police force organized on the lines of the state police for the purpose of policing the rural

districts and which may be used by other municipalities upon request; (b) a metropolitan detective bureau; (c) a traffic division to enforce traffic regulations; (d) a fire prevention division.

Better justice for the ordinary citizen is secured by abolishing the justices of the peace, aldermen and magistrates. (Those in office will be permitted to serve out their term). In their place there will be salaried judges appointed by the county court for terms of five years. In this court there will be established a small claims division in which cases involving less than \$50.00 may be heard informally with the costs not to exceed \$1.00. Sessions of the municipal court will be held throughout the county in such a way as to serve the convenience of suitors in the court. Constables will henceforth be appointed by the judges of the municipal court. (Provided that those in office may serve out their terms).

The charter protects the interests of the outlying areas and unincorporated to be governed by the local elected communities by preventing forcible annexation. Annexations henceforth can take place only as a result of a favorable vote of the people in both the annexed and annexing municipalities.

The charter is to be submitted to the people on  
the fourth Tuesday of June 1929.<sup>1</sup>

ABSTRACT OF THE PROPOSED CHARTER BY ARTICLES

ARTICLE I. GENERAL PROVISIONS. -- This article provides for the creation of the consolidated city and county to be known as the "City of Pittsburgh". All laws relating to the government and offices of Allegheny County are expressly incorporated as part of the charter and henceforth can be amended or repealed only by amendment to the charter. All other laws applicable to Allegheny County are continued in force except as inconsistent with the charter.

The cities, boroughs and townships of Allegheny County are continued in existence with their present names and boundaries except that the present city of Pittsburgh is to be officially designated as "Pittsburgh" unless the corporate authorities of that city select some other name. Except as specifically provided by the charter, the cities, boroughs and townships are to be governed by the laws relating to the class of municipality to which they belong.

<sup>1</sup> See: "A Charter for the Metropolitan City of Pittsburgh," D. Darmstadter, Nat'l. Municipal Rev., Vol. XVIII, No. 6, June 1929, p. 426.

A special saving clause keeps in effect laws relating to courts of record, juries and jury commissioners, public schools, public libraries and state highways as if the consolidated city were a county and not a city.

The property and indebtedness of Allegheny County and of the directors of the poor and the property and indebtedness of the present city of Pittsburgh now administered by its department of welfare and the property rights and corresponding debts of any unit in such through-traffic streets as may be designated by the board of commissioners are transferred to the consolidated city.

ARTICLE II. POWERS -- In addition to the county powers, the most important powers given to the consolidated city are: (a) to care for the poor, sick, defective, feeble-minded and insane; (b) to make health regulations (the municipal division may make health regulations not inconflict with those of the consolidated city); (c) to designate through-traffic streets which will be maintained by the consolidated city, (the cleaning and lighting of through-traffic streets is left to the locality); (d) to adopt zoning ordinances (in all the municipalities which have not by January 1st, 1933 adopted zoning ordinances); (e) to exercise planning powers (relating to major features only); (f) to create special districts for the purpose of acquiring, constructing, main-

taining and operating or contracting for works, improvements, utilities or services for the benefit of more than one municipal division (this power will make it possible to take care of serious drainage problems, et cetera); (g) to deal with the water supply problem (the rights of the existing municipalities are carefully preserved. No municipal water system can be acquired except by a majority vote of the people of the municipality which owns the plant and no municipal or private plant can be acquired except in accordance with the general laws of the state which amply provide for just compensation); (h) to construct, operate or contract for the operation of transportation systems, (this power is broadly phrased in order to give the consolidated city ample power to deal with the rapid transit problem); (i) to recommend standards for local fire departments and to make appropriations in aid of local fire departments; (j) to enact smoke regulations; (k) to make uniform traffic regulations for through-traffic streets and to regulate the type and manner of installation of signs, signal-lights, et cetera throughout the consolidated city; (l) to levy special assessments upon the district benefited by any public improvement.

The employees of the County of Allegheny, of the directors of the poor and the welfare department and tran-

sit commission of the City of Pittsburgh are transferred to the service of the consolidated city and protected in their present positions and salaries until the same are modified in accordance with the regular administration of the consolidated city. The rights of the employees of Allegheny County and of the City of Pittsburgh under the pension now relating to them are absolutely preserved.

ARTICLE III. BOARD OF COMMISSIONERS. -- The powers of the consolidated city, except as otherwise specifically provided, are to be exercised by the board of commissioners of six members and a president. They are to be elected at large, but three of them must be residents of the City of Pittsburgh and one of each of three districts (roughly east, south and north outside of Pittsburgh). The president, beginning with the election of 1931, is to be elected at large and is to be the chief executive officer of the city.

For the first two years the present county commissioners are to be the Pittsburgh representatives on the board; at the election of 1929 members will be elected from the outside districts and another member elected at large for two years. For the first two years, the president is to be chosen by the commission from among its own members.

The salary of the president is to be \$15,000 and the salaries of the commissioners \$9,000 (salaries of the present commissioners are to remain as they are for the balance of their terms). The board of commissioners is to choose a vice-president and a secretary.

ARTICLE III. BOARD OF COMMISSIONERS

Provision is made for regular meetings. Special meetings can be called only on twenty-four hours written notice. Four affirmative votes are necessary for the passage of any ordinance or resolution. An abstract of each ordinance must be published in a newspaper within three days of introduction and all ordinances must be printed and on the desks of the members for forty-eight hours before any action can be taken with regard to them, except in case of emergency ordinances. The board of commissioners must keep a journal in which the yeas and nays of each ordinance are to be recorded, and the journal is made a public record.

ARTICLE IV. BUDGET SYSTEM

In this article an effective budget system is provided for. The budget must include the estimates of the several departments of their needs and the recommendation of the president of the board of commissioners with regard thereto.

ARTICLE IV. COUNTY OFFICERS. -- The present elective county officers remain elective except the treasurer

who is to be appointed by the board of commissioners. The duties of these officers remain as at present except that the controller is given the power to carry on a continuous audit of the financial transactions of the consolidated city. He is given power to summon witnesses and demand the production of books and papers; he is also provided with an obligatory appropriation of \$25,000 to be expended in his discretion in work of investigation. No money can be drawn from the treasury except by warrant countersigned by him.

ARTICLE V. ELECTIONS. -- This article simply provides for the application of the laws of the state with regard to elections. Vacancies in elective offices are to be filled for the unexpired balance of the term by the court of common pleas.

After the census of 1940 the districts of which members of the board of commissioners must be residents are to be laid out by the board of commissioners except that the present city of Pittsburgh plus annexations thereto is to remain one district.

ARTICLE VI. ADMINISTRATIVE SERVICE. -- This section sets up the administrative departments. The director

of all departments and certain other officers and boards are to be appointed by the president of the board of commissioners with the consent of the board. He may remove any appointee subject to veto of his removal by vote of five commissioners. In general the directors of the departments appoint and remove the employees of their departments subject to the right of the employee to demand a hearing before the director.

ARTICLE VII. DEPARTMENT OF FINANCE. -- At the head of this department is a director of finance. He is given the power to prescribe the nature and forms of all accounts to be kept in all departments of the consolidated city including the controller's office. This is to insure a uniform system and prevent duplication. The general accounts of the city are to be kept under his immediate direction and such provision is made that they must be adequate according to the best standards of accounting. Claims against the city treasury must be signed by the director of finance and countersigned by the controller.

No contract can be made or obligation incurred unless the director of finance has certified that there is an unencumbered balance in the appropriation available for the purpose. A monthly report of the condition of the appropriations must be made by the director to the board of commissioners.

Every four years the board of commissioners must have the accounts audited by a certified public accountant.

The treasurer is to collect all taxes including delinquent taxes and the office of the delinquent tax collector is abolished. Tax bills are to be mailed prior to the date when taxes become due. Taxes may be paid at banks located throughout the consolidated city. The taxpayer may have the option of paying his taxes in quarterly installments and the provisions now in force in the present city of Pittsburgh with regard to discount for payment in advance and penalties for delinquency are applied to the consolidated city. Machinery is to be exempt from taxation. There is to be a single assessment of property for taxation for all purposes made by the assessor of the consolidated city, who is to be appointed by the president of the board of commissioners. He is to be assisted in making this single assessment by local assessors in each municipal division. In Pittsburgh and the cities of the third class (McKeesport, Clairton and Duquesne), the assisting departments of assessments are to be the local assessors; in other divisions the local assessor is to be appointed by a committee of five, of which the school board appoints two members, the governing body of the municipality two members and these four appoint the fifth. Local assessors must possess the qualifications prescribed by the

board of commissioners. They may be removed for failure to perform the duties imposed upon them by the charter by the assessor of the consolidated city.

The local assessors are to value all property in accordance with the instructions of the assessor and the charter sets forth certain instructions which must be given. These instructions are intended to insure that the work of the local assessors will be uniform and in accordance with the best assessment practice. Upon the basis of the valuations made by the local assessors, the assessor of the consolidated city makes his assessment every three years as assessments are now made.

A board of assessment appeal is created of three members appointed by the common pleas court to which any property-holder aggrieved by an assessment can apply for relief and from the board of assessment appeal a further appeal may be taken to the court of common pleas as at present.

ARTICLE VIII. DEPARTMENT OF HEALTH. -- This department is to be under a director of health who must be a physician of ten years professional experience. It may make health regulations which it is the duty of health authorities of each locality to carry out. It may enforce its own regulations directly in those localities which have no health

authorities and it may in case of necessity act directly in other municipalities. Where a local health board fails entirely to carry out its duties, it may remove that board and administer public health in that locality at the expense of the locality. Any municipal division may surrender its health powers to the consolidated city if it will agree to pay the expenses of health administration within its borders. The health department is to provide laboratory service for those units which do not maintain laboratories of their own.

ARTICLE IX. DEPARTMENT OF SAFETY. -- This department is to be under a director who is to have the powers of a sheriff with regard to the preservation of public peace and order.

In this department there is to be a police division under a superintendent. The police force is to consist of:

(a) The consolidated city police which is to be a small force organized on the general lines of the Pennsylvania state police. This force is to be employed in policing the rural sections and patrolling through-traffic streets, but any municipality may borrow one or more members or even an organized unit by paying the cost of the service.

(b) The consolidated city detective bureau which

is to take over the present county detective bureau is required to keep records for the identification of criminals, et ceters.

There is to be a traffic division charged with enforcing the traffic regulations of the consolidated city and an advisory traffic commission made up of citizens and officials.

The director of safety is required to report quarterly to the board of commissioners a record of all complaints, arrests, informations, summonses and notices of violation, together with the disposition of these. Where a case is not disposed of within the quarter, it is to be reported again and again until finally settled.

There is to be also a division of inspection to take care of the enforcement of smoke regulation and other inspectional duties.

Finally, there is to be a division of fire prevention; and no appropriation in aid of a local fire department is to be given unless the superintendent of this division certifies that the department is maintained in accordance with the standards set by the board of commissioners.

ARTICLE X. DEPARTMENT OF PUBLIC WORKS. -- The department of public works of the county is taken over by the

consolidated city.

The director who is to be at the head of this department, must be an engineer with not less than ten years experience. The department has all the powers and duties of the present department of Allegheny County and such other powers as may be given by the charter and by ordinance.

ARTICLE XI. DEPARTMENT OF WELFARE.-- This

department is to be administered by a director with the assistance of a board of welfare and a visiting committee for each institution. There are to be divisions of family welfare, child welfare, care of the aged and infirm, and mental health and correction.

ARTICLE XII. DEPARTMENT OF PARKS AND RECREATION.--

The present county parks and any other parks and playgrounds, et cetera which may subsequently be acquired by the consolidated city are to be administered by a director of parks and recreation assisted by a park and recreation board.

The board is particularly charged with the physical development of parks, et cetera, the actual administration being left with the director.

Provision is made for the representation of the Pittsburgh school department and the county schools on this board. This department is authorized to cooperate with the

schools in the development of recreational facilities.

ARTICLE XIII. DEPARTMENT OF PLANNING. -- The planning commission of the consolidated city is to consist of eight members and a salaried director who is to be the chairman. Not more than four of these members shall be residents of any one municipality.

It is to have power to make a master plan covering planning features which relate to the consolidated city as a whole. It thus does not interfere with the functioning of local city planning commissions. Within the field assigned to it, its power and methods of procedure are expressed in practically the same terms as those employed in the Pittsburgh charter and in the model city planning enabling act.

ARTICLE XIV. DEPARTMENT OF PUBLIC ART. -- This department is to be assisted by an art jury of nine persons, no more than five of whom are to reside in any one municipality. Its powers are practically the same as those now possessed by the art commission of the present city of Pittsburgh and are to be exercised throughout the consolidated city. The art commission of the present city of Pittsburgh is abolished.

ARTICLE XV. DEPARTMENT OF PERSONNEL. -- This department, besides numerous routine duties in connection with

the keeping of personnel records and certification of payrolls, et cetera, is to examine all applicants for appointment to all but a very few positions, such as directors of the departments. Where qualifications are established by the charter, by the board of commissioners or by other boards pursuant to the charter, for any position, no person can be appointed to that position unless the department of personnel certifies that he possesses those qualifications. Otherwise the personnel department merely reports on the mental ability, education, experience, character and reputation of the applicant and the appointing officer is left free to exercise his judgment in the making of the appointment.

ARTICLE XV. -- This department will administer any retirement pension system set up by the board of commissioners and the last section of the article contains provisions guaranteeing to the employes of Allegheny County who now have rights in the county pension fund, those rights as long as they continue to make the contributions now required. The same provision is made with regard to the employes of the present city of Pittsburgh, who, by the operation of the charter, are transferred to the service of the consolidated city, as to their rights in the Pittsburgh pension fund.

ARTICLE XVI. DEPARTMENT OF LAW. -- This de-

partment is to be in charge of a director who is to be the solicitor of the consolidated city. It is to take over the duties of the present county solicitor and all other solicitors and attorneys for county offices. It is provided, however, that any officer who has a personal financial responsibility in performing the duties of his office may name the deputy solicitor who is to be his legal advisor.

A bureau of public utility relations is established in this department which is to represent the consolidated city in dealings with public utilities and before the public service commission and the courts in public utility matters. It is to receive complaints from citizens and may, with the approval of the solicitor and the board of commissioners, represent any municipality within the consolidated city in such matters.

#### ARTICLE XVII. DEPARTMENT OF RESEARCH AND INFORMATION.

**ARTICLE XVII. DEPARTMENT OF RESEARCH AND INFORMATION.** -- This department is to be in charge of a board appointed by the president of the board of commissioners. No member of this board shall have held office or have been a candidate for office within five years. It will appoint a director and other employees. The department will study

matters relating to the government and administration of the consolidated city and to make recommendations with regard to its improvement. Upon request, it will advise the authorities of any municipality. It is given power to gather statistics and information and to require reports from the financial officers of each municipality.

#### ARTICLE XVIII. DEPARTMENT OF REGIONAL TRANSIT. --

This department will be administered by a director and a board consisting of six members and of the director. It is to have powers similar to those of the present Pittsburgh transit commission and the five members of that commission are to be, at the outset, members of the regional transit commission. The present Pittsburgh, however, does not lose any of its powers with regard to transit.

#### ARTICLE XIX. SPECIAL ASSESSMENTS. -- This article

provides in detail for special assessments upon abutting and non-abutting property materially benefited by an improvement. It departs from the present procedure with regard to special assessments upon abutting property in that the original assessment of benefits is made by the consolidated city assessor and that the board of viewers considers only those cases in which the property-owner objects to the assessment.

ARTICLE XX. MUNICIPAL DIVISIONS. -- This article reserves to the several municipalities of the consolidated city all their powers and duties except those by this charter granted to the consolidated city. It provides for a surrender by a municipality of any of its powers only by a vote of its people subject to acceptance by the board of commissioners of the consolidated city. It also provides for annexation only by a favorable vote of the people in the annexing and annexed municipalities voting separately.

ARTICLE XXI. MUNICIPAL COURTS. -- This article establishes, beginning with 1932, a municipal court to be composed of one judge for each 50,000 population with a few possible additional judges when the business of the Court requires it. The judges of this court are to be appointed by the county court from among persons nominated by a petition signed by 500 electors. The appointments are to be made in open court and by a 2/3 vote. Municipal court judges must either be learned in the law, have had six years active business experience or have served as a magistrate, alderman, or justice of the peace for not less

than six years. The judges are to receive \$5,000 a year, the president judge \$7,500, and the vice-president judges \$6,000. The jurisdiction of the court is to be the same as that of the justices of the peace and aldermen except that the maximum amount which may be involved in any case is increased to \$500. There must be in this court a small claims division in which cases involving not more than \$50.00 may be dealt with informally with costs not to exceed \$1.00. Sessions of the court are to be held in various parts of the county to suit the convenience of the litigants. The hours of the court also are to be arranged so that evening sessions may be held. A central office is to be established at which telephone and other communications may be received at any time. There is to be at least one clerk and one constable for each judge. The judges of the court are to make rules for the procedure of the court subject to supervision by the county court. Appeals from the municipal court follow the same course as appeals from the justices of the peace and aldermen at present except that the right of appeal in small claims of less than \$50.00 may be limited as far as may be under the constitution.

ARTICLE XXII. RATIFICATION AND AMENDMENT.-- This

article provides for the submission of the charter to the vote of the people on the fourth Tuesday of June 1929, and provides for its amendment in the manner prescribed in the constitution.

#### ARTICLE XXIII. MISCELLANEOUS PROVISIONS AND

SCHEDULE. -- This article sets up the districts of which the members of the board of commissioners must be residents. District No. 1 of which three members must be residents consists of the present city of Pittsburgh. -- District No. 2, of the city of McKeesport and of the boroughs and townships east of the Monongahela River and south of the Allegheny except the townships of Penn, Plum and Wilkins. District No. 3 consists of the cities of Clairton and Duquesne and of all the boroughs and townships west and south of the Monongahela and Ohio Rivers except the townships of North Fayette, Findley, Moon and Crescent and the borough of崇opolis. District No. 4 consists of the remainder of Allegheny County outside the city of Pittsburgh.<sup>1</sup>

Justices of the Peace, aldermen and constables are to serve out the balance of the terms for which they were elected. Justices of the peace and constables whose

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See Map on next page.

terms expire on the first Monday of June 1930, are to continue in office until January 1, 1932. Magistrates in the present city of Pittsburgh are to remain in existence until January 1, 1932.

This article also contains the schedule of provisions for carrying into complete operation all parts of the charter. The parts of the charter relating to elections are to take effect upon its ratification, all other provisions except those which are expressly stated to be effective at an earlier date or later date go into effect on the first Monday of January 1930.

The foregoing sections present a simplification of the charter with the provisions of importance, extracted from the legal phraseology in which the charter was framed. They provide a compact and comprehensive survey of the results of the entire work of the Governor's Commission. The charter itself shows the effects of the compromises that developed in solving the countless problems that arose between the City of Pittsburgh and the combination of the remaining cities, boroughs, and townships in the county. Evid-

ence is also contained therein indicating the valuable assistance rendered to the Commission by such experts as Dr. Thomas H. Reed and Dr. Paul Studensky. But above all these does the charter demonstrate the honest desire of the people of the county for reorganizing their local governments for efficiency, economy and honesty in operation?

The more important reforms that were provided for in the charter are included in the following list that was widely endorsed before the special election was held. They all make for better government -- an item in which Pittsburgh and Allegheny County have long been deficient. Officer-holders were directly responsible to the electors and in those appointive positions, to the department heads who were made to answer for the activity of their respective departments. Systematic budgeting, pre-auditing, expenditure of funds and post-auditing were established to reduce the "graft" that had long been seeping out of the treasury. Duplication of functions to be eliminated through the integration of city and county governmental organs. Assessments and taxation were to be founded upon a non-polit-

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See pages 28 and 29; also, Appendix D for comparison of the articles of the charter with those of a model charter.

tical and systematic, scientific basis. Police and fire protection was to be more effective through closer organization of the various municipal bodies in this category. Regarding the school system in the city-county government, the standards of education were to be raised by means of raising the qualifications of the applicants for teaching and of keeping the entire system free from political influences. Its only connection with the metropolitan government would be in the Department of Parks and Recreation for the development of recreational facilities. The continuance of the school system along its former lines of organization is guaranteed because of its success in the past. In explanation of these last statements:

"In some cities in the United States, the school board is treated not as a department of the city government, but as a public corporation separate and apart from the corporation of the city. In these, however, the board members may be appointed, the board has in its own control the raising of the funds which are necessary to carry on the schools under their charge, as well as the uncontrolled expenditure of these funds. Such is the position of the school authority in Pittsburgh. The collection of the taxes which have been voted by the school-board is frequently a function of the city government. Other cities in this category are Cincinnati, Indianapolis, Denver, Toledo, and St. Louis." (1)

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<sup>1</sup> Goodnow, F. J., "City Government in the United States," p. 264.

Authority of the new government was to be centralized in the Board of Commissioners, which was to control the appointments of heads of departments -- and also the removal of these departmental staff officials. The reorganization of the minor courts, in addition to assuring justice and expediency in the carrying on of judicial business, would aid in the elimination of graft and 'political pull' in the various branches of police work. The development of highways, traffic control and of a system of rapid transit throughout the area was to be aided by a scientific city-planning bureau of special engineers. Through smoke regulation and the standardization of all health measures over the entire county, the betterment of health conditions were assured. Poor relief and public welfare, both considered as municipal functions, were consolidated under a single department head, as was the case in most large cities; to wit --

"The larger the cities are the more liable they are to make poor relief a municipal function . . . . Pittsburgh has important functions relative to poor relief. . . . having a paid commissioner."<sup>1</sup>)

And last but by no means least, the adoption for use of the short ballot, which would aid in stimulating civic interest throughout the county in elections and other matters, less

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<sup>1</sup>Goodnow, F. J., op. cit., p. 254.

prominent, pertaining to local government and its administration.<sup>1</sup>

These items prove conclusively that better government, if not the direct aim of the charter, was the definite outcome from it -- if adopted. The intensive study that preceded the formulation of the final draft is typified by the two following citations:

"The plan of government should provide for a simple, definite and unified departmental organization with the municipal functions distributed in such a way that officials will have a clear understanding of their duties, and so that the public can definitely place and effectively enforce responsibility. It is desirable, however, that the charter should permit considerable flexibility in the organization of departments and in the distribution of functions.

"That type which provides for the short ballot principle and simplified, centralized, responsible government, and permits public opinion to enforce accountability, protects both the public and the officials. To the citizens is given the opportunity to determine first who shall represent them and later if that representation has been adequate; to the public official, the opportunity to demonstrate his efficiency and to have his stewardship judged in its merits."(2)

And:

"To be progressively efficient, municipal service must be based upon a complete and continuing understanding of the special social and economic requirements of the community which it serves. Only the confession by a few aldermen of the taking of

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<sup>1</sup> B'gh. Sun-Telegraph, "Proposed Metro Charter Summarized," March 6, 1929, p. 4.

<sup>2</sup> Capes, W. P., "The Modern City and Its Government," p. 98.

bribes was needed to prove conclusively the corruption of Pittsburgh's city council, but the complete inadequacy of Pittsburgh's government to meet the social requirements of the citizens of Pittsburgh was not shown until the life, industries and physical problems of the city had been surveyed by the Sage Foundation. The Pittsburgh survey provided an object lesson to American municipalities in the value of knowledge regarding a community's life in planning a program of governmental service." (1)

Certainly the attempt of the citizens to create a "Greater Pittsburgh" by their proposed charter was also an attempt to create a better Pittsburgh as far as the government was concerned. And the proposed charter was submitted to the public for vote of adoption or rejection.

ANNE M. COOPER

<sup>1</sup>Bruere, H., "The New City Government", p. 6

## **CHAPTER IV.**

### **THE CHARTER VOTE OF 1929**

The Charter vote of 1929 was the most important election in the history of the city of Toledo. It was the first election in which the city had a majority Negro population. The election was fought over the question of whether or not the city should have a mayor and city commission form of government. The city commission form of government was supported by the Negroes and the white working class. The mayor and city council form of government was supported by the white middle class. The election was won by the city commission form of government. The city commission form of government was established in 1930.

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## CHAPTER IV.

By virtue of its powers derived from the enabling act, the Pennsylvania Legislature designated June 25th, 1929 as the date for the special charter election. Interest in the issue waxed high, and until the day preceding the actual balloting, numerous pseudo-authoritative statements were presented to the public by the two opposing camps in a last-minute attempt to influence the populace in its action regarding the Metropolitan Plan. Mr. Peter Glick, Secretary of the Pennsylvania Department of Labor and Industry under Governor Fisher asserted that:

"The charter will do more to enhance the industrial prestige of Allegheny County, promote business and increase employment than any instrument of government ever devised anywhere. . . The advantages to be secured by Allegheny County under the metropolitan charter should be plain to every citizen of Allegheny County. Its mere adoption without further effort, will establish the federated city within the county as the fourth in the United States. Inevitably that will attract industry. . . It should be plainly apparent to the boro's and townships that the greatest benefit from this industrial expansion will be theirs. The whole trend of industrial and residential growth in Allegheny County is away from the present city of Pittsburgh. The increased taxable values to be established in the boro's and townships through the accession of new business and new population should serve to decrease the per capita tax now paid in those sections." (1)

Mr. J. W. Wickerman, boro-member of the Metropolitan Plan Commission, stated:

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<sup>1</sup>P'gh Post-Gazette, "Voters to Decide Fate of Charter Issue Tomorrow", June 24th, 1929, pp. 1,2,3,5.

"For twenty years, I have consistently fought against forcible annexation of the boro's and townships to Pittsburgh. I am now supporting the metropolitan charter because it protects the boro's and townships and under its provision the boro's and townships can join the Greater Pittsburgh and retain all their self-government." (1)

Burgess J. T. Small of East McKeesport contended that:

"As an official of the Boro of East McKeesport, I can readily see the many advantages to be gained by my home community under the Metropolitan Plan and I am confident there are hundreds of other boro and township officials who regard this in the same light. We also want the name, Pittsburgh, emblazoned throughout the world as that of the fourth city of America. That will mean as much to us in the rural districts as it will to the city residents." (2)

Mr. J. A. Fulton, former city treasurer of McKeesport claimed that:

"It is certain that the provisions of the metropolitan charter itself do not require any additional taxation and the amount required to pay for the operation of the plan will largely be decided by the people themselves, as they may from year to year insist upon more or less improvements and services, by the prevailing prices for labor and supplies, and by the business ability of the seven commissioners." (3)

The Allied Boards of Trade of Allegheny County thoroughly endorsed the Metropolitan Plan;<sup>4</sup> and one among many much-publicized "open" letters read as follows:

<sup>1</sup>P'gh Post-Gazette, "Voters to Decide Fate of Charter Issue Tomorrow", June 24th, 1929, pp. 1 & 3.  
<sup>2</sup>ditto, p. 5.

<sup>3</sup>ditto, p. 5.

<sup>4</sup>P'gh Post-Gazette, advertisement of Allied Boards of Trade "Metropolitan Pittsburgh", June 18th, 1929, p. 23.

"Pittsburgh can (tomorrow) be put on the map in such a large way that spectacles will not be needed by all the people in the nation to see it; . . . a million and a half population -- startling evidence of progress. This will draw new and diversified industries, bring better health and traffic conditions, insure more employment for incoming generations and not raise our taxes." (1)

It is no difficult task to recognize these final pre-election announcements as pure propaganda, but they are valuable in presenting the scene in which the election was held. The two opposing parties were clearly outlined; neither was able to ascertain the possible strength of the other in the question of the day, but it was generally conceded that the superior strength rested with the pro-charter group.

The election proper was held as scheduled on Tuesday June 25th. There was little or no sculduggery at the polls throughout the county -- because of the fact that there were no immediate prospects of patronage resulting from the outcome of the election. Two days later, on the 27th, official reports of the count of the ballots was published. The count showed forty-eight corporate units for the charter and seventy-four against it. A breakdown of the vote is as follows:

	<u>Cities</u>	<u>Boros</u>	<u>Townships</u>	<u>Total</u> <sup>2</sup>
For:	1	53	14	68
Against:	5	32	59	74

<sup>1</sup> P'gh Post Gazette, letter from Stevenson & Foster (Printing) Company to M.R.Scharff, President of Civic Club of Allegheny County, June 24th, 1929, p. 32.

<sup>2</sup> P'gh Sun-Telegraph, "Charter Action Awaits Official Count", June 27th, 1929, p. 1.

In this vote on the Metropolitan Charter, the goal of Greater Pittsburgh was endorsed by a big majority. It failed of ratification, however, because of the requirement of a two-thirds vote in a majority of the municipal sub-divisions that would have constituted the Metropolitan city.<sup>1</sup> The surprise of the pro-charter combination at the defeat of their project resulted in a judicial decree ordering a recount of the ballots. The rechecking of registration lists and of the contents of each individual ballot box caused only one change to be made in the final score, which was forty-nine units in favor of the charter and seven-three against it.<sup>2</sup> A further breakdown is important in order to demonstrate the actual effect of the "2/3 joker" clause that caused the defeat of the charter. The details of the vote are as follows:

	<u>For</u>	<u>Against</u>
Pittsburgh *	50,402	6,976
McKeesport #	584	7,121
Duquesne #	627	754
Clairton #	558	715
Sixty-six boroughs	25,086	15,705
Fifty-three townships	<u>10,570</u>	<u>9,702</u>
Total	87,807	40,973 (3)

<sup>1</sup> Editorial "The Charter Vote", P'gh Post-Gazette, June 27th, 1929, p. 6.

<sup>2</sup> P'gh Post-Gazette, "Charter Vote Recount Makes Single Change", June 29th, 1929, p. 1.

<sup>3</sup> "The P'gh Consolidation Charter", J.T. Miller, National Municipal Review, Vol. XVIII, No. 10, October, 1929, pp. 603-609.

\* City of the second class: see map p.

# Cities of the third class:

These figures show a majority of 9,381 in the sixty-six boros; of 868 in the fifty-three townships and of 36,585 in the four cities. Of the entire 122 municipal units, eighty-four cast their ballots in majority for the adoption of the charter, but only forty-nine secured the required 2/3 majority. Of the sixty-six boros, thirty-four gave the 2/3 vote; of the thirty-two that did not, eighteen gave a majority vote. Of the fifty-three townships, fourteen gave the 2/3 vote; of the remaining thirty-nine, seventeen gave a majority.<sup>1</sup> If 374 more votes had been polled by the pro-charter group -- and these additional votes had been spotted in thirteen municipal units in groups of from one to fifty-four, the necessary sixty-two units would have had the required 2/3 majority and the charter would have been adopted. (Note the implication in the last statement. One municipality fell short of its 2/3 goal by a single vote; and several missed their 2/3 majority by less than twenty votes.) The small margin of 374 votes in a territory of 725 square miles defeated the charter which would affect more than 1,400,000 people. Certainly this narrow defeat was no evidence of the futility of the work of the Commission of Study, and it set to work again, still under the leadership of J. T. Miller, to discover how the "joker" had found its way into the charter.

<sup>1</sup> "Voters Turn Thumbs Down on P'gh Metropolitan Charter", H. L. Faust, Nat'l Muni. Review, Vol. XVIII, No. 8, Aug. 1929, pp. 520-532.  
See also - "Greater Pittsburgh Behind At Polls", N.Y. Times, June 26, 1929, p. 10.

and what, if any changes had to be made in the charter itself. As near as was possible, it was learned that the 2/3 majority clause had been picked up somewhere in the legislative machinery at Harrisburg. Either it was the fault of a legislative clerk or an intentional insertion by the leader of the opposition. The House Committee was charged with the responsibility for the "joker", but the exact source and origin of the fatal phrase 'at least 2/3 of all' has never been determined. Another important item in the 1929 charter vote was the size of the total number of ballots cast. In the 1928 election, the total number of votes cast in the entire county was 376,924; but at the special charter election in 1929, only 128,780 ballots were extracted from the ballot boxes. This was, in part, due to the fact that the election was held in the latter part of June -- when many people were preoccupied with activities in the outdoors and were not concerned with the unseasonal election.<sup>1</sup> Politics most certainly had a hand in the outcome of the vote.

<sup>1</sup> "The P'gh Consolidation Charter", J.T. Miller, Nat'l. Muni. Review, Vol. XVIII, No. 10, October 1929, pp. 603-609.

## **CHAPTER V.**

### **SUBSEQUENT LEGISLATIVE CHARTER ACTION --**

## CHAPTER V.

The frustration of the plans of the Governor's commission in 1929 proved to be merely a momentary delay in its attempt to create a Greater Pittsburgh. Few political repercussions were forthcoming from the charter election. And once again, the champions of the lost cause set forth to see their object carried through to its successful culmination -- Metropolitan Pittsburgh. In viewing its defeat, several proponents of the Plan stated that:

"From various uninformed, unfair and deliberately prejudiced sources, the charge has emanated that under the Metropolitan charter, there will be a general refunding of existing municipal debts, and that all of these, through reissues of bonds, will be assumed by the federated city government."

C. A. Woods, Sr., boro solicitor of Sewickley maintained that: "This is entirely inaccurate, and without a shred of foundation. It is specifically set forth in the charter that all present municipal debts are continued as obligations on the city, boro or township that assumed them. . . . The only thing that might be called refunding is the matter of financing through-traffic highways." (1)

In defence of his program, J. T. Miller, chairman of the Commission, asserted that:

"The Department of Health shall have authority to make and enforce regulations to prevent the introduction and spread of infectious diseases. . . . It shall accomplish this by the regulation of intercourse with infected places, by the separation of infected persons and persons who shall have been exposed to any infectious or contagious diseases, and by abating and removing and preventing all nuisances prejudicial to the public health." (2)

<sup>1</sup> "Denies Refund Provisions in Metro Charter", P'gh Sun-Telegraph, June 20, 1929, p. 3.

<sup>2</sup> "New Charter Guards Health", P'gh Sun-Telegraph, July 7, 1929, p. 2. See also issues for July 8 and July 10, 1929.

In this statement, he implied that a healthier Pittsburgh would obviously mean a Greater Pittsburgh.

The members of the Commission sought to have the charter re-submitted to the popular vote in the 1930 election, but by judicial decision of the Supreme Court of Pennsylvania, it was necessary to have the charter bill re-passed in both houses of the state legislature before the identical or a new form of the charter could be placed on the ballot for popular referendum.<sup>1</sup> With few minor changes, the charter bill was reintroduced into the Legislature in 1931 by Representative Glenn Moore, administration leader in the House.<sup>2</sup> This bill was defeated by a close vote, and thus, definite action upon the Metropolitan Plan was postponed for that session of both houses. At this development, the backers of the charter movement managed to obtain propaganda for the furtherance of their cause. From an authoritative view of the entire proceedings,

<sup>1</sup> Judicial Decision: O'Connor versus Armstrong, 149 Atl. 655, (Metropolitan Government -- The P'gh Project), Nat'l Muni. Review, Vol. XIX, #6, June 1930, pp. 433-4.

See also: Editorial: "The resubmission of the P'gh metropolitan charter", Nat'l Muni. Review, Vol. XVIII, #12, Dec. 1929, p. 729.

Also: "Court Rules Against Second Metro Charter Vote", Mt. Washington News, Aug. 23, 1929, p. 4.

And: "Metro Appeal Heads Docket", P'gh. Sun-Telegraph, July 7, 1929, p. 14.

<sup>2</sup> "P'gh Bill Introduced Again", Nat'l Muni. Review, Vol. XXIV, #3, March 1935, pp. 183-194.

See also "Pittsburgh Public is Feeling Its Cots", N.Y. Times, April 5, 1931, Sect. III, p. 5.

C. O. Sherrill, former city manager of Cincinnati, stated:

"TWO governments to control Pittsburgh and Allegheny County represent a model of waste. This city should adopt the city manager style of government and then extend its boundaries to the limits of Allegheny County. . . . Savings of operation costs of the county government would be enormous as the city, which is the vital center of the county, took over the major part of the work. . . . Further economy would be realized in the city manager form of government, making a total significant saving for taxpayers. . . . The city manager plan would weed out whatever political strangle-holds are prevalent in the city, and would put the city in a place to save money on work divisions. The city manager plan would work almost flawlessly, if properly used, in connection with the metropolitan plan. It would be a direct aid in industry and would stimulate business from several different angles. Better factory sites could be offered within the city. There would be better co-ordination of roads and transportation facilities, if the usual case may serve as a model for this city. Crime should be handled better as one department of police kept watch over the entire county. The co-ordination available is a noteworthy project. . . . I believe Pittsburgh would be taking one of the most progressive steps for its future well-being if the city-manager and metropolitan plans were taken jointly." (1)

The value of this statement was derived by disregarding the stress upon the city manager form of government and emphasizing the importance of the Metropolitan Plan. The obvious ultimate success of the Plan in a popular referendum caused all the civic groups from the Chamber of Commerce to the

<sup>1</sup> "Sherrill Hails Metro Charter as Thrift Move", P'gh Press, December 16, 1930, p. 3.  
Ed: "Metro Bill", P'gh Post-Gazette, Nov. 10, 1930, p. 7

Central Labor Union to climb upon the "bandwagon" of the Greater Pittsburgh movement.<sup>1</sup>

In 1933, Senator F. J. Harris and Representative John Kane, both of Allegheny County, introduced the "Greater Pittsburgh" bill into both houses of the state legislature.<sup>2</sup> But the Democrats, in control of the House, and several Republican members from Allegheny County effected the dismissal of the House Committee then holding the bill. Once again was action upon this issue postponed until the following session of the Legislature.

The year 1935 saw the Metropolitan Plan endorsed with new vigor by the civic bodies of the city and county.<sup>3</sup> On January 9th, the Civic Club of Allegheny County made a formal statement, guaranteeing its consolidated support for a plan to end the existing overlapping and duplication of authority and functions, and to establish more efficient and more economical governmental services. Mr. E. Lowry Humes, former Chairman of the Peoples Metropolitan Commission (subordinate to the Governor's Commission) and present President of the Civic Club of Allegheny County, claimed:

<sup>1</sup> "P'gh Bill Introduced Again", Nat'l Muni. Review, Vol. XXIV, #3, March, 1935, pp. 163-4.

See also: "Experts Urge Managers For Counties", P'gh Sun-Telegraph, Feb. 14, 1934, pp. 1 and 19.

"County Manager Plan Urged to Cut Tax", P'gh. Sun-Telegraph, Jan. 31, 1934, p. 3.

<sup>2</sup> Ibid.

<sup>3</sup> Ed: "Give P'gh Its Rightful Heritage", E. Liberty (P'gh) Tribune, April 12, 1935, p. 8.

Ed: "The Metro Bill Must Be Passed!" E. Liberty (P'gh) Tribune, June 14, 1935, p. 8.

"As the first step toward the accomplishment of ending government by political machines, we insist upon the adoption of the principles of proportional representation in the election of the board of commissioners to which will be entrusted both legislative and executive power. No political machine can secure control of the municipality through the election of a slate of candidates under this system. As an additional guarantee of the efficiency, competency and integrity of the administrative agencies necessary to government, we insist on adequate and effective civil service control and supervision over the selection of all employes and the protection of their tenure of office." (1)

(The findings of this local self-organized and self-sustained commission were the principles that guided the Civic Club in the formulation of its Metropolitan Charter -- below.)

For these ends the Club proposed:

1. The abolition of the present government of Allegheny County and the Poor District thereof, together with all the offices now existing under these two units, all of the property, powers, functions, rights and obligations of the said County and Poor District to be transferred to the metropolitan government.
2. Transfer all such powers, rights and obligations of the existing municipalities to the metropolitan government as may be consistent with the Constitution of Pennsylvania, and as provided in the charter.
3. Provide for an easy method of subsequently consolidating or abolishing the smaller component units, and the transfer of their powers and functions to the metropolitan government, in such manner as the Constitution now or in the future shall provide.
4. The adoption of the City Manager plan for the metropolitan government, the legislative authority to be conferred upon a council or commission of seven or nine members, to be elected at large, by proportional representation, and the administrative

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<sup>1</sup> "Metro Plan Urged to End Machine Rule", P'gh Post-Gazette, May 28, 1928, p. 3.

authority to be entrusted to a manager, chosen by and responsible to the council or commission. Provision shall be made for the manager to be chosen solely upon the basis of previously demonstrated administrative capacity, and who need not, at the time of his appointment, be a resident of Allegheny County, or of Pennsylvania.

5. The establishment (among other departments) of a Department of Public Safety in the Metropolitan government, which shall include a Bureau of Police and a Bureau of Fire. The Department shall have jurisdiction throughout the metropolitan area, and be subject to the control of the separate municipalities in which it may operate. Nothing in this provision shall be interpreted to deprive separate municipalities of powers to maintain their own police and fire departments.

6. The establishment of a rigid merit system for recruiting the employees of the Metropolitan government, to the end that the spoils system of making appointments shall be abolished.

7. The abolition of the offices of Justices of the Peace, Aldermen and Magistrates, together with the abolition of all the magisterial or judicial powers of the mayors and burgesses. All the judicial powers of the aforementioned officials, together with such other powers as may be provided by law, to be vested in a uniform municipal court, which shall have jurisdiction throughout the metropolitan area.

8. The establishment, as part of the municipal court, of small claims, arbitration and conciliation divisions, and the further establishment of the office of "Public Defender", the duty of which office shall be to provide legal aid for those unable to employ counsel.

These eight items, while they were in substance contained in the charter of 1929, were a clear and concise outline of the major points for reorganization of the city-

county government, with definite statement as to alteration of the Plan after adoption. They were incorporated into a bill by the Civic Club, which bill was introduced into the 1935036 session of the Legislature by Senator Frank J. Harris of Allegheny County. The bill was referred to committee under the sponsorship of George Rankin, Jr. and became known as Senate Bill 718.

The Bill was to be submitted to vote at a special election on August 8th, 1935, providing it was passed by the Legislature. If approved, it was to go into effect on January 1st, 1936. If rejected, it was possible to resubmit it every two years until adopted, without any further action by the Legislature. The finished charter, as it was to be presented to the houses for vote, was a bulky piece of composition of approximately 180 typewritten pages which, however, never reached the vote of the Legislature. The Bill was held in committee until well into the legislative session, at which time the committee was dismissed. Once again, the movement was frustrated.

Examination of the Bill is important because it is very likely that it will remain in this form until the need of further alteration is determined by its defeat in a popular election.

In brief, the 1935 charter proposes:

To create a more modern and scientific form of government for the county.

To eliminate the antiquated methods accumulated during the last century.

To provide a method of consolidation of two or more units so minded of their own will.

To set up machinery for local units to cooperate on metropolitan services.

To prevent unloading of burdens on Pittsburgh on the suburban units.

To prevent unloading of burdens of the suburban units on Pittsburgh.

To enlarge the board of commissioners to seven members, with a salary cost less than at present.

To make the new board of commissioners legislative only.

To create the office of administrator with full executive and administrative powers, embodying the city manager plan, to eliminate all politics possible and secure maximum efficiency and reduction in costs.

To create a county department of welfare, taking in the present City of Pittsburgh's welfare department and taking over the duties of the present county poor directors to secure greater economy and maximum efficiency.

To create an optional central tax-collection bureau which will also result in economies when units avail themselves of the opportunity.

To create a central tax board for the assessment and revision of taxes; this board making assessments for the entire county -- urban and suburban, meaning equity and economy.

To create a department of personnel with civil service principles embodied, which will take out of politics county employees not elected by people or appointed by the courts. This will mean greater efficiency and economy and security of employees fully qualified for public service.<sup>1</sup>

To create a board of assessment appeal of three members, appointed by judges of the court of common pleas, instead of by the commissioners, thus taking out of the tax levying body the power to control appeals.

To abolish the old minor judiciary. This means another immense saving to those whose court it is, many times the cost of the new municipal court designed to do away with present injustices.

To give the commissioners power to create the office of public defender, if it meets public approval. When this is done, more economy will result from reduction of the number of court cases, with an increase in efficiency and speed of action. The purpose is to prevent malicious arrests, to keep out of court, cases which should never come to trial, and to give all accused, without finances, an opportunity

<sup>1</sup> See "Raise Fund to Defend F'g Employees", N.Y. Times, May 3, 1926, p. 5.

for proper defense.

To prevent one person drawing two municipal pensions. This means more savings to the taxpayers. It prevents a person's receiving a national, a state or a municipal pension (except for military service) being employed in the federated city. This will mean more efficiency and consequent economy.

To require the office of register of wills to pay state fees to the public treasurer, effecting greater economy.

To secure full time of all officers and employees, (except board of commissioners) for full time salary resulting in economy and efficiency.

To see that all elected officers are permitted to complete their terms. No 'ripper' in the charter.

To provide that if proportional representation is adopted by the state, through proper constitutional provision, it automatically becomes part of the charter.

To leave all present special tax legislation undisturbed.<sup>1</sup>

The charter abolishes the county government of Allegheny County and its Poor District. It creates one new unit to be called the City of Metropolitan Pittsburgh, leaving all the other units intact -- cities, boroughs, townships

<sup>1</sup> See Appendix B.

and school districts. Thus, it merely reduces the number of governmental units from 245 to 244. (This cannot be blamed upon the Commission which strove for consolidation as far as the state constitution permits.) The new unit would be governed by a board of commissioners of seven persons. The county would be divided into six districts -- three in Pittsburgh and three in the remainder of the county.<sup>1</sup>

One member of the board would be elected from each district and the Chairman would be elected at large. There would be no mayor or anybody with a veto. The Chairman would preside at meetings, having one vote. The commissioners would be elected for four-year terms. Their salaries would be \$5,000 per annum; that of the Chairman, \$6,000. The members must have been citizens of the United States for ten years (Chairman for twenty years) and must have been residents of the district for five years (Chairman, ten years).

The charter embodies the city manager idea, designating this officer by the term "Public Administrator".

It gives him the same powers as a city manager and attempts to make him an independent expert. He is to be appointed by the Commissioners for a four-year term; and is removable for cause by a 2/3 (5/7) vote of the Board, but he may be reappointed. The Public Administrator must have been a

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<sup>1</sup> See Map, p. 101a.

citizen for ten years, but he need not be a local resident. He must have had at least ten years practical experience as an engineer, accountant or financial officer. He is to appoint and remove all personal assistants at will, to appoint all heads of departments and members of commissions with the approval of the Board. He may remove all heads of departments and commissions, except when they demand a hearing (public) and when there is a 2/3 over-rule of his action by the Board. He is to have complete executive direction and management, except as explicitly stated in the charter.

The charter provides for nine administrative departments: Finance, Health, Safety, Public Works, Welfare, Parks and Recreation, Planning, Personnel and Law. Each department is to be headed by a single Director appointed by the Public Administrator. However, the Board of Commissioners may create other departments, defining duties and powers, providing for appropriations to meet costs of operations, et cetera.

Since the municipal divisions remain, it is important to make an examination of the powers accruing to the central government. All powers now belonging to Allegheny County and the Poor District are to be acquired by the new

unit. All powers now exercised by divisions -- especially welfare, care of indigent, sick, insane, delinquent and neglected children, are to accrue to Metropolitan Pittsburgh. In addition, the new city is to have plenary powers in regard to health, maintenance of hospitals, parks, swimming pools, athletic fields, et cetera. Also, the powers to designate any street or streets as through-traffic streets, lay out new ones, pave, improve and patrol the same; the powers to regulate smoke and provide for its elimination, to conduct a scientific and non-political assessment for taxation, and to establish, recruit and train a police and detective force -- these are to be exercised by the new unit. The police are not to be assigned, except in emergency, to divisions maintaining police, but they may be loaned to the divisions -- subject to local control.

The Board of Commissioners is authorized to make whatever qualifications it deems advisable, upon recommendation of the Department of Personnel. This department is required to classify all positions and to recommend qualifications. No person can be appointed without examination and report by the department. This merit system is expressly provided for the Metropolitan Police. Its applicants must meet the same qualifications as the Pennsylvania State Police, having one period of six months training and one of four months probation before becoming regular members.

There is to be one judge for each 100,000 in population or fraction thereof. This would constitute a Court of Record of fourteen judges. (The size of membership is determined entirely by census.) The judges would be appointed by the Governor of the State. Upon recommendation of the Board of Commissioners, he may appoint up to five additional judges depending upon the amount of business to be executed by the court. These judges, who are to be known as 'Magistrates', must possess: Judicial temperament, honesty, intelligence and integrity; in addition to ten years business or professional experience; ten years satisfactory service as alderman; or five years actual practice as attorneys. The President and the two Vice-President judges are to be designated by the Governor -- the former must be an attorney, and the latter two must both have at least ten years legal experience. All magistrates are to hold office for ten years and their salaries are to be: President -- \$7,500 per annum; Vice-president -- \$6,500; and the other members -- \$6,000. They are to assume all the duties of the present aldermen, magistrates and Justices of the Peace, and their jurisdiction extends to cover the following: all civil actions involving only money judgment; replevin action up to \$500; all violations of ordinances; powers to establish conciliation and arbitration courts; and the authority to establish

appropriate divisions of the court including a small claims division. The magistrates are to be rotated while in office, holding court for not more than three consecutive months in one location. It is the power of the President to designate districts for holding the court and for the transfer of cases. All appeals are to be to the County Court of Allegheny and to the Court of Quarter Sessions and Oyer and Terminer. Despite all these changes, the duties of burgesses and mayors are not disturbed. All magistrates and Justices of the Peace will be abolished, except that those in office will continue until the expiration of their terms.

These foregoing provisions are important in their advancement from the dilapidated and antiquated forms of the existing government, but more important in this charter is the absence of the '2/3 joker' that was so disastrous to this cause in 1929. The charter merely requires a majority of all votes cast in the county, and a majority vote in a majority of the municipalities in the district. With the demise of the Pittsburgh Bill in committee, the movement for the adoption of regional government was definitely halted. At the time of this writing (April 1937), another Metropolitan Bill is being considered for presentation to the 1937-1938 session of the State Legislature. This bill is identical with that presented in the 1935 - 1936 session. Its success in the Legislature is entirely dependent upon the

attitude of the Democrats who control both houses. Although, pledged to the support of municipal home rule, they can scarce refuse a referendum vote on the adoption of the plan, which is what this bill and the corresponding Philadelphia bill provide.<sup>1</sup>

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In retrospect, the adoption of any metropolitan plan for Pittsburgh and Allegheny County will depend largely upon the political set-up in the region at the time of vote. - The eventual success of the proposed plan has not been denied by any persons concerned, directly or indirectly, with the city-county governments. It is impressive to consider the views of some of these people regarding the plan, and to compare the generalities that are expressed in almost every case. It must be considered that several of the following statements connote varying political affiliations and interests, but all of them contain valuable points for consideration in accurate appraisement of the advantages to be derived from the Plan.

Mr. F. C. Harper, Secretary-Treasurer and General Manager of the Pittsburgh Chamber of Commerce, stated:

"It is difficult to prophesy (concerning the adoption of the Metropolitan Charter) whenever politics is an element to be considered. However, the enabling act, which was in the state Legislature last winter (1935-36) was discarded because of differences between the Senate Bill and the House Bill,

<sup>1</sup> "P'gh Bill Introduced Again", Nat'l Muni. Review, Vol. XIV, #3, March 1935, pp. 183-4.

(differences) which were not ironed out before the session ended. But I do look for a resubmission of the charter in the not-too-distant future because of the increased tax-consciousness of the general public. The people are carrying a heavier tax burden than in 1929 (when the first special election was held) and the charter will decrease taxes by reducing the number of governmental organs, thus eliminating duplication of functions, and making for a much greater economy in our municipal government." (1)

Mr. W. H. Magee, former Mayor of Pittsburgh, asserted:

"In 1907, Allegheny was annexed against its will by more than a two-to-one majority of the aggregate vote. In 1911 when I was mayor of the city, I had a bill introduced in the legislature to have a number of the contiguous municipalities annexed to the city -- increasing the area of the city from forty to approximately eighty square miles. This was defeated and in 1916 came the movement for consolidation of the entire county. This met with my disapproval because the object of such bodies and the Chamber of Commerce was merely to increase the population figures of the city so as to make it fourth in the United States. This is too minor an issue to validate the charter. Inasmuch as the charter retained to the boroughs and townships all but a few of their original powers, complete consolidation would only be eventual by a slow process of growth and assimilation. In addition, the objections of the steel officials and other members of the underlying municipalities was that when any trouble arose, City Hall was too far away for prompt action. Also, many of these manufacturing towns have had their own historical growth while others are merely 'bed-rooms' for workers in the city district."

"To extend the quality of government now in force in the City of Pittsburgh, over the entire county (about 740 square miles in area) would be too expensive an undertaking for the entire population." (2)

<sup>1</sup> Interview September 31st, 1936

<sup>2</sup> Interview September 22nd, 1936. (both in Pittsburgh)

('Mayor' Magee, as he is now called, is a nephew of the late Christopher Lyman ('Chris') Magee, notorious boss of P'gh politics during the latter part of the nineteenth century.<sup>1</sup> W. A. Magee sat as a member of the common council in 1883 and in 1909 became mayor of Pittsburgh.<sup>2</sup> He is widely known for his political influence in having his proposals for a graded-tax enacted by the Legislature. In passing, the entire tax revenue for municipal purposes was derived from taxes on real estate; there were no taxes levied by the city government on any other form of property or income; the municipal tax rate on buildings was fixed at one-half the tax rate levied on lands. This last feature was known as the 'graded tax'.<sup>3</sup> At the time of his above statement he was speaking from an entirely unbiased viewpoint -- having severed political affiliations several years ago.)

Mr. ('Colonel') C. C. M'Govern, former county commissioner and one-time member of the Governor's Commission, claims:

"I'm for home rule, but I do believe that the metropolitan charter would be a great step forward for the City of Pittsburgh. No longer is the political set-up of Allegheny County under a one 'boss' party. This situation will naturally delay adoption of the charter."

"I, for one, live in the country (Moon Township) and yet I cannot say that I am in accord with the

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<sup>1</sup> See Lincoln Steffens: The Shame of the Cities, pp. 145-190.  
<sup>2</sup> Zink, H., "City Bosses in the United States", p. 241.  
<sup>3</sup> "P'gh's Graded Tax in Full Operation", P.B. Williams,  
 Nat'l Muni. Review, Vol. XV, #12, Dec. 1925, pp. 726-32.

provisions of the latest-proposed charter. I would prefer to have a city-county policeman pass my home every so often, because he would be superior in intelligence, morals, et cetera than any of the boro or township police now in active duty. At present, there are about 5,000 police in Allegheny County with approximately 124 chiefs at their heads. The lack of uniformity in standards of peace and order, plus the dishonesty of the petty officials, goes toward greatly increasing the cost of our police system. (1)

Every area in the entire county is sufficiently close to at least one of Pittsburgh's three rivers to have adequate fire protection -- yet there is not even an independent volunteer fire department where I live. We have to guarantee the fire department of Coraopolis fifty dollars for each trip that it makes into our township whether there is a fire or not. Certainly this shows a lack of development that cannot be explained by a prohibitive cost of adequate fire protection under the government of the federated city.

"It is the small-town political 'heeler' which abounds in most of the boros and townships of this county, that is most strongly opposed to the adoption of the charter. Because one man wants to be burgess or tax-collector, and his brother-in-law is on the local police force, fear of losing their petty graft and political spoils causes them to fight against annexation. Consequently, the present form of the charter is really only a plan for development of utilities to one standard throughout the county -- meanwhile putting Pittsburgh in fourth place in the federal census ranking. If the charter is adopted, I believe that the small political 'heelers' will eventually die off, and that by a slow process of consolidation, uniformity throughout the county will become a fact." (1)

The "slow process of consolidation" as mentioned above, is the only practical solution to the problem of complete consolidation. The formulation of the charter with the provision that eliminates all possibility of forcible annexation of the smaller municipal units was considered by the Commission and the Civic Club in its bill to be the only form in which the charter would be accepted by the outlying

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<sup>1</sup> Interview, September 21st, 1936, Pittsburgh, Pa.

divisions. Complete consolidation would undoubtedly be the acme for the greatest efficiency and economy in the operation of the government for the entire region.

Mr. J. T. Miller, President of the League of Boroughs and Townships of Allegheny County and Chairman of the Governor's Commission, maintains that:

"From one viewpoint only, the movement was to make Pittsburgh stand forth in the world as a great city. There were many other considerations. As far as population goes, it is today, we believe, the fourth city in the United States, and acts commercially, industrially, socially, financially, and in every other way as the fourth city should act. Politically, this is not so. It is broken up into 122 units. Population does attract population. Industry does attract industry. Commerce does attract commerce. It is easy to treat and criticize such a movement from a flippant, hypocritical standpoint, but it is hard to make our dreams for such movements come true and to build as one should build for metropolitan necessities and metropolitan needs. It is difficult to recreate a political system -- to change it from antiquated form to a powerful up-to-date organization that could make not only a bigger city but vastly better, and a greater servant to its people and to this nation, than it has been or can be under the old system." (1)

Herein Mr. Miller justifies the keynote as emphasized by the proponents of the first metropolitan charter. The increase in population would have far-reaching and lasting effects upon the economic welfare of the entire region. This is one of the many cogent arguments in favor of the charter that cannot be adequately refuted by any members of the opposition

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<sup>1</sup> Interview, September 23rd, 1936, Pittsburgh, Pa.  
See also: "The P'gh Consolidation Charter", J.T. Miller,  
Nat'l Muni. Review, Vol. XVIII, #10, October 1929,  
pp. 603-609.

Dr. M. L. Faust of the University of Pittsburgh stated:

"Undoubtedly charters will be submitted from time to time. Meanwhile, the Pittsburgh District will continue satisfied with its dilapidated and antiquated mechanism of government. Since there is neither the temper nor the disposition among those in high places to dislurb seriously the status quo, it is very unlikely that any charter of the near future will embody those changes obviously imperative to organize the metropolitan government, which is to succeed to the county government, along modern and thoroughly scientific lines." (1)

No truer statement of the situation could be given than the above. The exact influence which the politics of the region exerts upon the adoption of a plan cannot be overestimated. Until some plan is favored by the citizens of the area, the protagonists of the consolidation movement will have to combat the underhanded and questionable work of the politicians -- especially those in the smaller communities.

In concluding this study of the Pittsburgh question, it is fitting to quote the statement made by Dr. Paul Studensky of the National Municipal League concerning this issue. It was made from an authoritative and an unprejudiced standpoint, with a detached interest, save for the fact that it falls within Dr. Studensky's special field of governmental study. The statement reads as follows:

1 "Voters Turn Thumbs Down on Pittsburgh's Metropolitan Charter", M. L. Faust, Nat'l. Nuni. Review, Vol. XVIII, #8, August, 1929, pp. 529-32.

## APPENDICES

APPENDIX A.

Provisions of the first comprehensive Metropolitan Charter as set forth by Burd S. Patterson under the supervision of the Pittsburgh Chamber of Commerce [taken from "A Plan for Metropolitan District Action in This Legislature" by B. S. Patterson, in Pittsburgh First, official publication of the Pittsburgh Chamber of Commerce, February 24th, 1923].

1. The community formed should be in the nature of a metropolitan district in which there should be a central authority absolute as to certain things.
2. This district should be divided into large sub-districts or boro's whose authorities should have entire control of boro matters.
3. The Mayor and Controller of the Metropolitan district should be elected by all voters in the district.
4. The voters in each boro should elect at least one representative to the metropolitan council. Pittsburgh and McKeesport should have additional representatives or votes, based on relative population.

5. The voters of the boros should elect officials having special jurisdiction over boro matters
6. There should be from seven to ten boros, determined by the physical characteristics and the character of the pursuits of the people being taken into account.
7. Mayor, controller and council should have jurisdiction over the fire, police, transportation, water and sanitary affairs of the whole district.
8. Adjustment of the various public service corporations would have to be provided for in regard to the consent of the peoples of the various communities concerned.
9. Control of schools will be under central authority; teachers will be selected from the boros wherein they reside.
10. The area of the metropolitan area should be about one hundred square miles.

APPENDIX B.THE ACT CREATING THE COMMISSION AND DEFINING ITS DUTIES  
AND REQUIREMENTS

No. 282 - 1923  
No. 389 - 1925  
No. 339 - 1927

Providing for the creation of a Commission to study the subject of consolidation of the various municipalities, to wit, Cities, Boroughs, and Townships, in Counties of the Second Class, into one Municipality, and to file with the next General Assembly, its report together with an Act providing a method for such consolidation; and prescribing its powers and duties.

Section 1. Be it enacted, etc., That the Governor is duly authorized and directed to appoint a Commission of twenty-four persons, eight of whom shall be residents of cities, and sixteen of whom shall be residents of Boroughs and Townships, and at least one of whom shall be a Civil Engineer, to study the subject of consolidation of the various Municipalities, to wit, Cities, Boroughs and Townships in Counties of the Second Class into one Municipality, and to file with the next General Assembly its report, together with an Act providing a method for such consolidation.

Section 2. The members of the Commission shall receive

no compensation for their services, but shall be reimbursed for all expenses necessarily incurred in the performance of their duties.

Section 3. The Commission may appoint a Secretary and such other agents, employees, and legal counsel at such reasonable compensation as it may determine.

Section 4. The County and the several Municipalities are authorized to make appropriations for the use of the said Commission in the payment of its expenses but such appropriations shall not exceed in any case, \$1.00 in any year for each 100 inhabitants of the County or of the Municipalities.

Approved the 8th day of June, 1923.

Gifford Pinchot.

APPENDIX C.FULL TEXT OF THE AMENDMENT FOR A METROPOLITCAN PLAN IN THE  
COUNTY OF ALLEGHENY, STATE OF PENNSYLVANIA.

[submitted to popular vote on November 6th, 1928]

A JOINT RESOLUTION

"Proposing an amendment to Article fifteen of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a new section to be known as Section four thereof.

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof:

Section 4. The General Assembly is hereby authorized to provide for the consolidation of the county, poor districts, cities, boroughs and townships of the county of Allegheny, and the offices thereof, into a consolidated city and county, with the constitutional and legal capacity of a municipal corporation, to be known as the City of Pittsburgh, and to provide for a charter for its government."

The said charter shall be submitted to the electors of said county, at a special election to be provided for therein. If the majority of the electors voting thereon, in

the county as a whole, and at least two-thirds of all the electors voting thereon in each of a majority of the cities, boroughs and townships thereof, vote in the affirmative, the act shall take effect for the whole county.

If rejected, the said charter may be resubmitted to the electors in original, new or modified form, at any subsequent election until adopted.

It shall be competent, subject to the police power of the State, for the Legislature to provide in said charter:

1. For the exercise, by the consolidated city, of all the powers and duties vested in the county of Allegheny, and the poor districts thereof, and such other powers appropriate to a municipality as may be specified therein, except such powers as are specifically reserved by this section to the municipal divisions herein provided for.

2. For the election, by the people of the consolidated city, of a board of commissioners, the number to be fixed by the charter, in lieu of present county commissioners, in which board shall be vested all the powers of the consolidated city and county, except as otherwise provided in the charter.

3. For the organization of a government for the consolidated city and county, and for the election or appointment of the constitutional and other necessary officers thereof, and for their powers and duties.

4. For the organization of all courts, other than those of record, in the consolidated city, and for the procedure thereof, and for the appointment of judges and officers thereof, which courts shall exercise the jurisdiction, powers and duties of the magistrates, aldermen and justices of the peace, and such other powers as may be conferred by law.

5. For the transfer to the consolidated city of the property and indebtedness of the county of Allegheny, and the poor districts thereof, and of such property and indebtedness of the cities, boroughs and townships thereof as relate to the powers and duties of said consolidated city, and to provide for an equitable adjustment and payment of such indebtedness, and for this purpose, any taxation therein shall be uniform taxation within the meaning and intent of other provisions of this Constitution.

6. For the assessment of property for taxation, the levying and collection of taxes, and the payment of the cost of any public improvement, in whole or in part, by special assessment upon abutting and non-abutting property materially benefitted thereby, and, for this purpose, real estate so charged shall be classified as urban, suburban and rural, and assessments made in accordance with such classifications.

7. For the creation, by the board of commissioners, of districts for the purpose of regulating the location, height, area, bulk and use of buildings and premise.

8. For the creation, by the board of commissioners, of special districts for the purpose of acquiring, constructing, maintaining, operating or contracting for, any public property, work, improvement, utility or service, not for the exclusive benefit of any one municipal division, and for the payment of the costs and maintenance of such property, work, improvement, utility or service, there may be special taxes levied throughout such special districts respectively, separate and apart from the general city tax.

Provided, however, That it is the intent of this section that substantial powers be reserved to the cities, boroughs and townships situated in Allegheny County.

To this end the charter shall provide for the continued existence of the said cities, boroughs and townships, as municipal divisions of the consolidated city, under their present names and forms of government, subject to the laws provided for government of municipalities of their respective forms and classes, except as provided in the charter, and with their present boundaries, provided that the city of

Pittsburgh may be designated by a term other than city and may be divided into two or more municipal divisions, and that any two or more municipal divisions of the consolidated city may, with the consent of a majority of the electors voting thereon in each of such divisions at any general or special election, be united to form a single municipal division.

The said municipal divisions shall have and continue to possess the following powers:

1. The constitutional and legal capacity of municipal corporations, except as limited in the charter.
2. The power to lay and collect taxes and to incur indebtedness, subject to the limitations which are or may be imposed by law upon cities, boroughs or townships of corresponding classifications, for the purpose of carrying out any lawful power of said division.
3. The power to acquire, own, construct, maintain, operate or contract for all kinds of public property, works, improvements, utilities or services, which shall be within the municipal division, and principally for the use and benefit of the inhabitants thereof, provided this power shall not be taken to include the construction and maintenance of through-traffic streets and bridges, tunnels, sub-

ways and appurtenances thereof, nor main or trunk lines for sewer, power and water service, running through more than one municipal division, and designated as such by the board of commissioners.

4. The power to maintain a local police force, and local fire department, with the necessary buildings appurtenances and equipment therefor, which may be supplemental to the police force and fire department of the consolidated city.

5. The power to establish a limitation of indebtedness for the consolidated city and the municipal divisions thereof, provided that the total of the indebtedness of the consolidated city and the municipal divisions thereof shall not, in the aggregate, exceed the limits of the total indebtedness allowed by the Constitution to the county and to the separate municipalities.

6. All other powers not specifically granted by the charter to the consolidated city: Provided, however, That a municipal division may surrender, by majority vote of the electors voting thereon at any general or special election, any of its powers to the consolidated city, subject to the acceptance thereof by the board of commissioners.

The said charter may be amended by the Legislature, sub-

ject to ratification by a majority of the electors of the consolidated city voting thereon at any general or special election. Provided, That no amendment reducing the powers of municipal divisions shall be effective unless ratified by a majority of the electors voting thereon in each of a majority of said divisions."

APPENDIX D.THE MODEL CHARTER.\*

Main provisions of such charter with Home Rule:

**CORPORATE POWERS****THE COUNCIL****NOMINATIONS AND ELECTIONS****THE RECALL****THE INITIATIVE****THE REFERENDUM****INITIATIVE, REFERENDUM AND RECALL PETITIONS****ADMINISTRATIVE SERVICE****DEPARTMENT OF LAW****DEPARTMENT OF FINANCE****DEPARTMENT OF CIVIL SERVICE****APPROPRIATION OF PROPERTY, AND SPECIAL ASSESSMENTS****FOR PUBLIC IMPROVEMENTS****PUBLIC UTILITIES****CITY PLANNING AND ZONING****MISCELLANEOUS PROVISIONS**

\* [Prepared by the committee on municipal program of the National Municipal League in 1927].

APPENDIX E.

## Highpoints of the 1935 Metropolitan Charter

Commissioners: Legislative only  
Chairman elected at large  
Six members elected by districts

Public administrator: concentration of responsibility

Welfare departments of city and county combined under director or with advisory board

Health departments of county and city combined under director or with advisory board

Tax assessment boards combined

Assessment appeals under free board appointed by court

Tax-collection under centralized system, optional

Delinquent tax collector abolished

Planning department under director with advisory board

Parks and recreation department under director with advisory board

Personnel department

Municipal court revision

Shorter ballot: Elective officials reduced from 17 to 11 in the county as a whole

For each voter, reduced from 17 to 6

Hereafter, vote will be for chairman of board of commissioners, one other commissioner, sheriff, controller, coroner, and district attorney

Treasurer chosen by public administrator

Prothonotary ]  
Clerk of Courts ] Selected by Court  
Registrar of wills and recorder]

Administrative departments reduced from 37 to 18

Fees and charges of all kinds public property

Matters of Special Note

Proportional representation optional through adoption by  
metropolitan city or state

Graded tax and other legislation not disturbed

'Rippers' not permitted for elected officials in office  
at time of charter adoption

Employees furnish fulltime for full salary or wages, commissioners the only exception

Local self-government in local matters retained to underlying units

Economy

Efficiency

Government along scientific lines -- barnacles and excrescences of present system eliminated

Non-factional and non-partisan

Bureaus reduced by elected officials -- reduction from 30 to 13, reducing possibilities of political spoils

[Extracted from a copy of Senate Bill 718 -- Metropolitan Charter for Pittsburgh and Allegheny County.]

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