

# What Judson Harmon, a Real Governor, Has Done in Ohio

By A. V. ABERNETHY.

**C**OLUMBUS, O.—(Special).—When the bribery charges against members of the Ohio general assembly exploded with the suddenness and force of a bomb and sent scores on a hunt for lawyers Governor Judson Harmon took the same view of the personality of guilt that he did when he reported to President Roosevelt that Paul Morton, a member of his cabinet, had been guilty of granting rebates while an officer of the Santa Fe railroad. "Guilt is always personal," said Harmon to Roosevelt, and he resigned his commission to investigate rebating because Teddy was inclined to shield Morton.

A few hours after the bribery charges were filed the Ohio executive sent out an order that no man should be spared in the legislative badging investigation. Party and even personal friendships must be set aside, the governor said, and the entire situation cleaned up.

Throughout nineteen years of continuous control Republican state administrations, when charges of irregularities were made involving members of their party, assumed the attitude, "They are our thieves, and we must defend them." There is an Ohio statute which grants immunity to every one who testifies before a legislative committee, and this law, together with a whitewash brush, had prevented any Republican law violator from being haled before a court of justice.

Naturally there was a great rush by distraught members for legislative immunity. But Governor Harmon promptly pulled the plug of the immunity bathtub and prevented any one bathing in its soothing waters by insisting that no legislative investigating

son. They trust this to their officers, and to these, if worthy of the confidence placed in them, the offense is magnified by the multitude of the wronged instead of being reduced by division among them after the manner of the unthinking or low thinking."

In the less than three years of his administration Governor Harmon has made a record of accomplishment unparalleled in the history of Ohio politics. He has wrought more progress for the people than was accomplished in the forty years that preceded him. There has been written into the statutes legislation that the enlightened citizens had been demanding and pleading for in vain for decades.

When Mr. Harmon was inaugurated he found authority divided among many, with no co-operation and the public business managed in a slipshod manner. As everybody knows, the more widely authority is scattered the more nearly impossible it is to get the most pressing matters decently attended to. Governor Harmon looked around and began to put into effect the principles of business which he applied to rehabilitate several nearly bankrupt railroads.

Then began a reorganization, with the result that Mr. Harmon obtained a businesslike concentration of authority. And today in no commonwealth of the United States do the ordinary principles of private business enterprises, honesty, industry, intelligence, exactness and sobriety so permeate the state government as in Ohio.

The supremely important achievements of the Ohio Democracy under the leadership of Governor Harmon may be divided into transactions and legislation—first, for the elimination of graft; second, such reform in the tax

and interest thereon. They were Republicans. Another graft investigation brought forth the exposure, prosecution and conviction of Mark Slater, former Republican state printer, on graft charges in lesser degrees, the settlement of an interest claim of \$5,700 on funds carried in the bank for former Republican State Auditor Walter D. Guilbert and the filing of a claim for over \$31,000 with the receiver of a defunct bank at Columbus as an interest charge on funds carried in that bank by Mr. Gilbert as auditor.

Then Mr. Harmon sent a Democrat, Engineer Marker, to probe the affairs of the Republican state board of public works which handles the canal system. It was discovered the state had been swindled out of thousands of dollars in past administrations by the failure of contractors to comply with specifications. Twenty-five positions, political sinecures, were recommended for decapitation at a saving of \$30,000 annually.

These revelations during the governor's first term awakened the civic conscience and paved the way for his subsequent re-election. The Democrats captured the general assembly at the same time.

Then Governor Harmon renewed his efforts in behalf of certain bills two Republican general assemblies denied him.

The most notable achievement accomplished by the executive during the legislative session was the enactment of the Wyman bill, including the Oregon plan of nominating and electing United States senators.

A conference committee was appointed to frame a compromise senatorial nomination and election bill. "I would vote for a Republican for United States senator if the people by their votes declared for a Republican," the governor told this committee during the conference. "I would be proud to do it. I would simply be doing the will of the people." One of the committee suggested the Oregon plan was undemocratic. The executive replied, "It's the very essence of Democracy to put the government back into the hands of the people and let them say whom they want for United States senator."

Governor Harmon took a new tack and had a similar measure offered in the house, the Wyman bill. That body passed it and sent it to the senate, where the governor finally got sufficient Republican votes to save it.

Ohioans had demonstrations recently that the judiciary, one of the most sacred institutions of a free government, had been invaded by party bosses in their inordinate thirst for power. Instead of being places where the people could turn to invoke the penalties of the criminal statutes on those who had offended, certain courts were being used in cases where men of vast political power were concerned to shield violators from the vengeance of the law.

But the general assembly took a long step toward boss domination of the courts by enacting a bill providing in the future that all Ohio judges from the dignified gowned justices of the supreme court down to the humble laymen who sit as justices of the peace, shall be elected on tickets absolutely free from party emblem or device. Nominations may be made by conventions, but the power of bosses to control nominations was broken by a clause in the bill which says that nominations may be made by petitions. There is not another such law in the United States.

Ohio has been hampered by the crude, unwieldy machinery of a constitution which was adopted in 1851, and the subject of making a new organic law is the biggest and most important proposition that has come before a Buckeye general assembly in many years. Selfish hands were being outstretched to control the constitutional convention to be held in 1919 when Governor Harmon took charge of the arrangements for it and succeeded in getting through the general assembly a bill which will remove the delegates from political influence and make them responsible to the people only. So well did he manage the campaign that Ohio will set a precedent for all other states to follow when they come to rewrite their organic laws.

Nominations of delegates will be made by petition only, thus making it possible to obtain big, independent, brainy men of affairs who could not be induced to engage in a wild scramble for nominations by primary. Nominees will be elected on ballots absolutely free from party device or emblem or any form of party designation. The liquor question, which has been a sore spot in Ohio for sixty years, will be finally settled when the new constitution is adopted.

The state when Governor Harmon grasped the reins of government had nineteen penal, reformatory and benevolent institutions, with the responsibility of governing them divided among nineteen separate boards of trustees, three members to a board. They were so conducted as to secure neither economy nor best results.

These trusteeships, all honorable positions and eagerly sought after, had been used as a sort of currency to purchase nominations and to repay the boys who had delivered votes in conventions. The trustees appointed superintendents and all subordinates, and these combined to furnish the dynamic power for the steam roller which the late Mark Hanna and Boss George B. Cox used to crush the life out of rebellions against the rule of the G. O. P. machine.

Governor Harmon's idea was that "the establishments which a Christian state maintains for charity are sacred and that every selfish purpose should perish at their doors."

Acting on this principle, the governor framed and forced through the general assembly a bill placing all employees of the institutions ranking below superintendent under civil service rules. The nineteen separate boards of trustees and nineteen stewards under this law were legislated out of office, and the duties of the fifty-seven trustees were placed in a single board of four, while a single fiscal agent replaced the

nineteen stewards. Hereafter instead of the usual competition by nineteen boards for the banner appropriation the general assembly at each session will make an appropriation for all the institutions as a single subject on recommendations which proceed from constant study and experience of them all by the same persons.

The advantage of purchasing supplies for all institutions in bulk and the reduction in employees will save the state \$500,000 a year. This law makes it possible to utilize the work of prisoners and also creates a market for their manufactured products by compelling all Ohio political divisions to purchase such supplies as they need from the penal institutions.

Employers and employees locked in a struggle over a workmen's compensation act, and when it seemed there would be no bill passed Governor Harmon stepped in and acted as arbitrator.

A bill was framed and drafted that has been approved by both employee and employer.

The compulsory provisions which made the New York act unconstitutional were not incorporated into the Ohio act. Instead the employer could elect either to pay into the compensation fund or not to pay. If he should not avail himself of the law, however, the employee may sue for damages for injuries, or his legal representative in case of death may maintain the action.

In and in such suits the employer is deprived of the common law defenses of fellow servant rule, assumed risk and contributory negligence.

The employee cannot resort to the courts for damages when injured in the factory of a corporation which pays into the state compensation fund except when the injury is caused by the disregard of a law, ordinance or order issued by an authorized public officer providing for the protection of employees or by the willful wrong of an employer, his officer or agents.

The employer contributes 80 per cent of the compensation fund and the employees 10 per cent. Awards range from \$3,400 to \$1,500 and are graded on the scale of wages paid employees.

The taxing laws of the state were a joke when Mr. Harmon was inducted into office. The state needed fairer and more effective rules and methods for taxation of both real and personal property, private and corporate. But the selfishness of those who had escaped paying a just portion of taxation bitterly fought proposed remodeling of this machinery.

The most iniquitous thing about the old system was that the taxpayers had no means to check extravagance of their public officers. These men decided on the amount of money they were going to spend in a year and then made a levy to produce that amount. Taxpayers could do nothing but pay.

"The authority which demands must be curbed," said the executive in a message to the general assembly. That body obeyed and passed the Smith bill, which limited the maximum tax rate that could be levied by public officers in each district to 1 per cent of tax duplicates. That was sufficient, the governor held, for an economical administration. If more money were needed there was incorporated in the Smith bill a provision for a referendum vote on a higher rate.

The governor in his first term said Ohioans were not getting satisfactory results under the system of administering the laws imposing special taxes on certain classes of corporations. These were a large number of taxing boards composed of various state officers, with jurisdiction over excise and other corporate taxation, but different boards were made up of different officers, so there could be no uniform and consistent action. Auditors in eighty-eight Ohio counties directed the work of assessing private property, and there was no co-operation for the reason there was no statute making them a

record disclosed Harmon, while he had corporations among his clients, had never given his talents to appear in a court suit against the people. As an attorney general of the United States he had proved to be a friend of the people, fighting through court cases which established the foundation of all jurisprudence on the anti-trust subject. In private life he was recognized as one of the ablest lawyers in Ohio and had displayed remarkable constructive business ability when he as receiver saved the B. and O. S. W., C. H. and D. and Pere Marquette railroads from bankruptcy and turned the properties back to the original owners without the loss of a dollar to creditors, stockholders and employees.

None of these things was accomplished without a fearless and persistent fight by Governor Harmon. The batteries of Ohio national G. O. P. leaders, intent on saving the Buckeye

will countenance no frills and who sit on the edge of a big table that occupies the center of the governor's reception room, and chats with visitors. "Common as an old shoe" is the way Ohio farmers size up their governor after they see him perched on that table, swinging his feet, and hear him talk straight from the shoulder.

There is good old fashioned public service being rendered in the Ohio executive chamber.

Governor Harmon has always been drafted for public service. In the practice of law he has been very successful, and he was content to devote all his time to that. He did not seek the governorship of Ohio. He was drafted.

When President Cleveland promoted Attorney General Richard Olney to secretary of state to succeed Walter Q. Gresham in 1895, after the death of the latter, he needed an attorney general.

State of the president of the United States in 1912, turned their batteries on the executive. No other Democratic governor has withstood such a withering fire for the reason no other Democratic governor has succeeded in carrying a Republican state in the face of the opposition of a Republican president citizen of that state and five of his cabinet officers who stumped the state.

In February, 1910, ten months before the state election in Ohio, when Judson Harmon would go before the people for re-election, Ohio Republicans in order of President Taft held a harmony meeting in Dayton. The Republicans at Dayton did not talk of helping President Taft or of restoring the Republican party; they talked about the chance of defeating Governor Harmon, and they did not talk hopefully. Unconsciously they paid a patent tribute to the real strength of the man. It suddenly revealed the tremendous success of Governor Harmon and his complete mastery of the political situation in Ohio. The plan of opposition outlined in Dayton has never ceased. No governor has ever been opposed by so strong a force as Governor Harmon.

During his first term of two years a Republican general assembly to discredit him reduced the treasury balance \$2,652,858.68 by making appropriations exceed revenues and also created obligations amounting to \$2,000,000 by deciding to build new structures for state institutions. When the revenues were reduced \$500,000 a year by voting out saloons and several hundred thousands of dollars were added to the wrong column by the abolishment of prison labor contracts. Harmon's arms were apparently tied, and his enemies laughed at his discomfit.

In this crisis the business genius of the man was displayed and his friendship for the people was exhibited by the method he used to solve the problem. Instead of levying a general tax, which would fall largely upon the common people, to provide sufficient funds, Governor Harmon first exercised the brand of economy practiced in homes when the salary does not meet expenses. He promptly reduced public expenditures. Then instead of a general levy the proper enforcement of the excise laws provided \$500,000 additional every year. The establishment of a market for prison manufactured goods and the concentration of authority over nineteen state institutions is expected to add another \$500,000 to the state revenues. Thus was the situation met and the state restored to a sound financial basis without any additional burdens being imposed on the people who are least able to be further taxed.

Voters like to support clean and able men, as has been demonstrated in many localities where the electors displayed remarkable discrimination in honoring exceptional men with an exceptional vote. This explains why in a strongly Republican state Judson Harmon was elected governor of Ohio two years ago by a plurality of 19,372 in the face of a Republican plurality of 69,591 in the vote for president. On his record as governor of the state Judson Harmon was prepared to go before the people and ask re-election.

With precedent against him, the election public machinery against him, with the president of the United States, a citizen of the same state, fighting him for re-election and in face of strong Republican sentiment to combat Governor Harmon nevertheless was given a majority of 101,000.

Ohio repudiated her favorite son, William H. Taft, president of the United States. Governor Harmon won the greatest Democratic victory in the history of Ohio or of the middle west. It was a crushing blow to the president. There are some things in Ohio more popular than the Taft smile. One of them is the Hon. Judson Harmon, who

pointment, he said at a banquet: "We are here because we know that he is eminently qualified to discharge the duties of his office with unbounded credit to his country, the admiration of us, his friends, and himself."

There is an odd series of coincidences in the career of Governor Harmon. In the career of Taft, Always Harmon has followed Taft or Taft has followed Harmon. Harmon resigned as judge in Ohio, and Taft took his place. Then Mr. Taft became solicitor general of the United States. Harmon followed him to Washington as a cabinet member. Will he follow Taft to Washington again?

Governor Harmon was born in New town, Hamilton county, O. Feb. 2, 1846, and therefore is in his sixty-fifth year. One not acquainted with this fact would take him to be no more than fifty-five. He is just as vigorous as a man of many years under the sun, and as fond of sports and of the outdoors as a schoolboy. He rides with the grace of a regular army cavalryman, plays golf, competes with the crack rifle shots of the O. N. G. annually and makes good scores; goes to Michigan every summer for his vacation and fishes and fishes, and he is a baseball fan of the species that records each play made during a game on a score card.

He was for years pitcher in a nine composed of business men who met every Saturday afternoon out in the suburbs of the Queen City, and he would pitch nine straight innings with all the vigor of a big leaguer.

Mr. Harmon's father was a Baptist minister, and from him he received his early education. In 1866 he graduated from the Baptist college at Denison, Licking county, and in 1892 the school honored him with the degree of LL. D. He attended the Cincinnati Law school and graduated in 1869.

Mr. Harmon's idea of what Democracy should do can be summed up in the closing words of an interview which he gave, as follows: "I take it that the true platform of the Democracy is the preservation to the utmost of the rights of the common man—the man who has not might or wealth to twist the current of events to suit himself, to observe to the strictest possible degree the limits of authority imposed by the constitution, to administer the government economically, and in doing that to levy only the amount of taxes, direct or through a tariff, which will meet the expenses of the government."

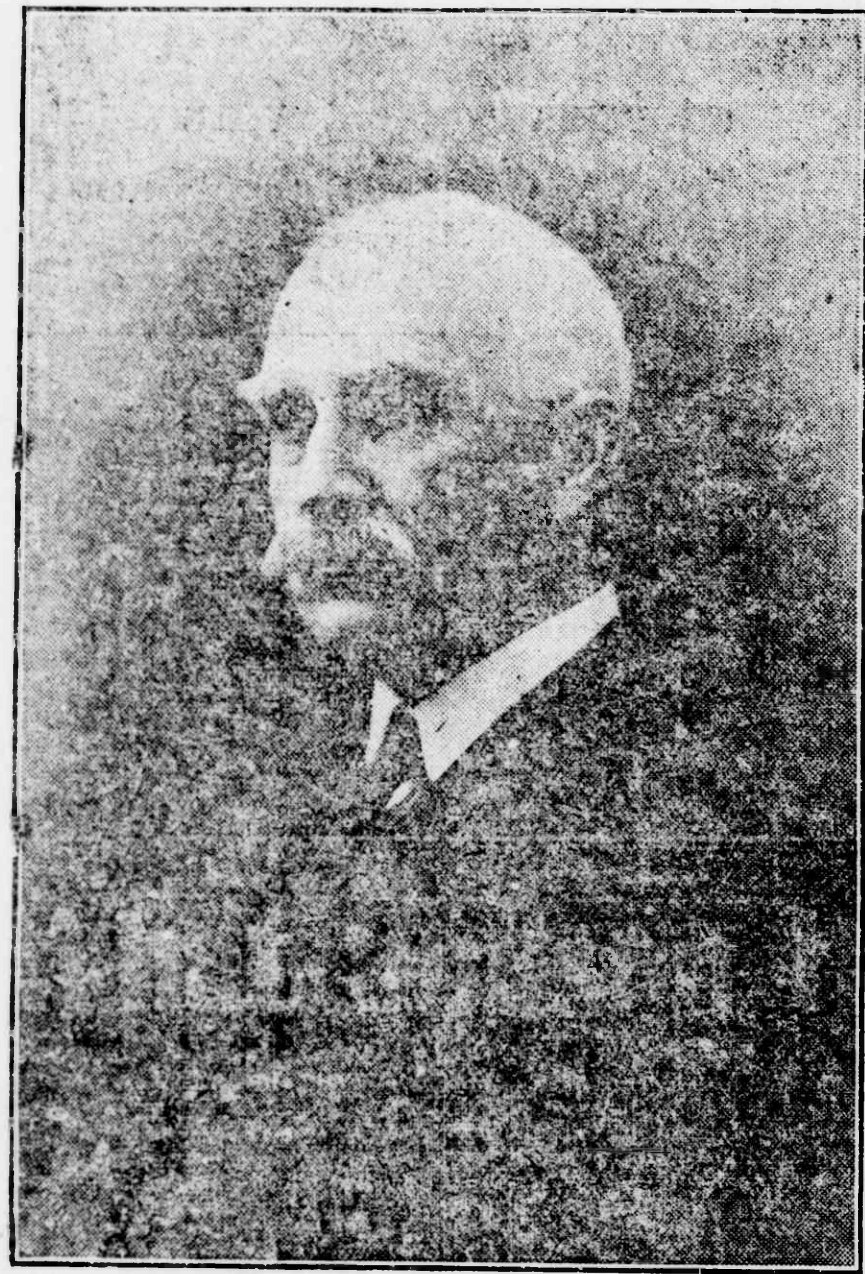
"Am I a believer in the income tax?" said the governor in response to a question.

"Most assuredly," he continued. "Without such a tax the expenses of the federal government, which now amount to a billion dollars per year, cannot be fairly distributed. They are now collected by tariff and other taxes on consumption, and the enormous vested wealth of the country escapes. A few states have undertaken to tax incomes, but, as I am advised, with little success. Changes of legal residence are too easy to make. The efficiency of a federal income tax has been proved. The levying of tariff taxes so greatly and generally desired, while the people will watch more closely what is done with their money when they know they are paying taxes and how much."

Governor Harmon had the following to say about state rights: "We must make the state government more broadly useful. Its powers are ample and undoubted to grapple with many things which have been developed by new conditions and give general concern. For instance, it has absolute control of all corporations of its own creation and of the terms on which corporations of other states may do business here. Why, then, stand by and let the general government assume to regulate state corporations because they engage in interstate commerce? Citizens engage in interstate commerce, too, and congress has the same right concerning their personal affairs as with those of state corporations, no more and no less. If congress gets general jurisdiction over us, it we engage in commerce outside the state, we may as well turn over the capitol to a federal commission and go home."

While he was attorney general he argued many cases before the supreme court, argued them well—so well that he earned many deserving compliments from bench and bar. Among them, perhaps the most noted, was that of the United States against the Transmissouri Freight association. It was the first test as to the efficiency of the Sherman anti-trust law when applied to prevent an illegal combination of railroads. Mr. Harmon won, and the combination went by the boards.

Of a similar character were the suits against the Freight Traffic association and the Adveston Pipe company. Harmon was successful in both, and thus was established the law as it stands today, and likewise was made good the prediction of Judge Taft when, upon the occasion of General Harmon's appointment, he said at a banquet: "We are here because we know that he is eminently qualified to discharge the duties of his office with unbounded credit to his country, the admiration of us, his friends, and himself."



HON. JUDSON HARMON, GOVERNOR OF OHIO.

committee be appointed and that the inquest of the grand jury be the only probe.

Indictments were returned against seven members of the general assembly and the sergeant-at-arms of the senate, and these cases will take the same course as that of the most humble citizen who becomes involved in criminal charges. A coterie of Democrats who had been fighting the governor's bills were among the members indicted.

In his first inaugural address Governor Harmon plainly stated what the people expect when their public servants go wrong, and he served notice then that no party associate of his guilty of a crime would be shielded.

"The civic conscience has grown more sensitive and alert," said Governor Harmon. "It has come to be generally realized that betrayal of public confidence is the worst of all offenses in the broad sweep of harmful results. If not handled with prompt vigor it quickly spreads its poison and, by weakening respect for authority, encourages all whom that alone restrains from wrong. Private offenders seldom go free because there is always a victim who urges the pursuit. The victims of public wrongs are the entire people. They are too numerous to aid justice in person."

system as will protect the taxpayer from the tax spender and will compel corporations to stop dodging taxes and pay along with all individual property owners; third, the application of business methods and economy in public expenditures, and, fourth, the enactment of purely nonpartisan laws for the benefit of the entire people irrespective of political parties and designed to make rule by interest seeking corporations extremely difficult and rule by the people easy.

After he became governor two years ago Mr. Harmon quietly began his investigation of the methods by which public money had been loaned by Republican state treasurers. He learned they put interest earnings in their pockets. He found needed records were missing. Those who could testify declined. He wandered for months blindly. Little by little the graft trail became clearer. One Republican legislator met and declined to investigate. An overconfident Republican press proclaimed that there was no evidence. Then the governor showed his hand. There followed in rapid order suits against the estate and bondsmen of W. S. McKinnon, former state treasurer, for \$116,735 and interest thereon; against former State Treasurer I. B. Cameron and his bondsmen for \$211,721

cohesive body. The eighty-eight auditors had nearly eighty-eight different rules of appraising property, with the result that no one got a square deal. Governor Harmon had a bill drafted to abolish all these boards and to place the entire taxing machinery of the commonwealth in the hands of a single state commission of three members. One Republican general assembly refused to create the commission, but the executive worked up so strong a public sentiment for the measure that the succeeding Republican legislature enacted such a bill. Other new tax laws make it possible to chase out of hiding millions of dollars of property and also strengthen and broaden the inquisitorial powers of the state tax commission.

Ohioans expected big things from Judson Harmon when they elected him their governor. The achievements of the Democratic general assembly show the expectations of the people have been realized. He had been a leading attorney for years, but a search of his



Governor Harmon Catches Fish as Well as Votes.

### SOME HARMON EPIGRAMS

Guilt is always personal.

I would vote for a Republican for United States senator if the people by their votes declared for a Republican, and I would be proud to do it, for I would simply be doing the will of the people.

The party emblem in municipal elections is an aid to the ignorant and those who corrupt voters and no help to upright and intelligent electors. Both parties would be better off if they were kept out of purely municipal elections.

The people who support the government have to economize. Why should their public servants not do the same?

It is not the existence or discovery of wrongdoing that brings shame to a state, but failure to put a stop to it.

We must make the state government more broadly useful, for its powers are ample to grapple with many things which have been developed by new conditions.

There can be no relief so long as the interests which profit through tariff laws are allowed to frame them.

A lawyer's honor is his crown, and no hand but his own can ever dis-crown him.

### SOME BIG BILLS A REAL GOVERNOR OBTAINED FOR PEOPLE IN OHIO

- The Oregon plan of nominating and electing United States senators by direct vote of the people.
- Placing the Ohio judiciary beyond the clutches of party bosses by electing all judges on nonpartisan ballots.
- A workmen's compensation act, so that injured employees can get damages without expensive and tedious litigation.
- A public utility commission with authority to regulate issues of stock rates, mergers and service.
- A corrupt practice act that will make vote buying in primaries and elections a dangerous undertaking.
- A limited initiative and referendum for Ohio cities.
- A central board of control for nineteen state institutions to take the place of nineteen separate boards of trustees with their corps of employees. This bill places subordinate employees in the institution under civil service.
- A shorter ballot by abolishing boards of infirmity directors of three members each.
- A reform of Ohio election laws to prevent corruption and fraud.
- To have delegates to the 1912 Ohio constitutional convention nominated by petition only and elected on nonpartisan ballots.
- To stimulate the agricultural industry by requiring agriculture to be taught in all Ohio village and country schools.
- Ratification of the proposed income tax amendment to the federal constitution.
- Memorializing congress to call a convention to provide for the direct election of United States senators.
- Insuring the honest handling of all state money by depositing in banks under the competitive bidding plan.
- Creating a fund of \$3,000,000 every year by general levy to give Ohio a system of improved roadways equal to the best in the world.
- A complete reformation of tax laws that will put tax dodgers out of business and will compel corporations and owners of intangible property that have been dodging taxes to place their holdings on the duplicate as small property owners. Included in this is a 1 per cent tax levy limit bill.
- Providing for the construction of a women's reformatory and placing all girls in the state correctional institutions under the control of a woman.
- Public utilities bill, corrupt practices act and the initiative and referendum have passed both houses, but are in the hands of the conference committee. These bills will become laws in satisfactory form.