

THE MOVEMENT BY STATES

COLORADO

Colorado has the unique distinction of having had three Single Tax campaigns in 1915. In two contests at Denver and Colorado Springs the Single Tax advocates did not expect to succeed. Charter amendments were submitted for the purpose of educating the voters and to help create public sentiment that would eventually secure the blessings of untaxed industry to the charter cities of the State.

COLORADO'S SUPERIORITY OVER OTHER STATES

Colorado has home rule for cities, an advantage enjoyed by no other State. On questions purely municipal, cities that have availed themselves of the constitutional right to frame their own charters, may act independently of the State legislature. For this liberty which is so essential to a city's well being and prosperity, and holds out so much of promise as an example to other States we are largely indebted to the zeal and ability of John A. Rush, a former State Senator, who introduced the bill for the Home Rule Amendment in the Thirteenth General Assembly. This was in 1901. This amendment was so carefully drawn that privileged interests and their corrupt retainers strove vainly to misconstrue its provisions. For many years they kept Colorado in a turmoil trying to find some way to nullify it. ■

HOME RULE FOR CITIES

Their final effort was the attempt to deprive charter cities of the right to control their election machinery. This resulted in another "Home Rule for Cities" amendment, triumphantly carried in 1912. This amendment not only made the rights conferred by Rush's home rule amendment more secure, but it also added to the power of municipalities, notably in regard to the important matter of taxation.

To understand the Colorado situation we must consider the legislative acts leading up to the local campaigns in 1915.

FIRST SINGLE TAX BATTLE

It was in Colorado in 1902 that the first systematic effort to secure local option in taxation was made anywhere in the United States. In 1899 James W. Bucklin, of Grand Junction, then a State Senator, secured legislative authority to investigate this fiscal method in New Zealand and the Australian Colonies. Senator Bucklin made the investigation at his own expense. He produced a report on the tax system of Australasia that is still recognized as one of the best, and allowing for the lapse of time, one of the most authoritative on the subject of taxation. Nearly 100,000 copies of this report were circulated throughout the State.

In 1897 when Mr. Bucklin was a member of the Lower House he introduced the bill for a constitutional amendment that was in all essential respects similar to the one finally submitted to the voters by the General Assembly in 1901. In 1897 the measure carried in the House of Representatives by an almost unanimous vote. This result was, of course, due to the strenuous exertions of Mr. Bucklin and not to the superior mental attainments of the legislators, although some of them were far above the average. Many of them were Populists who had learned to do their own thinking, and there were a few that had acquired a good working knowledge of the Single Tax. The bill never came to a vote in the Senate. It was smothered in the closing hours of the session, although it had been very ably championed by Senator James Crosby, who shares with Senator Bucklin the honors of a pioneer in the Colorado Single Tax movement and who distinguished himself on this occasion by the longest filibuster that up to this time had ever been recorded in the Colorado legislature.

The bill was again introduced by Mr. Bucklin in the Twelfth General Assembly, to which body he had recently been elected as Senator. He made no great effort to have the measure passed, Senator Crosby and he wisely agreeing to support another constitutional amendment permitting the submission of amend-

ments to six articles of the Constitution at one time. This gateway amendment paved the way for destroying one of the constitutional ramparts behind which special privilege had been comfortably ensconced ever since Colorado became a State. Hitherto the advocates of popular or unpopular reforms in the various legislative sessions never could agree on what was the most important amendment—and it was permissible to amend but one article at a time.

THE GATEWAY AMENDMENT

The bill providing for the submission of this initial amendment was presented by Senator Edward T. Taylor, now a Congressman from this State. At this same session Senator Bucklin presented his resolution to the Senate providing for a committee of hold-over Senators to investigate the tax system and report to the Thirteenth General Assembly. Hon. James W. Bucklin, Hon. William A. Hill, now a Supreme Court judge, and Hon. Thomas J. Ehrhart, now serving as chairman of the State Highway Commission, were appointed. As chairman of this tax commission Senator Bucklin prepared the report and proposed the bill for a constitutional amendment. After a long and bitterly fought contest, with little financial aid from Colorado or elsewhere, and in the interest of which Senator Bucklin sacrificed health, business, time and money, the amendment was defeated in November, 1902. At that time the State had not emerged from barbarous election methods, and yet despite false election returns under defective electoral laws the vote was recorded 32,710 for the amendment and 72,370 against. In some of the counties since disgraced by the lawlessness of gunmen and imported thugs the election officers were instructed to count no votes in favor of the amendment, and in Denver much of the fraud was condoned by a local official, who was a party to it, on the ground that two of the county commissioners had wagered on the result and the fraud was necessary to save the commissioners from the consequence of a bad guess on the size of the vote really cast in favor of the amendment! A contest would not have shown enough votes to save the measure, yet it was prevented only by the inability of

the little Single Tax group to meet the expense required for such a proceeding.

Although the Bucklin bill had been before the legislature three times, and the third time in March, 1901—when it was submitted to the people—had received a favorable vote of 26 to 6 in the Senate and 50 to 11 in the House, yet it was destined to go through a fourth ordeal when a special session of the legislature was called in the early part of 1902 to devise some plan to supply the State with needed funds, the old revenue law, as usual, having broken down. Although the repeal of a bill for constitutional amendment was out of place in a special session called for another purpose, yet the Governor weakly yielded to the clamor of the bankers and real estate sharks, and included the repeal of the Bucklin bill in his call. Then began such a fight as had never been witnessed in Colorado before. The trivial little revenue law which had inspired the Governor's call was soon forgotten.

THE FIGHT TO REPEAL

It was the attempt to repeal the Bucklin bill at this time that brought the measure into such prominence. Petitions from every county in the State flooded the legislative halls, some favoring repeal but most of them demanding that the amendment be left to the decision of the people. Influential citizens addressed strong personal letters to the wavering members. The newspapers were filled with misrepresentation. Senator Bucklin and his friends were denounced as anarchistic brigands. The *Rocky Mountain News*, at that time a great and influential newspaper, was alone among the leading daily papers of the State in permitting the Bucklin side of the controversy to be heard. Despite the preponderance of opinion in favor of allowing the people to decide the issue, so strong was the influence brought to bear, and so all-persuasive and coercive the means employed to secure repeal, that the measure was saved in the Lower House by a majority of only two votes. Without making invidious distinctions or depriving other members of credit that is justly due them it may be said that the honor of saving the bill in this branch of the legislature was in large part due to the parliamentary skill and

the tireless energy of Hon. Peter Gorman, one of the representatives from Denver.

THE AUSTRALASIAN TAX AMENDMENT

The Bucklin measure appeared on the ballot under the foregoing title. "The Home Rule for Cities" amendment, popularly known as the "Rush Bill," was voted upon at the same election, and the privileged interests were so busy fighting Bucklin that they did not have time to concentrate their fire on the other amendment. Senator Bucklin predicts that the charter cities of Colorado will some time build monuments to John A. Rush. While he is worthy of such honor, Senator Rush has forestalled the future and built a monument to himself in Article Twenty of the regenerated Constitution of this State.

THE RULE OF PRIVILEGE

After the defeat of the Bucklin Bill, privilege maintained a strangle-hold on the State. Then vanished the dark night of oppression with its *lettres de cachet*, Governor Peabody's deportations, corrupt Supreme Courts' kingly prerogative writs, martial law, suspension of *habeas corpus* and denial of trial by jury. The people of the State re-asserted their sovereignty in November, 1908. John F. Shafroth was elected Governor and then began the two-years' struggle for the Initiative and Referendum. The people won this battle by a majority of 60,443 on November 8, 1910. Privilege was desperate. It had fought fiercely trying to prevent the people from getting a chance to vote power to themselves. Among those who deserve especial mention and who had much to do with achieving the great victory for popular government we must record the names of State Senators Scott, Tobin, Ehrhart, Crowley, Burris, Kennedy, Skinner and Campbell, the last three pronounced Single Taxers. These were the platform Democrats who, aided by the counsel and advice of Wm. H. Malone, dubbed by the Tories "The Assistant Governor," fought the reactionaries in both parties and forced them to capitulate in the special session of the legislature that had been called by Governor Shafroth to consider the seven demands of the

people which had been refused at the regular session. Former U. S. Senator Patterson owned *The Rocky Mountain News* at the time and the victory could not have been won without that newspaper's powerful aid in arousing public sentiment.

ANOTHER FIGHT FOR HOME RULE

The first effect of the Initiative and Referendum constitutional change was felt in 1912 when it was invoked to adopt the second "Home Rule for Cities" amendment and other emancipatory laws. This Home Rule Amendment was the joint product of the city attorneys representing Colorado Springs, Pueblo and Grand Junction, Messrs. Hall, Adams and Tupper, the last named a nephew of Senator Bucklin. Senators Bucklin and Rush participated in some of the conferences and aided with suggestions and advice. Henry C. Hall, now a member of the Interstate Commerce Commission, drafted the amendment. The first city to avail itself of the liberty which it allowed of municipal taxation was Pueblo. In November, 1913, that city, the second largest in Colorado, adopted what was known as a "Single Tax Amendment" to the charter. The vote stood 2,711 to 2,171—a majority of 540 for the measure. The father of the amendment, George J. Knapp, was a young Single Taxer converted to the faith as late as 1907. He was determined that Pueblo should be the first free city in the only State of the Union that had given cities the right of self government. He proved himself more than a match for the older and more experienced politicians, who as usual resorted to their old trick of trying to prevent the people from having a chance to vote on the proposition. Judge Essex sustained the people and ordered the amendment on the ballot. The privileged interests, however, did not offer very strong opposition. The newspapers were not subsidized, as in the later Pueblo campaign, and were content to warn the people against the measure without misrepresenting it. The enemy did not expect it to win, and attribute the result to the Fels Fund and to the statements that had been sent out to those taxpayers that would be benefited by the change. J. J. Pastoriza told Pueblo citizens what a limited Single Tax had done for Houston, thus

contributing very materially to the successful result. The only campaign speaker from outside the State was J. W. McCleery, sent by the Single Taxers of Kansas City. As there was very little public speaking, Mr. McCleery's most effective work was done through the newspapers and by personal interviews with a great number of citizens. The amendment had the support of the labor unions. Those sections of the city where the workingmen resided gave it emphatic endorsement, and they again showed their favorable opinion of the measure by a heavy vote against its repeal in November, 1915.

THE DEFECT IN THE AMENDMENT

A fatal error in the amendment was that it did not provide for immediate application of the Single Tax. It did not affect the taxes in the following year—1914—but the assessment made in that year was the basis of the tax for 1915. Even then it allowed but a fifty per cent. exemption of improvements the first year (1915), to be followed by a ninety-nine per cent. exemption in 1916. The privileged interests saw an opportunity to create dissatisfaction with the law before it went into effect.

The assessor nullified the exemption by raising the valuation of improvements, which would have been impossible if the ninety-nine per cent. exemption had not been postponed to the following year. Thus we find the assessment on lots reduced from \$14,691,885.00 in 1913 to \$13,890,840.00 in 1914, and improvements raised from \$14,565,585.00 in 1913 to \$15,194,293.00 in 1914. This was an increased burden on improvements, as compared with lots, of \$628,708.00, plus \$801,045.00, or \$1,429,753.00.

Previously in 1913 as compared with 1912 the burden on improvements was raised in the amount of \$802,027.00 as compared with lots. Adding this to the \$1,429,753.00 discrimination made in the assessment of the following year we find \$2,231,780.00 added to the value of improvements as compared with lots.

John Z. White with patient toil and infinite care had discovered and published these and other facts and figures that astounded the good citizens of Pueblo. The enemy did not dare to dispute them. The newspapers were silent in regard to them. The best

they could do was to publish the old lies and reproduce the old cartoons that had been used a few months before in the Colorado Springs and Denver campaigns. A most peculiar fact as evidenced by these later campaigns is that the opponents of Single Tax seem to have nothing new to offer. The identical cartoons and the old hackneyed falsehoods and hysterical appeals to the uninformed, even to the exact phraseology of their denunciations, are the same as those that were used in the Bucklin campaign thirteen years before. The Single Tax amendment was repealed in November by 187 majority, but the anti-Single Tax crowd was so completely whipped that they resorted to the old trick of striking the names of voters from the registered list. In one precinct there were over 40 such cases. In another, 17 cases of the same kind were reported. In others, 12, 22, and so on, but there was no precinct that did not have some complaint of such rascality. Mr. White says: "The assessor cheated the people in the assessment, and the clerk's office cheated the people in the registration list," with the result that we won with the people and lost with the officials.

FOURTH BATTLE OF 1915

John I. Tierney, State Senator from Denver, introduced in the Nineteenth General Assembly a bill for a constitutional amendment that would grant home rule to counties as well as cities. Senator Tierney had little hope of its passage, and made the fight mostly as propaganda. While it was not a straight out Single Tax bill, he made the argument on Single Tax grounds. It required two-thirds, or 24 votes, to carry. On the test vote, after a plain statement that the measure was meant and intended for Single Tax purposes, a vote of 17 was registered in its favor and 18 against.

At the same session the bill to raise the exemption on personalty and improvements to \$2,000 failed by an adverse majority of two. In the Twentieth General Assembly of 1915, Senator Tierney introduced a bill to require the State tax commissioners to classify corporate property in certifying the schedules to the several counties. This measure was intended to remedy a diffi-

culty encountered in making assessments for Single Tax purposes in the charter cities. The chief trouble in Pueblo, aside from the assessor, was the blundering method adopted by the State tax commission, who either will not or stupidly cannot, distinguish between corporation property and corporation privilege. Consequently they fail to inform the local assessor of the value of personalty and improvements as distinguished from franchise and site values. The present statutes give the State tax commission the authority to itemize the schedules, but unfortunately it is not mandatory that they shall prepare their certifications after that method. The intent of Senator Tierney's bill was to compel them to do what the earlier legislature intended they should do.

There was a bitter fight on this measure, which was also characterized as a Single Tax bill. The Colorado Springs millionaires and the State tax commission worked like pirates to kill it and they did. Only twelve Senators out of thirty-five voted for it.
—J. B. M.