

“Ministering to the Social Needs of the People”: Samuel Jones, Strong Mayor Government, and Municipal Ownership, 1897–1904

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ABSTRACT. Debates in the Progressive era between supporters of the franchise system and supporters of municipal ownership provide an example of conflicting views of appropriate models of state development. The former wanted to continue the public-private partnerships that characterized much of 19th-century state building, while the latter maintained that this system inevitably led to corruption and exacerbated inequality, calling for a new system of publicly run programs. Mayor Samuel Jones of Toledo worked to expand municipally owned utilities and transportation. Jones argued that granting franchises for the provision of public services enabled private companies to accrue profits that belonged to the people. He actively promoted an alternative model based on his faith in the potential of government, through a program of public ownership, to exemplify a sense of community, brotherhood, and love. Yet obstruction by the city council and lack of mayoral power blocked his efforts. As a result, he attempted to secure a “strong mayor” charter that would enable him to enact his program. The voters, however, rejected the plan, fearing centralization of power and loss of popular accountability. This outcome highlights the importance of the relationship between electoral structures and functional expansion in American political development.

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Introduction¹

Let us announce the purpose of municipal government to be that of ministering in every possible way to the social needs of the people of the municipality, and let us proclaim as an unalterable principle toward that end: Public ownership of all public utilities. No grant or extension of municipal franchises. No special privilege to any man or set of men to exploit the people for the sake of enriching the few. (Jones 1899a: 322)

Samuel “Golden Rule” Jones is a fascinating and in many ways paradoxical figure. The son of Welsh immigrants, he grew up in poverty, became an extremely wealthy manufacturer, and later denounced the competitive nature of capitalism. Initially nominated by Republicans to run for mayor of Toledo in 1897, he repudiated partisanship before the end of his first term. Despite the opposition of the Republican state machine, local businessmen, and local papers, he was so popular with the people of Toledo that he was reelected with nearly 70 per cent of the vote in 1899. He was a devout Christian who refused to enforce laws against gambling, prostitution, petty theft, and vagrancy. He did not drink, but he let saloons remain open on Sundays (M. Jones 1998). He criticized those who focused on legal reforms, arguing that only education and personal transformation could remedy society’s ills, but he worked to implement a wide variety of changes in Toledo’s laws, from civil service reform to the abolition of ward-based elections. And while he was a passionate advocate of the expansion of local government, arguing that cities should supply transportation, utilities, recreation, and much more for residents, he rejected the major system through which most cities provided services to residents, one that involved selling public franchises to private companies.

During a depression in the early 1890s, Jones was deeply disturbed by pervasive poverty and unemployment. He underwent a religious conversion of sorts and became a dedicated proponent of the Golden Rule. He decided to treat his workers as he would want to be treated, instituting an eight-hour day and providing employees with paid vacations, subsidized healthcare, Christmas bonuses, and numerous other benefits. In his quest to develop a deeper understanding of democracy and community, he read and reread the

Bible and the works of Leo Tolstoy, William James, and Walt Whitman. After his election as mayor of Toledo in 1897, his unorthodox views made him well known in Ohio and the nation. He associated with such figures as Tom Johnson, Frederic Howe, and Brand Whitlock in Ohio and corresponded with Jane Addams, Clarence Darrow, Washington Gladden, Henry Demarest Lloyd, and other nationally prominent reformers (M. Jones 1998). His fame was due in large part to his reputation as a man deeply committed to his democratic ideals — to his efforts to live his own life according to the Golden Rule.

As mayor, Jones attempted to reform the government of Toledo by creating political institutions that embodied his ideals. In this context, his story is instructive for scholars of American political development. Recent work in the field highlights the need to explore the often-complicated partnerships between governmental and private entities (Nackhoff and Novkov 2014; Novak 2008; Clemens 2006) and to examine the ideological foundations of “political orders” (Smith 2006). Many scholars also point to the importance of local government in institutional innovation (Nackhoff and Novkov 2014; Balogh 2009; Novak 2008). Jones’s critique of the franchise system and support for municipal ownership represents an attempt to challenge prevailing assumptions regarding the appropriate relationship between private companies and city governments. Jones argued that granting franchises for the provision of public services enabled private companies to accrue profits that rightly belonged to the people. He actively promoted an alternative model for state development, based on his faith in the potential of government, through a program of public ownership, to exemplify a sense of community, brotherhood, and love. He believed that municipal ownership in cities would pave the way for public ownership in the states and then nation, helping to create a true democracy.

Yet the challenge for Jones and like-minded reformers was to translate such noble sounding ideals into political realities — to institutionalize their ideas. How were they to topple the entrenched franchise system and replace it with a new and expanded scheme based on municipal ownership? In 1899, Jones was reelected with overwhelming popular support on a platform centered on limiting franchises and expanding municipal ownership. But despite this

apparent mandate, the city council repeatedly blocked his efforts over the next two years (M. Jones 1998: 155, 182–183). Having repudiated partisanship, Jones had no political base, and the mayor had little real power under Toledo's existing charter. Jones realized that the structure of Toledo's government was preventing him from enacting his program. As a result, he declared that Toledo needed a new charter that would decrease the size of the council, allow the mayor to appoint more board members, and, most importantly, require a public vote on all franchises.

This was a seemingly contradictory course of action for a man who in the past had questioned the effectiveness of legal approaches to reform, emphasizing instead the need for personal transformation and large-scale economic change (Jones 1899a: 386). Historians have often echoed such criticisms, distinguishing between those who advocated legal changes to eradicate corruption and create "good government" and those who focused on using government to enact social changes to improve the lives of urban residents (DeMatteo 1997; Bremner 1995; Holli 1964). Certainly, many individuals focused more on one or the other of these two types of reforms. Nevertheless, as the example of Jones so clearly demonstrates, these agendas often overlapped. Decisions to undertake new activities always shaped and often directly caused the efforts of reformers and politicians to experiment with new forms of representation. For Jones, a desire to enable local government to expand and provide more services to urban residents led him to propose revisions to the electoral and representative structures of Toledo.

Only by examining the complicated relationship between these two programs can we gain a more complete understanding of Progressive urban reform and its larger contribution to the development of American political institutions. Just as we need to examine the relationship between institutions and the ideas that inspired them, we also need to probe the relationship between attempts to expand public programs and attempts to reform the structures of government. To accomplish these goals, this article begins with a brief examination of several key works in the field of American political development that provide a framework for exploring the

complicated relationship between public and private institutions in the United States. It then turns to a careful examination of the political philosophy that Jones developed during his first term as mayor, focusing on the ways that his democratic ideals provided the foundation of his critique of the franchise system and support for municipal ownership. Next, it tells the story of Jones's attempts to implement this vision that were hindered by his political isolation and lack of power under Toledo's existing form of municipal government. Jones's proposal for a "strong mayor" charter that would have helped him implement municipal ownership led to heated debates among the residents of Toledo regarding the nature of representative structures of local government in a democracy.

Jones attempted to challenge a central aspect urban governance, ending a system based on public-private collaboration that had dominated much of 19th-century state development. Yet his efforts to do so were thwarted by the inability to pass a new charter. These failures can only be understood with a focus on the relationship between structure and function, between ideas and institutions. For just as Jones himself seems something of a paradox, so too do the actions of the residents of Toledo. Jones's landslide victory appeared to indicate strong, widespread support for his platform of restricting franchises and expanding municipal ownership. Yet the debates that followed Jones's proposal for a new charter suggest that many Toledoans were unwilling to adopt the structural revisions that Jones felt were necessary to realize this platform. Jones passionately believed that municipal ownership was the way for a government to embody democratic ideals and foster an awakening of patriotism, civic pride, and even communal love. But a majority of the voters of Toledo did not agree. Despite their seeming support for municipal ownership, they were not willing to sacrifice a decentralized form of local government, with a larger council and a weak mayor, to achieve it. As a result, Jones reversed his earlier views: while he once maintained that the establishment of municipal ownership would help Americans develop a deeper commitment to democracy, he later came to believe that Americans needed to develop this commitment as a prerequisite for the establishment of municipal ownership.

Public-Private Partnerships in American Political Development

Throughout American history, reformers seeking to increase the scope of government have often encouraged public-private partnerships to achieve their goals. Recent scholarship aptly notes that federal, state, and even local government has historically expanded its reach through land grants, tariffs, franchises, and a variety of other arrangements with private entities. For example, Novak (2008) challenges the widely held characterization of the American state as “weak” and instead calls for a reconceptualization of state development. Rejecting the claim that powerful, modern states must have rational and centralized administrative bureaucracies, he posits an alternative model based on the concept of an “infrastructural power” that is “more diffuse, less visible, . . . sometimes private as well as public, [and] woven into the everyday structure of modern social and economic organization” (Novak 2008: 763–764). In this context, he suggests the need to look away from the national level to the state and local levels to witness the “extraordinary penetration of the state through civil society” (Novak 2008: 766–767) and observe “the interpenetration of public and private spheres” (Novak 2008: 770).

Similarly, Clemens (2006) highlights the often “indirect” nature of governance in America, though she more strongly characterizes the American state as an irrational one, describing it as “fragmented,” “indirect,” “delegated,” “complex,” and even “seemingly incomprehensible” (Clemens 2006: 187–190). In discussing social provisions, for example, she argues that during the Progressive era, state governments often expanded their scope not by building their own bureaucracies but rather by collaborating with and funding private benevolent institutions (Clemens 2006: 197). Building on Clemens’s work, Nackenoff and Novkov explore the “the shifting boundaries between public and private” in the process of statebuilding during the Progressive era in greater depth (2014: 1–2). They highlight the roles played by reformers who often initiated partnerships in their demands for an expansion of state capacity (2014: 7–11). In short, such scholarship demonstrates that reformers attempting to expand the scope of government often did so by promoting a rich, complex,

and often confusing array of collaborations among governmental and private institutions.

Yet not all reformers of this period eagerly embraced the interweaving of public and private as a necessary or beneficial component of statebuilding. A vocal and influential group decried public reliance on private companies as unethical and undemocratic, as an example of unfair “privileges” granted to the few at the expense of the many. On the local level, they focused their critiques on the franchise system. City councils typically granted franchises to private companies known as public service corporations to supply gas, electricity, and sometimes water and to construct and operate public transit systems. In return for granting these “special privileges,” as the muckraking journalist Lincoln Steffens (1904) and other reformers termed them, council members often received hefty kickbacks. Yet critics of the franchise system did not object to the expansion of government per se, and most wanted cities directly to provide transportation and utilities for urban residents. Some advocated an even more dramatic increase of the scope of local government, arguing that cities should also take over the welfare functions of private charities (through departments of public welfare) and even the social function of saloons (through free concerts, lectures, parks, and movies). In this context, debates between proponents of the franchise system and supporters of municipal ownership thus provide an example of conflicting views of appropriate models of state development. The former wanted to continue and expand the mix of public and private that characterized much of the 19th-century institution building, while the latter maintained that this mix inevitably led to corruption and exacerbated inequality, calling for a new system of publicly run programs.

No reformer so vehemently espoused these views as Jones, who attacked franchises and defended municipal ownership not only in political and ethical terms but also with moral and religious fervor. Most politicians in the late 19th century viewed the sale of franchise as a legitimate and even beneficial means for the provision of services in American cities, a way for government to work with businesses without having to develop public programs. But Jones articulated a political philosophy that passionately challenged this entrenched system. Nackenoff

and Novkov (2014: 7) call for greater attention to “the role of emotional appeals and ideological frames in the process of statebuilding,” building on Smith’s (2006) calls for greater attention to the connections between ideas and institutions in studies of state development. Smith argues that “political orders” are in part comprised of enduring “traditions of ideas and ideologies,” and he concludes: “Ideas can produce change only when particular, identifiable political institutions, groups, and actors advance them” (Smith 2006: 109). Jones sought to undermine the ideological basis for a key component of the “political order” that dominated most 19th-century American cities. In attacking the franchise system, he sought to redefine the boundary between public and private and provide a rationale for an expanded sphere of legitimate governmental activity.

Franchises and Municipal Ownership, 1897–1899

When the Republican Party of Toledo nominated Samuel Jones for mayor in 1897, its members unquestionably did not fully understand the man they selected or the consequences of their decision. In the 1890s, the Republican Party in Ohio was dominant and closely tied to business (M. Jones 1998: 109; Warner 1964: 107–109). In these years, Toledo was a rapidly expanding industrial center, marked by its ethnic diversity and reputation for gambling, prostitution, and drinking (Warner 1964: 11). The Republicans in Toledo nominated Jones, an outsider, to resolve a factional dispute. Jones was a relative newcomer to the city, known largely as a local Christian businessman who promoted innovative but profitable labor methods (Warner 1964: 25–26). Yet once he entered office, it soon became clear that Jones was not a typical businessman turned politician. Initially, as a political novice he did not have a clear program or political philosophy. The day after his election, he openly declared, “I have no definite plans.” (Sam Jones quoted in M. Jones 1998: 118). Nevertheless, the political program he began to form drew on his deep commitment to a sort of egalitarian communalism. His understanding of Christianity and American democratic ideals led him to openly support full equality among all men and women, whether “black or white, brown or yellow” (Jones 1899e, 1900). As he

undertook his duties as mayor, he developed a political philosophy that viewed local government as a tool for creating a community among all the residents of a city (M. Jones 1998: 120–121).

Despite Jones's passionate belief in the promise of democratic government, he maintained that true democracy had never existed (Jones 1901: 544). In his view, the major impediment to the realization of democracy in America's cities was the franchise system. He presented franchises and municipal ownership not as two competing systems for the provision of services but rather as a choice between corruption and democracy. Jones viewed the sale of franchises on the municipal level as part of a larger national problem that granted special "privileges" to a few at the expense of the many, including preferential tariffs, patents, and trusts (Bremner 1995: 101–103; Warner 1964: 31). A year after his first election as mayor, he attended the annual conference for "Good City Government" held by the National Municipal League. The League, founded only four years earlier as a federation of local groups, was rapidly becoming the preeminent venue for reformers and political scientists to discuss problems and innovations in municipal government (Liazos 2007). At the meeting, after a discussion of the relative merits of the franchise system and municipal ownership (Richardson 1898), Jones offered a response that vehemently critiqued the former and supported the later. He declared: "Private ownership of public franchises is a high crime against democracy. It is contrary to the spirit of republican institutions. It is a city granting privilege to an individual to enrich himself [sic], usually at the expense of the classes least able to bear it, the poor people" (Jones 1898: 221). While many of his contemporaries blamed politicians for the corruption of local government, Jones insisted that businessmen driven by a desire for "success" and wealth were the real culprits (Jones 1898: 225–226). He ended his remarks with a bold call to action: "Let us announce the purpose of municipal government to be that of ministering in every possible way to the social needs of the people of the municipality, and let us proclaim as an unalterable principle toward that end, public ownership of all public utilities" (Jones 1898: 227).

The following year, he offered an expanded explanation of his views with the publication of *The New Right: A Plea for Fair Play*

and a More Just Social Order. Here, he rejected the notion that the corrupt nature of politicians made municipal ownership unfeasible, noting many existing examples of publicly owned programs that were often well run (Jones 1899a: 286–288). He insisted that if cities operated schools, police forces, and fire departments and constructed sidewalks, roads, and bridges, there was no reason that they should not also provide public transportation, water, lighting, heat, telephones, telegraphs (Jones 1899a: 291–292) and even “free lectures, free music, free baths, free play-grounds, free gymnasia, etc.” (Jones 1899a: 317). His support for public ownership demonstrated his belief that government had the potential to provide such services effectively and efficiently (Warner 1964: 31). In this way, Jones promoted statebuilding on the local level by offering a rationale for governmental expansion and lengthy list of new functions to be taken up by municipalities.

For Jones, these new functions were part of a larger social vision of the state as an agent of communal love rather than coercive power. Jones and his cohort of reformers in Ohio wanted cities to provide the social and philanthropic activities currently supplied by private charities and political machines, believing that public recreation would function as a better deterrent to drinking and gambling than a punitive legal system. He felt that cities should devote less time to policing residents and more time promoting the public welfare, that government should promote cooperation rather than coercion (Bremner 1995: 88, 105–106; Warner 1964: 24). In a vision that many would call utopian, he therefore offered “public ownership” as the way for “*the municipality, the state, and the nation [to] find a means of expressing its love for the people* — THE GREAT COMMON PEOPLE” (Jones 1899a: 303).

In Jones’s mind, the benefits of municipal ownership were reciprocal: they provided cities an opportunity to be transformed into agents of love and in turn for citizens to realize their love for their neighbors. The view that expanding government would improve citizens was not uncommon among reformers. As one speaker at the National Municipal League declared: “If we want the people to develop higher civic ideals we must enlarge the scope and importance of their city government” (Richardson 1998: 98). Jones strongly

agreed, later writing that public services provided directly by municipalities “are the fraternal forces that are unifying our life, that are bringing us together as members of one great family having one common interest and one common destiny” (Jones 1899d: 459–460). Even more directly, he maintained that “the greatest good to be realized through municipal ownership will be found in the improved quality of our citizenship, because of the family feeling, the truly patriotic sentiment, the *love of country which is love of our fellow-men, that will be awakened in the man’s breast by the contemplation that his is a member of a family which owns its own streets, . . . bridges, . . . water-works, . . . electric-lighting plants, [and] telephone and express and messenger services*” (Jones 1899a: 304–305). Jones, like many of his contemporaries, was greatly concerned by the loss of a sense of community that seemed to accompany modern urban life. In his own factories, he sought to rebuild community among his workers by providing opportunities for recreation and fellowship (M. Jones 1998: 91–92). Once he became mayor, he hoped to use the government of the city itself to continue this work, to use public ownership to create a renewed sense of citizenship, patriotism, and community among all of Toledo’s residents.

Jones was also optimistic that a new era of public ownership was imminent. In *The New Right*, he cited numerous authorities who predicted that municipal ownership would spread rapidly (Jones 1899a: 24, 299–300). Writing for popular magazines such as *Municipal Affairs*, he continued to promote this view, celebrating the rising interest in municipal ownership in cities across the country as an indicator that “people are beginning to understand” the evils of the franchise system (Jones 1899d: 460). In *The Arena*, a prominent organ of social reform, he asserted that “the promise of municipal expansion just now is in the direction of common ownership of public utilities, and of home rule,” and he went on to predict that “[m]unicipal ownership will lead to public ownership of all public utilities, and public ownership will lead to common ownership” (Jones 1899b: 766).

Two aspects of Jones’s prediction — that home rule was on the horizon and that municipal ownership in cities would pave the way for public ownership in the states and nation — indicate the centrality of urban government to Jones’s vision of statebuilding. In the 19th

century, most Americans were wary of centralization and therefore more willing to accept the expansion of government on the local level than the state or national levels. An active local government more closely aligned with republican ideals regarding self-government and individual liberty (Balogh 2009: 6, 264–265). While states often blocked the efforts of municipalities to institute new programs (Howe 1905: 158–176), overall, Americans were more willing to accept new governmental programs when instituted locally. Jones was undoubtedly aware of these facts, and he shared in the view that local government played an essential role in the American state: “The municipality is the nucleus of government. The state and the nation look to the municipality for their ideal” (Jones 1899a: 322).

In this context, Jones believed that the only way to establish his program of municipal ownership in Toledo was through greater home rule and nonpartisanship. Jones believed that a rejection of parties and rise of independent voting would enable voters to focus on the needs of their local communities (Bremner 1995: 64–65). In March 1899, the same year that he published so prodigiously on municipal ownership, he was reelected as an independent rather than a Republican in a landslide victory, running on a platform of municipal ownership of utilities and protections for workers’ rights (M. Jones 1998: 147, 155; DeMatteo 1997: 14). Jones therefore was likely optimistic that Toledoans would unite in support of his program of nonpartisanship, home rule, and municipal ownership. In August, he asked the Common Council of Toledo to secure “REMEDIAL LEGISLATION, to enable the city through its legislative and executive departments to perform the functions that properly belong to it.” He reminded his listeners of the fact that “[s]tate laws . . . seriously hinder the progress of the city towards the scientific government of an ideal municipality” (Jones 1899c: 12). Specifically, he asked the council to support a revision to the state code governing cities that would expand home rule to the largest degree possible without a constitutional amendment (Jones 1899c: 13). Framing the issue as a moral one, he described the movement for home rule as a “great work for human emancipation.” He promised: “It is easily within the possibilities for us to put the Ohio municipalities in the front ranks of the cities of the world by providing the necessary

degree of liberty to allow the people of our cities to properly express their love for one another in or through government” (Jones 1899c: 14).

But Jones soon discovered that the state government was not the only or even the primary barrier to the realization of his dream of a city that “owned itself.” The previous administration, run by the local Republican machine, was marred by the accusations of corruption typical of the day: taking payoffs for turning a blind eye to prostitution and gambling, rewarding supporters with patronage positions, and receiving kickbacks for selling valuable franchises for city contracts and services to private companies (M. Jones 1998: 107). When Jones entered office, he discovered that Toledo’s government was unwieldy and decentralized, run by a large, 45-member bicameral council elected by ward and 14 boards and commissions. The mayor held little real power (M. Jones 1998: 106). One exception was the Police Board, which the mayor appointed. Jones therefore worked with the board to institute a civil service system and eight-hour workday (M. Jones 1998: 121). But in December 1899, when Jones attempted to prevent the sale of Toledo’s municipally owned gas plant and block the extension of a franchise for electric lighting, the council soundly defeated his efforts (M. Jones 1998: 182–183). His independent candidacy may have won him a clear electoral victory, but it did not endear him to the party politicians who controlled the council. Scholars note that his firm nonpartisanship and refusal to engage in political bargaining left him politically isolated, thwarting his efforts to realize his vision for the city (DeMatteo 1997: 10; Bremner 1995: 92). As his biographer notes: “He learned quickly that he could not transform his political landslide into public policy reforms. . . . His complete political independence doomed his most practical political program — municipal ownership of utilities.” (M. Jones 1998: 181–182).

Charter Reform in Toledo, 1900–1901

In 1900, Jones was not yet willing to give up on his plans for municipal ownership in Toledo. To achieve his goals, he proposed to revise the city’s charter to create a “strong mayor” government (DeMatteo 1997:

10). In a message sent to the council, Jones described Toledo's existing form of government as "cumbersome and antiquated," "primitive and inadequate," and "not adapted to the needs of a city the size of Toledo." Despite their recent differences, he insisted that he felt only "cordial goodwill" for the council and expressed confidence in its "general integrity of . . . purpose." Notably, he did not mention franchises or municipal ownership and only alluded to the fact that the mayor was "a chief executive in name only." He did, however, claim that he had corresponded widely with municipal officials from cities all over the country who concurred that "the party machine" that sought to use city government to benefit the party rather than the people was "the curse of American municipal politics." To address these problems, he proposed a charter that would create a small council composed of five to seven paid members, abolish all boards, allow the mayor to appointment department heads, and institute a civil service system for all city jobs (*Toledo Bee* 1900b; *Toledo Blade* 1900).

In supporting charter revision (and also home rule and nonpartisan elections), Jones espoused a program very similar to that of many prominent "good government" reformers of the day who believed the legal changes would yield better government. As he told the common council: "The problem of properly governing our cities is one that is commanding the most careful attention of the best minds of earth today" (Jones 1899c: 14). Yet elsewhere, Jones critiqued such reformers, mocking the notion "that tinkering" with a few laws would yield "good government" without addressing the exploitative nature of the economic system (Jones 1899a: 386). For years, historians have followed Jones's lead, distinguishing between social reformers who sought to improve the lives of the urban poor and structural reformers who worked to eradicate corruption and improve the efficiency of urban government (Holli 1969: 157–181). In such accounts, Jones is typically identified as a social reformer rather than a structural reformer (DeMatteo 1997: 8–10, 16; Bremner 1995: 16–17; 53–54; 112; Holli 1969: 162).²

Yet Jones's program for municipal reform was more complex than such a division suggests. His views seemed ambivalent if not contradictory: he criticized those who presented legal reforms as a panacea and simultaneously supported similar legal reforms. As a result

of these apparent contradictions and others, one scholar of Progressivism in Ohio faults Jones for inconsistent and even illogical views (Warner 1964: 30, 32–33). His biographer takes a somewhat different view. She notes that while Jones always believed moral changes on the individual level were necessary to achieve true societal transformation, early in his political career, he also believed that institutional change could facilitate such individual change (M. Jones 1998: 104). In campaigning in 1899, for example, Jones told an audience that he believed that it was the duty of local government, through a program of municipal ownership, to create the conditions under which individuals could thrive (M. Jones 1998: 147). Clearly, Jones was primarily concerned with social reforms, but his actions in 1899 and 1900 demonstrate his belief that legal changes would be necessary to achieve his social agenda.

Jones's interest in structural reforms undoubtedly grew out of his contact with municipal reformers across the country. As noted, he attended the conference of the National Municipal League in 1898 to voice his criticism of franchises and support for municipal ownership. Yet at this conference, Jones came into contact with leading proponents of home rule and charter revision. The previous year, the League had organized a committee to draft a model "Municipal Program" that would "embody the essential principles that must underlie successful municipal government" and "a working plan or system . . . for putting such principles into practical operation" (Committee on Municipal Program 1898: 2). At the meeting, members of the League discussed these principles and how they might be put forth in a model constitutional amendment and act regarding state-level regulation of municipalities (Committee on Municipal Program 1898: 3). Jones's comments on municipal ownership were part of a discussion of a paper on "Municipal Franchises" given by one of the members of the committee drafting the Municipal Program (Richardson 1898: 220–227).

The proposal that Jones made for revisions to Toledo's government in 1900 combined much of what he learned through reform circles with his own democratic commitments. While he did not cite the League as his inspiration, Jones's charter closely resembled the "Municipal Program" that was published the same year. Both proposed to enhance

mayoral powers of appointment; replace large, bicameral councils with smaller, unicameral councils elected at least partly at-large; institute civil service provisions; reduce the role of parties in local elections; and maximize the sphere of home rule (*Toledo Bee* 1900b; *Toledo Blade* 1900; Rowe 1900). At the same time, Jones's proposal differed from that of the League in accordance with his own democratic commitments. He sought to offset the centralization of this kind of "strong mayor" government with the inclusion of a provision to replace the mayoral veto of council bills, which he viewed as "undemocratic," with public referenda (*Toledo Bee* 1900b; *Toledo Blade* 1900). Jones wanted voters rather than the council to have the right to decide whether or not to grant franchises to private companies for the provision of utilities and transportation (M. Jones 1998: 138). With the inclusion of this form of direct democracy, Jones likely believed that his version of the strong mayor plan could achieve the administrative efficiency necessary to expand the scope of local government while maintaining popular accountability.

His proposal for the means by which Toledoans would draft the new charter also underscored his commitment to home rule and self-government. Jones recommended the creation of a commission to draft a charter that would be voted on by the people of Toledo and then sent to the state legislature for approval. Cities in Ohio did not possess the right to craft their own forms of local government. Officially, a uniform municipal code meant that cities of the same size all shared the same system of governance. Unofficially, the state legislature intervened in urban affairs, passing individual bills based on narrow population grades to apply to specific cities. The result was that a popular referendum on a proposed charter would not be binding (DeMatteo 1997: 17).³ Regardless of state law, Jones consistently sought popular support for his reforms (Bremner 1995: 128), just as he did now for a new charter. He wanted the commission to be as representative as possible of the residents of Toledo, and he worked to ensure that the new charter would be created with as much publicity and public involvement as possible (DeMatteo 1997: 7, 16–17). Jones proposed that the presidents of the Central Labor Union and the Chamber of Commerce join him and the head of the council in appointing 50 members to the Charter Commission (*Toledo Bee* 1901a). The resulting commission was remarkably representative for

the day. In addition to current city officials and several business leaders, the commission included three women involved in education, the presidents of several local unions, a book binder, a sheet metal worker, and an African-American deputy country recorder. When a representative of the Polish community complained that it had no representatives, the commission later agreed to appoint one (*Toledo Bee* 1901d, 1901e, 1901f; *Toledo Blade* 1901a).

Ironically, Jones's desire to include the people of Toledo directly in the process of creating the charter led to the weakening of his proposals for direct democracy. In his desire for openness and the inclusion of all voices, Jones lost control of the process. Although the Charter Commission initially considered several possible models, in the end the Republicans dominated and pushed through their own version of a strong mayor charter. At first, when the commission began its work, one member suggested that they simply adopt the "Cleveland Plan," a recent charter adopted by Cleveland to which they were, according to state law, now entitled to adopt having recently moved to a higher population grade. Yet another member disagreed, arguing instead that the commission should compare several models, including the National Municipal League's Municipal Program, before coming to a decision. Jones agreed, claiming that "Toledo should be a pacemaker, not a follower" (*Toledo Bee* 1901g, 1901h). Yet despite Jones's efforts to make the body inclusive and deliberative, the commission's meetings were soon marked by heated disagreements not over the actual content of the charter but rather the proper parliamentary rules of debate. Several members accused the chair of the commission of imposing a gag order to prevent them from voicing their opinions and presenting alternative proposals (*Toledo Blade* 1901b, 1901d; *Toledo Bee* 1901j). In the end, a small Republican majority was able to push through a strong mayor charter without Jones's plan to replace the mayoral veto with a popular referendum on all bills passed by the council. The charter created a seven-member council elected at-large, granted the mayor extensive control over the city's administration, established a municipal civil service, and allowed the people referenda only on public franchises (*Toledo Blade* 1901c).⁴

Despite the fact that Jones made clear that this proposed charter was not what he had originally hoped to adopt, he endorsed the

commission's work as an improvement over the status quo. Many of his supporters, however, did not agree. Only 23 members of the Commission endorsed the charter officially, and 19 publicly declared their opposition (*Toledo Bee* 1901n, 1901q; *Toledo Blade* 1901h). In part, this division followed partisan lines, with most of the Republicans, the majority party in city politics, signing the charter and most of the Democrats, the minority party, signing the protest (*Toledo Bee* 1901b, 1901c, 1901n, 1901q).⁵ But the debate over the proposed charter also revealed the salience of racial, ethnic, and class identities in considerations of representation in government. All of the representatives of the commission whose constituencies were otherwise ardent followers of Jones — the union members as well as the African-American, German, and Polish members — voted against the charter. Leaders of Toledo's two largest federations of unions (the Toledo Central Labor Union and the Toledo Building Trades Council) soon signed a public letter declaring their opposition to the proposed charter as well (DeMatteo 1999: 123; *Toledo Bee* 1901q).⁶ While they may have supported many of Jones's proposals to expand the city government to improve the lives of residents of Toledo, they did not believe that a strong mayor form of government was a necessary or desirable means to achieve this goal.

Critics did not perceive the centralization of power in the office of the mayor to be a simple matter of achieving greater efficiency but rather a dangerous attack on the principle of popular representation in government. L. W. Morris, a Republican judge in the common pleas court, wrote an article in the *Toledo Blade* to explain why he and other members of the Charter Commission decided to protest the charter. He claimed that the position of the mayor was "UNDEMOCRATIC AND MONARCHICAL. It takes the government of the city out of the hands of the people and their duly authorized representatives and puts it into the hands of one man for a term of years." Morris went on to add that it made the mayor a "Dictator" and a "boss," concluding, "I believe that the American tendency to place municipalities under one man's management, without any reference to capacity for the work, by direct choice of the people at the polls, shows, not only want of faith in the capacity of the people

for self government, but great indifference as to results" (*Toledo Blade* 1901f).

Six days later, the *Blade* published a reply to Morris written Julian Tyler, a Republican lawyer and one of the 23 members of the commission defending the charter using the language of reformers and political scientists. Tyler claimed that their proposal followed the Federal Plan, separating the functions of the executive and legislative branches of municipal government just as they were in the federal government. He denied that the mayor's complete control over the administration would make him a despot since he had no legislative powers whatsoever, which belonged entirely to the council (*Toledo Blade* 1901g). Morris, however, countered in another article that the mayor did have legislative powers in his right to veto bills passed by the council and to recommend public improvements. He further claimed that the members of the commission who supported the charter were using the theory of separation of powers to mask their real ends of granting the mayor absolute power. He even went so far as to claim that during their meetings, certain members of the commission referred to popular government as "nonsense" and equated the role of the mayor to that of a czar (*Toledo Blade* 1901h). In short, this disagreement regarding the powers of the mayor suggests that even though many residents supported Jones's program of municipal ownership in the abstract, they were not willing to support a charter they felt would provide excessive powers to the mayor and thereby yield a loss of popular control over local government in order to implement it.

The decision to elect a small council at-large sparked a similar debate. Those who opposed the new charter, notably including all of the minority groups, claimed that a seven-member council elected at-large did not provide for minority representation and voiced their preference for a much larger body elected by wards (*Toledo Bee* 1901k, 1901m, 1901q; *Toledo Blade* 1901e, 1901f).⁷ In the *Blade*, Judge Morris explained why these members of the commission felt that the charter did not provide for adequate representation of Toledo's citizens, claiming that "the philosophy of the framers of the charter is redolent with the rankest disbelief in the capacity of the people for self-government." He explained that the proposed

council “is not large enough to be fairly representative of the many important interests and sections . . . of a great and growing city like Toledo.” In contrast, he advocated a council that provided “for minority representation, and for that of any great interest whether it be political, religious, social, mercantile, racial or industrial.” Without such representation, a council, according to Morris, “is not only not democratic, but it lacks the very power of reflecting the popular will. Deprived of fair representation in council, the people are not granted even the appearance of participation in their own affairs” (*Toledo Blade* 1901f).

Julian Tyler, in defending the council in the pages of the *Blade*, presented a very different understanding of the nature of popular representation in legislative bodies, again echoing the claims of more elite theorists of municipal government. He believed that it was not fair for a person elected in only one ward to have the power to make legislative decisions that affected the entire city. The at-large system, he added, would make it possible “to elect men who will be truly representative of the entire body of the citizens, and who, while charged with the . . . duty of legislating for the best interests of the city as a whole, [will] protect and advance the interests of every part of it” (*Toledo Blade* 1901g). As in the debate regarding the powers of the mayor, the disagreements regarding the composition of the council suggest that many residents were more concerned with the structure of representative institutions than creating a more efficient system of government. In the pages of the local papers Morris and Tyler articulated competing conceptions of representation similar to those that, with rise of pluralism, would be debated by scholars and pundits in years to come.

The popular referendum on the charter suggests that the opinions of the voters of Toledo paralleled those of the Charter Commission, with working-class districts voting more heavily against the charter, by a margin of 57.5 percent. The new charter failed to pass in the local election by a narrow margin of 49.4 percent to 51.6 percent. Provisions that increased the mayor’s powers, reduced the size of the council, and replaced ward with at-large representation struck many Toledoans as a danger to the principle of democratic representation (DeMatteo 1997: 20–21). Jones had originally hoped to

make use of these features to expand municipal ownership and implement innovative policies of social welfare that would have benefited members of the working class greatly. Yet without a strong coalition, Jones was unable to secure the inclusion of a popular referendum to replace the mayoral veto, and without the referendum, there was not enough in the Charter Commission's proposal to convince the majority of Toledoans local government would remain popularly accountable. In the end, Jones was unable to convince the majority of his constituents that increasing the mayor's powers was desirable, and many critics of the proposed reforms emphasized the loss of popular participation and control rather than the potential gains of innovative governmental programs.

The Aftermath: 1902–1904

The line between public and private has never been static in the development of American political institutions. As mayor, Jones sought to shift that boundary, moving the provision of gas, electricity, transportation, and even entertainment from the private to the public realm. He rejected a model of service provision that relied on the type of public-private partnership that typified much of state development, unlike reformers who sought to expand such partnerships to increase the functions performed by government. Yet to replace that model with public ownership, he realized the necessity of legal change. His advocacy of home rule for cities, nonpartisanship, direct democracy, and increasing the powers of mayors all stemmed from his ultimate desire to enable cities to “[*minister*] in every possible way to the social needs of the people” (Jones 1899a: 322).

On one level, the details of this story shed light on the evolution of Jones's own understanding of the relationship between individual and institutional change. Before his attempts to expand municipal ownership and secure a new charter, Jones, though in many ways focused on individual education, believed that institutional reform could help to create the conditions necessary for individual transformation. In the spring of 1901, soon after he proposed a new charter for Toledo, he wrote an article for *Arena*. He voiced his general support for any “governmental policy” that would promote “social

justice” but cautioned that there could be “no short cut or hurry-up road to righteousness.” Instead of relying on changes in the law, he insisted that Americans needed to overcome their “indifference” to politics and engage in the difficult work of “learning Democracy,” which was, in the end, “our only hope” (Jones 1901: 544–546). Nevertheless, that fall, before the voters rejected the charter, he was still hopeful, maintaining that the recent difficulties with a gas plant in Toledo resulted from a “failure” of “municipal government” and “not municipal ownership” (Sam Jones quoted in M. Jones 1998: 184).

The following year, in the face of continued obstruction from the council, Jones wavered in his conviction that changing laws could contribute even partly to the kind of transformation that would create a renewed sense of community and make true democracy possible. Writing for *The Independent*, he lamented, “I do not believe that we are to get very much relief from the evils that distress us by legislation. I am not one of those who believe that the Kingdom of Heaven — that is, a just social and political order — can be established on earth by merely passing a law.” He specified that even though he personally supported “public ownership of every kind of public utility,” he “realize[d] that public ownership in a municipality, state or nation of thieves would not produce a righteous, social and political order” (Jones 1902: 512–513). Privately, he wrote an even starker condemnation: “Nothing stands in the way [of municipal ownership of utilities] but the people themselves.” He explained, unless Americans “learned [that] their real relation to each other is that of friends, of brothers, municipal ownership will fail” (Sam Jones quoted in M. Jones 1998: 184). Originally, Jones believed that municipal ownership could contribute to the creation of a new sense of community; after his difficulties as mayor of Toledo, he believed that a sense of community needed to precede municipal ownership.

And yet in spite of his deep doubts, his actions in the last months of his life suggest that he had not entirely given up hope. In Ohio, the state government continually moved to deprive popular mayors such as Jones of their powers. The legislature passed a bill to deprive Jones personally of his control over the police force, and a

new statewide municipal code, in opposition to the prevailing wisdom regarding local government, further decentralized municipal government by decreasing mayoral powers, increasing the powers of councils, and multiplying the number of elected boards.⁸ At the same time, the city council renewed a 25-year franchise for the Toledo Railway and Light Company. Jones responded by vetoing the franchise, criticizing the council for attempting “to mortgage the future” of Toledo, and reiterating his call for citizens to reject partisan voting (M. Jones 1998: 221–222). He wrote to Tom Johnson, mayor of Cleveland, that he had come to realize that the interference of state legislatures was also a primary obstacle to cities creating new publicly owned enterprises (M. Jones 1998: 184). In this way, when charter reform failed, Jones still hoped that nonpartisanship and home rule might pave the way for municipal ownership.

On another level, the failure of Jones to secure a new charter and expand municipal ownership highlights a continuing dilemma for advocates of the expansion of the activities of the state: even though voters may express a desire for an increase in government-provided services, they may also prefer to maintain a decentralization of authority to such an increase. In Toledo, voters seemed to support Jones’s program for municipal expansion, but they were not willing to endorse structural changes that they felt weakened popular control of government. Even though the charter was only narrowly defeated, the results at the polls suggest that many of the Toledoans who voted for Jones and his municipal ownership platform in 1899 were unwilling to vote for a new charter in 1901 in order to enable Jones to enact that platform. While Americans have generally been more willing to experiment with governmental expansion on the local level (Balogh 2009: 6, 264–265), in this instance voters feared centralization of power even if only in the form of a stronger mayor and smaller council.

At the same time, it would be an oversimplification to view Jones’s efforts solely as a failure. In Toledo, though he did not secure the creation of municipally owned utilities and transportation, he was instrumental in a vast expansion of parks and playgrounds and the establishment of public kindergartens. His legacy also included a public greenhouse, zoo, golf course, and swimming facilities as well as free concerts and sleigh rides (M. Jones 1998:

96–100, 138, 230). In the nation, his views and the example of his life shaped the work of prominent reformers such as Lincoln Steffens (1904) and Frederic Howe (1905), both of whom spread Jones’s indictment of the “special privileges” at the heart of the franchise system. By 1912, Brand Whitlock, his protégé and successor as mayor of Toledo, was instrumental in the passage of a constitutional amendment in Ohio that made home rule a reality, providing cities with the right to write their own charters and establish municipally owned utilities (Bremner 1995: 113, 117).

Today, Jones’s story can help us understand why urban government — and American government more generally — continues to rely on a complicated and often seemingly illogical mix of public and private initiatives. In the mid-20th century, cities in the United States increasingly took over private companies providing transportation, but at the start of the 21st century, privatization is on the rise (Winston 2013). Seventy percent of American homes now rely on private companies to supply utilities (Cardwell 2013). Yet most Americans accept as natural that cities should own and operate parks, playgrounds, and pools and that local schools should offer free kindergarten programs. These activities were not an accepted component of government before the efforts of men and women like Jones during the Progressive era. Their stories remind us that the boundary between public and private is not fixed, that the concerted efforts of organized reformers and politicians can shift that boundary. But they also highlight the obstacles facing such individuals, not only in terms of entrenched financial and political interests but also deeply held fears of centralized power and a loss of popular accountability. For statebuilding does not occur in a vacuum — efforts to expand the scope of governmental activities were and are intricately connected to popular beliefs about the representative and electoral structures of government.

Notes

1. This article is adapted from a portion of Liazos, Ariane. (2007). *The Movement for “Good City Government”: Municipal Leagues, Political Science, and the Contested Meaning of Progressive Democracy, 1880–1930* (unpublished doctoral dissertation). Harvard University, Cambridge, MA. Portions will also appear in a forthcoming book on the same subject.

2. Jones's biographer rejects the characterization of Jones directly as solely a "social reformer," noting that he also pursued structural reforms (M. Jones 1998: 253).

3. In Ohio at the close of the 19th century, the state constitution classified cities by population in granting charters. Although the original intent had been to prevent special acts for individual cities, the state legislature continually circumvented the law by multiplying the number of classifications in order to pass so-called ripper bills that would apply to the charters of individual cities. Outraged by such state interference in local government, municipal reformers in 1898 pressured the state legislature to create a commission to draft a new municipal code. The code proposed by the commission abolished the classification system and replaced it with a uniform system of local government. Although the state legislature never passed the code, it was widely publicized in cities throughout the state. In 1900, Toledo's population increased to the point where the city's classification changed, and state law required that a new charter be adopted. In this context, Jones likely hoped that even though the state legislature had refused to adopt the code that would make this form of charter uniform throughout the state, if Toledoans requested it for their city alone they might comply (Warner 1964: 17, 107–108; Woodruff 1903: 127–128; *Toledo Bee* 1900a).

4. This charter closely followed a newly proposed uniform state code, causing one member of the commission to write a letter to the *Toledo Blade* claiming that "[t]he great mistake of this commission was in slavishly copying and appropriating to itself the ill-considered and unscientific work of the state code commission" (*Toledo Blade* 1901f).

5. Twenty-three members of the Charter Commission signed the charter by October 18, 1901. Of the 28 Republican members, 61 percent (17) signed the charter. Of the 11 Democratic members, 18 percent (two) signed the charter. Of the 10 unknowns, 40 percent (four) signed the charter. Nineteen people signed the public protest of the charter published on November 1. Of the 28 Republican members, 25 percent (seven) protested. Of the 11 Democratic members, 55 percent (six) protested. Of the 10 unknowns, 50 percent (five) protested. For details on those signing the charter and the public protest of the charter, see *Toledo Bee* (1901n, 1901q). For the partisan affiliations of the members of the Charter Commission, see *Toledo Bee* (1901b, 1901c).

6. The Central Labor Union, founded in 1886, was an active force in local politics. It blocked the election of an anti-union cigar maker in 1891 by distributing 4,000 circulars and stationing workers at polling booths to ensure that members did not vote for this candidate. Its leaders continued to campaign openly against anti-union men and soon sponsored the candidacies of union members for council positions. By 1899, the endorsement of Toledo's CLU for Jones's candidacy for mayor provided crucial support in a city where one-quarter to one-third of all workers were unionized (Zieren 1981: 416–474).

J. H. Spielbusch, a German member of the Charter Commission, joined with other leaders in the German community to call for a mass meeting in Germania Hall to criticize the proposed charter (*Toledo Bee* 1901p).

Though African Americans in Toledo tended to vote for Jones, there is no evidence that he attempted to form alliances with the African-American community of Toledo (only 1.3 percent of the population) beyond the appointment of Charles A. Cottrill to the Charter Commission. Cottrill was a Republican and a political leader of the African-American community in these years (Williams 1977: 57, 73, 77). On Jones's racial views, see Jones (1899e).

7. Judge Morris had at the last meeting of the commission attempted to introduce his own alternative charter that proposed a 45-member council elected by wards. The commission voted 19 to 17 to table the charter without even allowing it to be read. See *Toledo Bee* (1901k, 1901m, 1901q) and *Toledo Blade* (1901e).

8. By 1902, a decision by the Ohio Supreme Court forced the state legislature to confront this issue directly by declaring Cleveland's special charter of 1891, and consequently any charter tailored to an individual city, unconstitutional. The Court gave the general assembly less than six months to resolve the predicament of the fact that many cities in the state were now governed by illegal charters. Regardless of clear sentiment in favor of a system of home rule with regard to charter making among academics, union leaders, and elected officials in the League of Ohio Municipalities, the state legislature opted to create a uniform municipal code. Though the Ohio Code of 1902 did not embody the system proposed by the Toledo Charter Commission, Toledoans still found themselves in 1902 with a new charter imposed by outside forces.

The Ohio Code of 1902 did not encompass the more innovative trends in municipal government. State legislators rejected the Federal Plan, deciding instead to continue with the older board system. The code required an elected mayor and unicameral council as well as city solicitor, auditor, treasurer, police judge, and some members of the boards of public safety and services. While the remaining members of the boards were to be appointed by the mayor, the governor could intervene if the council did not approve the mayor's nominees by a two-thirds majority. The members of the board of health, sinking fund trustees, and tax commissioners were to be appointed by the mayor. The code also mandated a merit system of appointment in the police and fire departments. In the case of Toledo, the new code abolished the bicameral legislature elected by wards and replaced it with a single body with 20 percent of members elected at-large. Secretary Clinton Rogers Woodruff of the National Municipal League listed its problems: specific rather than general grants of power, "the profusion of elective officers," "the retention of the antiquated board system," "the inadequate civil service system." He also claimed that some of the boards were appointed by the governor, not the mayors, violating the principle of home rule (Warner 1964: 16–17, 105–115; Schindel 1909: 251–252; Woodruff 1903: 114–115; Fairlie 1903).

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