

Palo Alto Re-Chartering in 1909
(Back When Local Government Made the Front Page)

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1. Introduction

On Jan. 21, 1909, Palo Alto residents voted 355 to 226 to re-charter their municipality. Since its incorporation in 1894,¹ the town had held general elections for a board of five freeholders. With re-chartering, municipal government switched to a generally elected, fifteen-man council which supervised three commissioned boards of appointed officials. Appointees served on committees for the public works, public safety, and the public library.² A police court was also created, and local school board powers expanded. To the modern sensibility, such changes might seem pragmatic perhaps--but not controversial. Yet in the few months preceding the election, residents articulated very strong opinions about the issue. The debate was headline news for almost a month straight. And the election elicited a 75% turnout rate³

In this paper, I will examine the significance that the charter took on in Palo Alto political culture during late 1908 and early 1909. I draw on arguments quoted in the competing local dailies, both of which were partisan organs during the campaign. Publicized discussion of the charter shows that actors understood the charter with reference both to a local political context and outside political developments. While the initiative began with town administrators, as an increasing number of influential organizations and prominent Palo Altos were recruited to one side or another, the charter debate came to dominate the local political scene. Outside events, however, colored the lens through which individuals viewed the pieces of local legislation. Widely publicized instances of political corruption and nationwide economic problems between 1905 and 1909 had made Palo Altans more aware of the national scope of the problems they had been tackling and the types of ameliorative reform being pursued elsewhere. The thrust of this combined local and broadening perspective: one side considered the document a practical, structural

¹Pamela Gullard and Nancy Lund, History of Palo Alto: The Early Years (San Francisco, CA: Scottwall Associates, 1989), 167.

²Freeholders' charter and amendments thereto, (City of Palo Alto, 1911) 14.

³"Interest Shown In Election," Daily Palo Alto Times, Jan. 21, 1909.

consolidation of the town's decade-long social reform tradition, while others believed the charter to carry "progressivism" too far in the local context.

2. The 1909 Charter and the Local Reform Tradition: Politics Set in Motion by a Local Elite

Palo Altans were premature in their campaigns for progressive social reforms. While reform began to buzz only during the first years of the century in many cities, in 1893 Palo Alto residents were already agitating for their own school district.⁴ J.F. Parkinson, who would later lead the crusade against the 1909 charter, successfully negotiated a separate Palo Alto jurisdiction with the county superintendent. Even large cities such as San Francisco and Los Angeles struggled with inadequate water supplies at this time. In Palo Alto, wells had to be sunk 175 feet; not surprisingly, most residents instead relied on a horse-drawn carriage water delivery service. Professor C.D. Marx--who would be mayor during the charter debate--responded to the inadequate system with a successful campaign for town incorporation in 1894, laying the legal framework for municipal utility ownership.⁵ City leaders then campaigned for and received funding to buy out local private utility owners. First water, and then electricity came under municipal control. (By 1917, the town came to control gas provision as well.)⁶ During these same years, the Women's Club actualized the construction of a public library. And a 1902 typhoid epidemic spurred other "progressives" to create a new hospital, finally erected several months after the charter debate.⁷ For a town which had only sprung up in 1889 with the construction of Stanford University, and sustained rapid growth ever since, this spate of reforms was no small feat. A historian of the town has assured that Palo Alto was one of the first municipalities of the west with centrally-controlled services.⁸ Members from both sides of the charter debate had been involved with reforms during these early

⁴Gullard, p. 118.

⁵Gullard, p.113.

⁶Gullard, p.114.

⁷Gullard, p.138.

⁸Gullard. p. 112.

years, although not necessarily with the same issues. "Progressives" did not cross each others paths early on, because they pressed for social reforms that were not mutually exclusive. Marx's municipal ownership drive did not prevent others from pushing temperance or library legislation, as long as taxpayers were not asked to dig too far into their pockets. The charter, however, differed substantially from preceding social reforms. It provided for changes in political structure that could impinge on others' political agendas. It constituted revision of government form, as opposed to an independent appendage.

The spark for the charter movement came from within the circles of local government, and around it gathered an unofficial coalition of local supporters who understood the document as consonant with the town's "progressive" roots. As Samuel P. Hays has argued, progressive era reformers promulgated their program through rhetoric which paired themselves with the "good." Unfortunately, "historians have rarely tried to determine precisely who the municipal reformers were or what they did, but instead have relied on reform ideology as an accurate description of practice."⁹ The question of "who" progressive reformers were has only recently commanded attention. Despite the partisan character of reporting in both the Times and the Tribune, both identify individuals and organizations which were instrumental in the charter movement. All in all, the Palo Alto charter movement--as most local politics in general at that time--was an upper echelon, yet local affair. National parties and political figures played virtually no role. Charismatic leaders, community organizations, and publicizers were very important actors in this milieu. They succeeded in involving a somewhat larger portion of the voting populace in the charter debate. Coalitions in support of and opposition to the charter consequently grew over time.

The charter drive was spearheaded by local government officials. The town Board of Freeholders began by calling for an August 1908 election to elect frames of a new

⁹Samuel P. Hays. "The Politics of Reform in Municipal Government in the Progressive Era." The Pacific Northwest Quarterly. Vol. 55, 1964, p. 157.

charter, to be voted on six months thereafter.¹⁰ The body of five freeholders proceeded to approve the charter, with one exception: a local publisher named J. Parkinson.¹¹ The consenting freeholders had been long involved with “progressive” reform in Palo Alto. Mayor Charles Marx, a Stanford professor, had originally campaigned for incorporation in 1894, so that Palo Alto could legally own municipal utilities.¹² Another freeholder, H.M. Simkins--who so firmly believed in the charter that he devoted much expensive space in his newspaper, The Daily Palo Alto Times, to the cause--had given over shelf space in his bookstore to the fledgling Palo Alto library.¹³ It is important to note, however, that the charter was pushed by a reform-minded insurgency that had not always had control of the town. During the April, 1908 elections, there had been some turnover in the local administration; insurgents identified enough with one another to label themselves “the new officials”.¹⁴ This group collectively claimed responsibility for the charter. While these group of politicians stopped short of calling themselves a “charter league,” they did constitute a cohesive enough group to launch a successful campaign for voter approval of the charter.

The reform-minded newcomers in Palo Alto government pushed for a structural change in local administration because they had different ideas about what duties elected representatives needed to fulfill than others in power. From this angle, the charter can be seen as a bold tactic in an internal power play. Ignoring his history of “progressive” activism in the town, a Times writer argued that the dissenting freeholder, J.D. Parkinson, had been involved with unfair dealings in his role as a freeholder--and that the new reformers would prevent him from acting in such a capacity later on. Palo Alto officials were required to publicize all local ordinances passed in a local paper. In recent years, contracts had apparently been given to Parkinson. “The new officials” however, instead

¹⁰“Who Are Its Friends?” The Daily Palo Alto Times 27 Nov. 1908.

¹¹“Charter Printing Amicably Settled.” The Daily Palo Alto Times 2 Dec. 1908.

¹²Gullard, p. 113; “Times Awarded Charter Printing.” The Daily Palo Alto Times, 8 Dec. 1908.

¹³“An Open Letter.” The Daily Palo Alto Times, 7 Dec. 1908; Gullard, 141.

¹⁴“More Smoke of Battle.” The Daily Palo Alto Times, 30 Nov. 1908.

printed the proposed charter, once approved by the board, in freeholder Simkin's Times. A Times article justifies the change: "By this time he ought to realize that there has been a change of administration at the city hall, and the days when he could get contracts without competition and charge unlimited prices came suddenly to a close last April. . . . No amount of shrieking or bellowing on the part of 'The Tribune' will affect THE NEW OFFICIALS."¹⁵ Parkinson was portrayed as a stereotypically corrupt official.

Parkinson's response was to spearhead opposition to the charter. He turned his publication into a voice of opposition, an act which charter proponents argued was to forget his oath of office and conspire to defeat, "the will of the people."¹⁶ The charter debate, it seems, was an up-close and personal debate between elected officials, many of them long-time activists, about who should exercise power to what end. While no specific leagues formed to advance or oppose the charter, a core of ardent and committed organizers--many politically interested in the outcome--coalesced on both sides.

In order to resolve their differences, however, these elected officials had to appeal to a wider, local audience: the charter had to be approved by the Palo Alto electorate. In the last few months of 1908 and up until the January election, the core groups of charter supporters and opponents first attracted "experts" in government matters and "leading citizens" to their causes. A few professors, such as Mayor Marx, had been involved with the charter push from the outset. In addition, a majority of the professors in town, a writer for The Times argued, had come out in favor of the charter by mid-January.¹⁷ Mention was frequently made of the fact that professors had been consulted in both the drafting of the charter and campaign strategy. A Times writer, for example, stressed that a Stanford law professor had advised charter proponents during the publishing controversy.¹⁸ Professors' opinions about specific provisions were sought out for publication--Professors

¹⁵"More Smoke of Battle." The Daily Palo Alto Times. 30 Nov. 1908.

¹⁶"Who Are Its Friends?" The Daily Palo Alto Times 27 Nov. 1908.

¹⁷"Honorable to the Charter." The Daily Palo Alto Times. 14 Jan., 1909.

¹⁸"Times Awarded Charter Printing." The Daily Palo Alto Times. 8 Dec. 1908.

Templeton and Jeffers, for example, were cited as supporters of the charter's educational provisions.¹⁹ Other sorts of "leading citizens" were recruited as well. J.J. Morris, whom The Times lauded as "prominent in society, club and lodge circles" came out in favor, as did local bankers and businessmen.²⁰ Charter opponents recruited a similar slate of supporters. A Tribune writer stressed that two key experts were opposed to the charter: Mr. Mason, "an authority on municipal matters," and Norman E. Malcolm, an attorney with experience in the area.²¹ From announcements of anti-charter gatherings, one learns that several "businessmen and educators" were, by late January, willing to speak out against the charter.²² A Professor Sanford was particularly outspoken in his opposition. Politicians on both sides felt that successful businessmen and professor were prominent enough figures in the Palo Alto political culture to be worth courting and adding to the ranks of supporters in whatever capacity they were willing to take one.

Charter proponents went yet further and recruited local organizations to their cause. Times writers, after sending "experts" to club gatherings, managed to secure the mandate of the Palo Alto Women's Club because of the charter's educational provisions.²³ Charter advocates were convinced that the women's support was crucial, as "while the women cannot vote, they can bring strong influence to bear upon the men to induce them to vote for the adoption of the charter."²⁴ The group had already exerted much of a "progressive" influence during the preceding fifteen years of development, most notably in its efforts to secure books and funding for a public library.²⁵ Similar charter study groups were set up with the men's groups of various church denominations.²⁶ A variety of pastors came to express support for the charter in the pages of The Times, but rationales differed. Some

¹⁹"Meeting Favors New Charter." The Daily Palo Alto Times. 9 Dec. 1908.

²⁰"Predicts Charter Will Be Adopted." The Daily Palo Alto Times. 19 Jan. 1909.

²¹"They Oppose Charter." The Palo Alto Tribune 16 Jan. 1909.

²²"Mass Meeting Tomorrow Night." The Palo Alto Tribune. 19 Jan. 1909.

²³"Meeting Favors New Charter." The Daily Palo Alto Times. 9 Dec. 1908.

²⁴"Club Will Hold Charter Meeting." The Daily Palo Alto Times. 17 Dec. 1908.

²⁵Gullard, Pamela and Nancy Lund. History of Palo Alto: The Early Years. San Francisco, CA: Scottwall Associates, 1989, 141-2.

²⁶"Discussion Needed." The Daily Palo Alto Times. 18 Dec. 1908.

cited the educational provisions, while others stressed the importance of voting for a separate prohibition clause.²⁷ The efforts made to obtain such endorsements testify to the degree of swaying power these organizations were believed to have in local politics. Validation by community groups was obviously considered to be a selling point for the cause: one Times writer trumpeted, "it is confidently expected that every church club and every civic organization in Palo Alto will officially endorse the charter before the end of the week," as if yet another step had been made in their crusade.²⁸ Although both sides seem to have been spearheaded by government officials, in appealing to local groups representing *other* interests, charter proponents successfully involved a much broader segment of the population in the debate. By election time, a coalition of local interests, which can be gauged through the expressed aims of different supporting organizations--political, monied, academic, social reform, religious--aggregated behind the charter.

As well as appealing to organizations and prominent citizens, both charter proponents and critics solicited unaffiliated individuals through mass meetings and written publications. The incredible energy poured into this pursuit seems to have paid off for both sides. Charter study groups with community organizations were superseded by mass meetings--touted as "open to the public"--and rallies. Five local men's clubs collaborated on a pro-charter meeting, held two weeks before the election. It was obviously envisioned as another form of propaganda for the charter cause: "The meeting is in the interest of the freeholders' charter and it is designed to correct the misstatements and false arguments that have been and are being so freely circulated by the opponents of the charter."²⁹ The main charter opponent, J.D. Parkinson, at this point retaliated and organized a mass meeting of his own, in which "leading citizens" were slated to criticize the charter from private perspectives.³⁰ In organizing mass forums to complement their more subtle

²⁷"Pastors Advise Charter Support." The Daily Palo Alto Times. 18 Jan. 1908.

²⁸"Seven Clubs Will Consider Charter." The Daily Palo Alto Times. 1 Dec. 1908.

²⁹"Charter Rally Tuesday Night." The Daily Palo Alto Times. 18 Jan. 1909.

³⁰"Leading Citizens Against Charter." The Palo Alto Tribune 18 Jan. 1909.

communication with community organizations, Palo Alto political actors were drawing on standard forms of political mobilization. Although McKinley managed to win the presidential election of 1896 without traipsing through the country, his case was an anomaly. Campaigns during the progressive era--whether crusades for office or for reform initiatives--involved constant traveling and public speaking. This is what brought issues home to voters. Hiram Johnson spent five harrowing months on the road during his successful California gubernatorial campaign in 1910; by the end he had traveled over 8,000 miles and made 1,000 speeches.³¹ Even county administration involved mass gatherings attended by politicians and voters: the San Mateo County supervisors, for example, called for a mass meeting to discuss county issues in late 1908.³²

Not only were unaffiliated individuals courted through mass meetings. Key supporters on both sides controlled Palo Alto dailies, and used them to further push their respective causes. The issue made the second page--if not first page--every day during the last two months before the election. The editor of The Times admitted his partisanship quite unabashedly in an editorial two months before election time: "The Times Publishing company and myself have paid from our private funds the expense of the preliminary work and the voluminous publicity given to the study of all phases of the charter movement. . . . The board called for bids for daily paper advertisement and a bid was submitted by The Times."³³ On the flip side, Times writers tenaciously argued that The Tribune was controlled by the leading opponent of re-chartering, J.D. Parkinson of the board of freeholders.³⁴ Anti-charter arguments made in editorials of that paper certainly make the accusation quite plausible. In both cases, editors and reporters set out, with energy and animosity, to convert community members while informing them.

³¹Lower, Richard Coke, A Bloc of One: The Political Career of Hiram W. Johnson. Stanford, CA: Stanford University Press, 1993, p.23.

³²"Mass Meeting Saturday Night." The Daily Palo Alto Times. 11 Dec. 1908.

³³"An Open Letter." The Daily Palo Alto Times. 7 Dec. 1908.

³⁴"Who Are Its Friends?" The Daily Palo Alto Times 27 Nov. 1908.

Contributors to the newspapers used a variety of tactics to sell their cause to the undecided voter. The Times, to begin with, published the entire proposed charter, alongside official notifications of the January election. This action, in and of itself, was not out of the ordinary. The board of freeholders regularly contracted with local dailies to publish ordinances passed at their meetings--one could think of it as a very early form of government public relations.³⁵ It was presented, however, in a fashion which highlighted its newness and importance. Printed in tiny block letters, it filled an entire page almost daily, amounting to about a fifth of each issue. Although the Times editor and other charter proponents were actually arguing for *re-* chartering the town, copies of the old charter were never printed alongside the proposed new one. What The Times communicated in its layout and editorial decisions was not that the freeholders were proposing changes to some of the articles of government. The message was that the new charter would defined Palo Alto government, that it would fill a vacuum. A vote for the charter was to embrace change, while a vote against it was to do nothing. Presented in such a manner, the charter took on a glorified, "progressive" presence--a presence that seems deserving of the half-page advertisement published right before the election, headed by the bold-faced admonishment, "Vote for the Charter!"³⁶ (See illustration 1.)

While the charter opponents did not have the advantage of "newness" going for them, they did join proponents in another editorial tactic: quoting and listing the names of academics and other prominent town figures who supported their respective sides. The Times published letters and articles written by bankers, prominent professors. Articles written by partisan figures were not uncommon in these newspapers. The only way for small local papers, such as The Times and The Tribune, to obtain coverage of distant events was to rely on letters and reports from travelers or articles from other papers. The editor of The Times admitted that soliciting coverage often meant "interested" reporting,

³⁵For an example of a published ordinance, see: The Daily Palo Alto Times. 26 Jan., 1909. Ordinance no. 196.

³⁶The Daily Palo Alto Times. 19 Jan. 1909.

and that the newspaper management consequently could not accept responsibility for all of its contents.³⁷ Articles about the charter, however, were written by locals about a local election, an election for which the editor already hired reporters. The editor seemingly made no attempt to balance perspectives, either. In a particularly glaring example, the January 20 issue of The Times contained a transcribed pro-charter speech made by C.E. Childs, president of the First National Bank of Palo Alto.³⁸ While The Times in one instance did include a letter by a professor who criticized the charter, numerous counter-arguments were made in the same issue. The dailies, it seems, were one of the means by which prominent citizens could directly address the community.

Everyday reporting was also colored by political affiliation. It was not abnormal at the time for these Palo Alto newspapers to take stands on issues or elections, and encourage readers to follow their example. Before the November, 1908 election, The Times had published a sample ballot for national legislation, encouraging readers to support several pieces of legislation³⁹ In both papers, reports of charter meetings consisted of summaries of the opinions articulated during discussion; writers usually quoted opinions from both sides, but gave more weight to one side than the other. Entire articles in both Times and Tribune articles were often devoted to strings of quotes from prominent community members and academics, spelling out their support or opposition to the charter. Titles were particularly telling--they portrayed one side as having an advantage over the other. While The Times quoted businessmen and some professors, The Tribune included more quotations from small businessmen and academics. For example, a Tribune article entitled "Leading Citizens Against Charter," consisted of a string of one-sentence arguments against the charter made by professors, a jeweler, a printer, a shoe dealer, an attorney, an employee of the University Transfer Company, and others.⁴⁰ The writer

³⁷See the headers printed below the publishing information in most issues of The Times.

³⁸"Strongly Favors Proposed Charter." The Daily Palo Alto Times. 20 Jan. 1909.

³⁹The Daily Palo Alto Times. 2 November, 1908.

⁴⁰"Leading Citizens Against Charter." The Palo Alto Tribune 18 Jan. 1909.

vouched for their credibility: These men, a Tribune writer defended, could not be accused of having “a lack of progressiveness or the presence of personal political interest.”⁴¹ For “expert” opinions, Tribune writers deferred to local academics. In one fairly typical editorial, the writer labeled two experts as “competent above all others to speak with authority” on the issue; Mr. Mason, a national authority on municipal matters, and Norman E., an attorney specializing in such matters.⁴² The Tribune also regularly cited the opinions of Stanford Professor Sanford, who had visibly broken with charter proponents a few months earlier. The Times went furthest in its efforts to illustrate that exemplary citizens were on their side by publishing lists of “leading citizens” who supported the charter in columns in between articles. In the January 19 issue, 122 charter supporters were listed.⁴³ In both papers, the names of prominent citizens--especially those of academics--were used to model and attract political support. We can see, from the common references, that editors felt the opinions of academics, the social elite, and businessmen to be respected and influential. In such a political culture, the opinions of certain individuals--such as in the article title “Professor Sanford Opposes,” from The Tribune--were pieces news in and of themselves.⁴⁴ References to individuals, however, were almost always local--outsiders such as the “charter expert” Mason needed to be identified. The campaign was obviously begun within the parameters of a fairly contained political culture. Both sides were top-down efforts to secure as many votes as possible.

How did this broadening coalition of supporters on both sides compare with “progressive” activity and its reception in other localities? Leadership by prominent government and political figures was not peculiar to Palo Alto. The Times, for example, reported that the Economic Club of Boston had proposed a new charter in that particularly “progressive” city.⁴⁵ Closer by, the Direct Primary League of California campaigned for

⁴¹“Leading Citizens Against Charter.” The Palo Alto Tribune 18 Jan. 1909.

⁴²“They Oppose Charter.” The Palo Alto Tribune 16 Jan. 1909.

⁴³“These Men Will Vote For Charter.” The Daily Palo Alto Times 19 Jan. 1909.

⁴⁴“Prof. Sanford Opposes.” The Palo Alto Tribune. 19 Jan. 1909.

⁴⁵“Report of Charter Experts.” The Daily Palo Alto Times. 21 Dec. 1908.

direct selection of party candidates. Yet historians have disagreed about how to further describe activists of the progressive movement. Samuel P. Hays and Robert Wiebe have argued that middle-class and upper-middle-class were most involved. Certainly, the Palo Alto charter proponents--publishers, professors, bankers, and pastors--would have been wealthier than most. It is difficult, however, to identify the income levels of many key figures. And as Arthur Link has countered, it is problematic to classify the "progressives" as middle-class, as the term is now associated with normalcy and the majority. In the early years of the century, there was virtually no middle-class in this sense.⁴⁶

The Palo Alto charter debate in fact, lends itself to a more dynamic interpretation than a class-based model. In the charter proponents' accumulation of an unofficial coalition of supporting organizations, one can see that the town's political culture was relatively insular and issue-centered. Branches of state and national organizations were not targeted during the campaign. Local interest groups were instead courted, and gradually won over to the cause when they saw that it furthered elements important to their own program. The Women's Club, for example, came to support the charter once assured that it would improve educational standards. And as Link has argued, individual reformers were critical in convincing people of their mutual interests. Again, professors were recruited to convince members of the Women's Club of the excellence of charter educational provisions. Yes, a variety of different groups came out in favor of the charter. But the same coalition might not have aggregated behind a less respectable body of proponents or a different piece of reform legislation. Link writes: "It is not surprising that reformers of the late nineteenth century had little to do with one another. Their protests and programs had in common neither cause nor objective; each addressed a single problem."⁴⁷ Campaign supporters and tactics, as well as the provision itself, had to be acceptable and influential within the context of a relatively provincial political culture. The issue took on a larger and

⁴⁶Link, Arthur S., and Richard L. McCormick. Progressivism. Arlington Heights, IL: Harlan Davidson, Inc., 1983, p.16.

⁴⁷Link, p.8, 15.

larger aura of significance, as the election grew closer and a broadening constellation of influential forces allied themselves on one side or the other.

3. In the Wake of Graft Trials and Recession, Palo Altans' Political Perspective Broadens

Up until now, I have concentrated on local factors which caused the charter to take on significance in the Palo Alto political culture, such as the local "progressive" reform tradition, disagreements within the political establishment, the visible alliance of influential community members and organizations with both sides, and the high level of publicity given to the debate. Factors from outside the community, however, also helped catapult the issue to prominence. Palo Altans justified their pro- and anti-charter stances with reference to a recent recession, the effects of which were still being felt locally. Also, many alluded to the spate of graft trials in cities across the nation in supporting either side.

In 1907, a short yet serious panic shook Wall Street. Because the national economy was gradually becoming more interconnected, the ramifications of the recession were felt as far west as the Bay Area. The experience brought many issues to national attention, especially the need for a uniform currency and banking system; the Federal Reserve System was created in the following years.⁴⁸ Yet the episode seriously eroded confidence in Roosevelt's "trust-busting" campaigns at the national level, and, in Palo Alto, somewhat splintered support for local reform. Charter critics stressed that they were not against "progressivism" per se.⁴⁹ Many feared, however, that further political change would only exacerbate economic problems. One opponent summed up this viewpoint: "Palo Alto cannot afford to endure the political upheaval which the adoption of the charter would compel. Just at this time it needs political quiet in order that its businessmen can attend to their business."⁵⁰ For many shaken by the panic, political conservatism seemed

⁴⁸Wiebe, Robert H., Businessmen and Reform: A Study of the Progressive Movement. Cambridge, MA: Harvard University Press, 1962, p.68.

⁴⁹"They Oppose Charter." The Palo Alto Tribune 16 Jan. 1909.

⁵⁰"Why the Charter?" The Palo Alto Tribune 8 Jan. 1909.

a prerequisite for economic stability and growth. Critics also worried that the charter would be a tax burden, unless the rising tide of new "progressive" programs were stopped at some time.⁵¹ The unspoken premise of this argument: in a tenuous economic climate, funds could be put to better use in the private sector. Individuals needed money to maintain their private businesses.

Charter proponents seem to have reacted differently, for whatever reasons, to the panic. The charter initiative stemmed from a town board of trade enamored with the idea of growth.⁵² During the debate, many proponents were optimistic that the economy was improving--after all, the worst had been over with a year ago. One Times article quoted an article from that month's "Banker's Magazine," which forecasted growth for California. The writer then proceeded to encourage business confidence among Palo Altans.⁵³ Rather than viewing political activity as prohibitive of economic growth, charter proponents thought of it as an aid to further development. While the charter could not influence national economic and banking trends, it could, however, still render Palo Alto attractive once the housing market picked up. As one Times writer argued, "progressives" need to anticipate change: "we can hasten the return of prosperity by getting our house ready for it."⁵⁴ Charter advocates felt that responsible government was interventionist in the economic sphere, and that good management would pay off.

Many Palo Alto "progressives" also alluded to recent graft trials in justifying wariness about further reform. During 1905 and 1906, a large number of cities and states were rocked by discoveries of businessmen bribing legislators, conspiring with party chieftains, and buying nominees.⁵⁵ Graft trials in Pittsburgh and San Francisco were particularly well-publicized examples of a growing rebellion against boss rule and the subservience of politics to economic powers. Local California politics, with this issue,

⁵¹"Charter A Tax Burden." The Palo Alto Tribune. 9 Jan. 1909.

⁵²"Answer to Sanford." The Daily Palo Alto Times 18 Jan. 1909.

⁵³"Prosperous Era Now Assured." The Daily Palo Alto Times. 17 Dec. 1908.

⁵⁴"Prosperity For Palo Alto." The Daily Palo Alto Times 22 Jan. 1909.

⁵⁵Link, 31.

merged with national currents.⁵⁶ The San Francisco example weighed especially heavy upon the minds of Palo Altans. Trials of public officials in that city only exacerbated the commonly held image of San Francisco as a vice-ridden Armageddon. Even after the earthquake lay ruin to the old and filthy characteristics of the city, one reporter wrote, "the phoenix-like rise of a grant new city, the gamut of crime and graft and finally the tragical story of the prosecution with its list of sudden deaths, dynamiting, attempted assassination in the presence of the court; suicides and mysterious disappearances . . makes a story far stranger than fiction."⁵⁷ The graft issue had by no means subsided by the time of the charter debate: in January of 1909, graft trials were being held for San Mateo county officials, and the Los Angeles Municipal League had just resolved to recall its mayor. They alleged that he had used his appointments for bad purposes and yielded to the dictation of the Southern Pacific Railroad.⁵⁸ With such stories filling the columns of the daily news, it is not surprising that many Palo Altans grew very wary about the character of politicians and the corrupting influences of power.

As with the economic issue, "progressives" split over whether the proposed charter was advisable in light of news from the outside. Charter proponents saw themselves as restructuring government so as to keep buyable politicians away from the real helms of government. By appointing officials, charter proponents hoped to get less corruptible, more experienced figures into office--people who would not spend the time to campaign, much less look at public administration as a career path. A Times writer quotes from the Fresno Republican: "The man who wants an office is the man who is smaller than the office--to whom it is a promotion. The man whom the public needs in the office is the man who is bigger than the office--to whom it is a sacrifice."⁵⁹ College professors, one Times

⁵⁶Lower, p. 16.

⁵⁷"Tragic Features." The Daily Palo Alto Times. 1 Dec. 1908.

⁵⁸"Langdon Will Prosecute." The Daily Palo Alto Times. 23 Jan. 1909; "Los Angeles To Recall Its Mayor." The Daily Palo Alto Times. 21 Jan. 1909.

⁵⁹"The Appointive Power." The Daily Palo Alto Times. 19 Jan. 1909.

writer argued, would be ideal candidates for such positions.⁶⁰ Structural reform would ensure that different sorts of men ended up with power in utility and public works administration, where large sums of public money were handled.

Charter critics were very skeptical that the structural changes proposed--which involved creating boards not directly accountable to the people--would make things any better. To charter opponents, the charter had emerged from the same political quagmire it was supposed to guard against. The charter movement itself, after all, had simply been a ploy to wrest power from Parkinson. A Tribune writer argued, "In spite of the spectacular fight which has been made for the charter by those of its advocates who would benefit politically by its acceptance and by those who honestly believe in the instrument, short street and office discussion are sufficient to show that the undercurrent of opposition runs strong."⁶¹ Yes, some actually believed in the charter. But the fact that many current politicians had *interest* in its passage made many skeptical. In such a climate, it is no wonder that many hesitated to give more power to men advertising themselves as apolitical managers. And why provide for a larger council, some cynically argued, when the public already could not find enough honest men to fill posts? As Professor Sanford argued, "Every city has a few men of distinguished service and recognized worth who are bound to be elected to the city council, be it large or small. Pittsburgh is said to have six men in their council of nearly one hundred who are not purchasable. San Francisco had four out of eighteen supervisors who were not bought. Palo Alto is sure to have few such men on any city council. For the purpose of the boss, these men must not be in the majority."⁶² Outside facts, in these examples, can be seen as influencing how Palo Altans approached the charter.

⁶⁰"After the Battle Peace Will Come." The Daily Palo Alto Times. 21 Jan. 1909.

⁶¹"Leading Citizens Against Charter." The Palo Alto Tribune 18 Jan. 1909.

⁶²"Prof. Sanford Opposes." The Palo Alto Tribune. 19 Jan. 1909.

4. Local and Broader Factors Were Brought to the Interpretation of Specific Charter Provisions

How did these references to outside political and economic events interact with local political considerations in discussion of specific charter provisions? The most intensely argued provision was one that significantly altered government structure--and by extension, how power was exercised. Under the new charter, the five-man board of freeholders would be replaced by a fifteen-man council to perform legislative functions, and three appointed boards to administer public utilities and services. To charter advocates, this change would allow for greater efficiency: political debate could be conducted in one arena and things actually be accomplished in another. Since the legislative body had the power to appoint the mayor and boards, it functioned as a democratic guarantee for their performance.⁶³ With the change from five to fifteen elected officials, another Times writer argued, no one interest or figure would be able to control a majority of the members and thereby influence appointments.⁶⁴ A Times writer argued that this type of provision for accountability had succeeded in other cities, and should be distinguished from charters which provided for smaller councils, straight commissions, or city-managers, as many localities were adopting during the same years.⁶⁵ Another safeguard against corruption: boss politicians would never end up in appointed positions themselves, because they would not be interested in the type of "public service" that the boards would be engaged in. One writer stresses that, "the functions exercised by this council are not of the nature to attract the desires of such men. Rascals do not waste their time doing constructive planning for the good of the city."⁶⁶ "Public servants" rather than "boss politicians" would be more interested in utility management. The best protection, however, was that only two of the appointed positions were paid, and bosses could not build up patronage networks without

⁶³"The Final Corrections." The Daily Palo Alto Times. 27 Nov. 1908.

⁶⁴"Not A Valid Objection." The Daily Palo Alto Times. 26 Dec. 1908.

⁶⁵"Berkeley Plans New Charter." The Daily Palo Alto Times. 23 Nov. 1909; Hays, 165.

⁶⁶"Answer to Sanford." The Daily Palo Alto Times 18 Jan. 1909.

employing people for salaries. "The boss without patronage is not boss at all."⁶⁷ Charter proponents argued that the new structure, tailored to facilitate service provision, actually guarded against putting administrative duties into the wrong hands. It instead placed administration outside of politics.

This new structure, according to some Times articles, not only kept government out of the wrong hands, but put power into *better* hands. Career politicians would be kept out of positions of real power. "Under the appointive system," one charter proponent argued at a town meeting, "I believe it would be possible to have the office seek the man, rather than the man the office."⁶⁸ Competent men with management skills--who were already involved with their own businesses and consequently did not have the inclination to "run" for an office--could be sought and persuaded to serve their municipalities under the appointive system. The speaker further argued, "There are lots of good and efficient men . . . who would not care to enter the mire of politics to secure an election."⁶⁹ By placing municipal services under appointed commissions, Palo Alto could raise its government out of the "mire of politics," and into the hands of apolitical managers. Essentially, business-like functions should be handed over to businessmen. Government, Times editorial writers and quoted speakers argued, should function as a business writ large; it had constituents to please and to which to sell its products. Such a change should not be considered un-American or even uncommon. As one charter proponent pointed out, "our federal government consists of four-hundred elected officers (congress) and more than sixty thousand appointed ones."⁷⁰ Local governments were simply following the cue of the federal government.

Charter opponents, however, felt that the new split between political and administrative duties only frustrated the ideals of local, democratic government. With the

⁶⁷"Answer to Sanford." The Daily Palo Alto Times 18 Jan. 1909.

⁶⁸The Palo Alto Tribune, 11 Jan. 1909.

⁶⁹The Palo Alto Tribune.

⁷⁰"Truly American." The Daily Palo Alto Times. 19 Jan. 1909.

1906 graft trials in San Francisco on their minds, charter opponents stressed that the duties of Palo Alto government, even as it had become a utility-provider, had not changed so much as to warrant the removal of democratic guarantees. Elected officials were still preferable over appointed ones, because constituents could vote them out of office. Elections served as checks against abuse. Appointees would be accountable to politicians rather than to the people. A Tribune editorial headline captured this sentiment: "Assessor, Appointed, Would Be Council's Tool."⁷¹ Even in situations where graft did not creep in, appointed officials, since not directly accountable to the people, would be less responsive to their needs. The charter critic Walter Rodgers argued along such a line at a public hearing: "it introduces a number of middlemen between the people and their officers. The result is that nobody will be responsible."⁷² Giving politicians the power to appoint also meant that the people would be losing the chance to choose officers themselves. One speaker spelled out the implications of the change: "The appointments under the charter will double what they are at present . . . Why should the people give up the right to vote for such an important officer as the clerk or treasurer?"⁷³ One Tribune writer argued that voters would not be able to keep the bad appointees out of office: "A plea has been made that the proposed freeholders' charter should be judged, not according to the possibilities of good when in the hands of its friends. If the possibility for evil should be eliminated, any system of government or no system at all would be acceptable."⁷⁴ In other words, the purpose of government in Palo Alto had been, and should be, to guard against the abuse of power, to serve as a restraining hand. Critics were obviously skeptical of charter advocates' assurances that the new government would be filled with benevolent public servants.

⁷¹"Assessor, Appointed, Would Be Council's Tool." The Palo Alto Tribune 19 Jan. 1909.

⁷²"Leading Citizens Against Charter." The Palo Alto Tribune 18 Jan. 1909.

⁷³"Charter Develops Strong Opposition." The Palo Alto Tribune 11 Jan. 1909.

⁷⁴"They Oppose Charter." The Palo Alto Tribune 16 Jan. 1909.

Although the creation of boards was the most hotly contested provision of the charter, residents also debated clauses providing for voter recall of officials and the extension of the town school board's powers. A provision for recall votes every two years, the Tribune writer argued, was included to placate those upset by the loss of democratic guarantees under the new charter. "Instead of being an aid to democracy," read the editorial, "the council is before all an institution of inefficiency . . . The recall is calculated to instill in the citizens a false sense of their power."⁷⁵ Charter supporters, on the other hand, touted recall, along with initiative and referendum, as democratic forms as old as the constitution--democratic forms which "progressive" municipalities ought to include.⁷⁶ The push for the recall vote was typical of local progressive movement of the west; the historian Arthur Link argues that western progressivism was distinctive in its passion for "the more democratic, anti-institutional political reforms."⁷⁷

Another provision of the charter enlarged the school board from three to five members, and allowed them to spend money at their own discretion within certain parameters set by the town charter and state regulations.⁷⁸ This provision fit with the main prerogatives of charter framers, in that it eased administration and social reform. School board members, arguing for the change, stressed its pragmatism. With only three members, it was very difficult to have meeting quorums, especially when members traveled on business.⁷⁹ Also, state regulations made it easier to obtain funding for high schools than elementary schools. Consequently, both the Santa Cruz and Palo Alto boards proposed changing finance provisions so that quality could be upgraded.⁸⁰ In addition to potentially facilitating further social reform, charter framers presumably knew that a measure to bolster the powers of the school board would help secure votes for the charter

⁷⁵"The Recall Inoperative." The Palo Alto Tribune 13 Jan. 1909.

⁷⁶"Direct Legislation is the Most Desirable." The Daily Palo Alto Times. 20 Jan. 1909.

⁷⁷Link, Arthur S., and Richard L. McCormick. Progressivism. Arlington Heights, IL: Harlan Davidson, Inc., 1983. p.34.

⁷⁸"School Board Asks For Change." The Daily Palo Alto Times. 19 Nov. 1908.

⁷⁹"School Board Asks For Change." The Daily Palo Alto Times. 19 Nov. 1908.

⁸⁰"Santa Cruz to Amend Charter." The Daily Palo Alto Times. 3 Dec. 1908.

as a whole. Their fore-thought paid off: in a Times article, the mothers' and teachers' groups of the Women's Club cited the provision as their reason for supporting the charter.⁸¹ While some favored the creation of a more powerful school board, others realized that more power in the hands of the school board would most likely mean more money in the hands of the school board. At a public meeting, one critic argued, "I don't believe so much power should be vested in the school board."⁸² "Power" implied fiscal power, the ability to provide the level of services it saw fit. Another speaker spelled this out more clearly, criticizing, "the dangerous degree of authority by which they many construct as many school buildings as they like."⁸³ Charter critics did not necessarily disapprove of the social reforms already made--they just were not ready to lay the administrative and financial foundations for further ones.

In summary, the proposed charter reflected a coalition of different interests, many local and others broader in reference. In including a number of different sorts of changes, the charter stood a better chance at passage. The provision most likely to elicit controversy, a prohibition clause, was to be voted on separately, so as not to jeopardize passage of the charter.⁸⁴ And indeed, the prohibition clause passed by a much narrower margin: 280 to 269.⁸⁵ It also addressed concerns stemming from outside town, as Palo Altans were becoming fiscally conservative in the wake of a recent recession, and increasingly concerned with boss politics. As diverse as the proposed changes were, though, they were all structural changes. Rather than augmenting the quality of life in and of themselves, as many "social reforms" of the period did, these provisions consolidated the framework under which social reforms could be made. The charter can be seen simultaneously as the consolidation of past reform and a foundation for further change. Other towns engaged in similar structural changes during that same year. Berkeley, San Jose, Richmond, Santa

⁸¹"Meeting Favors New Charter." The Daily Palo Alto Times. 9 Dec. 1908.

⁸²"Charter Develops Strong Opposition." The Palo Alto Tribune 11 Jan. 1909.

⁸³"Charter A Tax Burden." The Palo Alto Tribune 9 Jan. 1909.

⁸⁴"The Final Corrections." The Daily Palo Alto Times. 27 Nov. 1908.

⁸⁵"New Charter Is Adopted." The Daily Palo Alto Times. 21 Jan. 1909.

Cruz and Boston were all proposing fundamental changes in their charters or adopting completely new ones at the time of Palo Alto's charter debate.⁸⁶ And these are just the towns that The Times chose to cite! None of these documents matched Palo Alto's exactly—they were all variations on a model, and presumably reflected different crafters and constituencies. (The first precedent for such a change had been the National Municipal League's 1899 publication of a model city charter.⁸⁷) Local progressive reform was had been and still was the norm in the nation, up until the Bull Moose campaign of 1912. Especially in the South and Far West, where industrial economies lagged, businessmen and other reformers channeled their energies toward local and state reform.⁸⁸ Geographically and in many respects economically isolated, political consolidations of local social reform were what seemed relevant.

5. Conclusion

Surrounded by reports of boss politics and in the midst of an economic slump, members of the Palo Alto upper crust split on whether structural political change was advisable. Their disagreement played out across daily newspaper pages and charged the atmosphere of the town meeting hall. At root were different ideas about the role local government should play with respect to its constituents. While charter critics placed a premium on individual power through voice in governmental decisions, those who crafted the document felt that government should first and foremost protect and provide for its constituents. A Times writer explained the different way in which citizens would be empowered by the charter: "This charter is notable for the large reservation of powers to the

⁸⁶"Reports of Charter Experts." The Daily Palo Alto Times. 21 Dec. 1908; "San Jose Would Amend Charter." The Daily Palo Alto Times. 10 Nov. 1908; "Copies Palo Alto Charter." The Daily Palo Alto Times. 25 Jan. 1909; "Berkeley Plans New Charter." The Daily Palo Alto Times. 23 Nov. 1909; "Santa Cruz to Amend Charter." The Daily Palo Alto Times. 3 Dec. 1908.

⁸⁷Link. p.30.

⁸⁸Wiebe, Robert H., Businessmen and Reform: A Study of the Progressive Movement. Cambridge, MA: Harvard University Press, 1962, p.42-66.

people. Authority is secured to do every conceivable thing that will be to the betterment of the town and the people.”⁸⁹

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