

sibility for beginning these proceedings upon Senator Hanna's faction of the Republican party, assisted by the anti-Johnson or Farley Democrats. The whole story is told at length in the Cleveland Plain Dealer of the 18th by C. D. Gibbons, Esq., the Cleveland lawyer who instituted the proceedings. Mr. Gibbons says that when he was about to begin the proceedings he met Sheriff Sawyer (an anti-Johnson Democrat) and—

during the course of our conversation he asked me why the Republicans did not do something to check the power of Mayor Johnson. During that conversation I told him that I could not speak at that time for the Republican party but that I was planning to begin proceedings to test the federal plan law, and if possible to knock out the board of control and check the growth of the Johnson machine. He said that he would assist me in this matter, as there were a great many anti-Johnson Democrats in the city of Cleveland who are very much dissatisfied with the political career of Mayor Johnson and stated that he would see one or two others and meet me at my office in the Rose building. A few days later, accompanied by W. A. Creech, Sawyer called at my office and talked over further details of the matter and the necessary steps to be taken and the probable cost of the proceedings. They agreed to assist in paying these expenses. I then proceeded to draw up the complaint. On the following day Mr. Van Wye [Gibbons's nominal client] and myself in discussing the proceedings decided that it would be advisable to consult some of the leading Republicans and get their opinion as to the advisability of bringing the suit. The matter was presented to United States Marshal F. M. Chandler, with the request on our part that he would present the matter to Senator Hanna and see whether or not it met with his approval and report to me, which he agreed to do. Two days later Mr. Van Wye and I met Mr. Chandler and he told us that the proposition to begin proceedings of this kind was satisfactory and that it was a good thing politically to do and that he would assist or see that we secured whatever financial backing was necessary in the matter. Money was furnished us by Creech and Sawyer, and Mr. Van Wye and I went to Columbus. . . .

After the brief was filed considerable interest was manifested by politicians of both parties as to what effect it would have upon the power of the city administration, in case the decision was adverse to the city. Prominent among these were Secretary Haas, of the Republican committee, and ex-Mayor John H. Farley [Johnson's immediate predecessor whose unexpectedly sudden displacement prevented the

surrender of the lake front to a railroad company—vol. iv., p. 2]. Ex-Mayor Farley said that this was something that ought to have been done before, as the legality of the law had often been questioned, and that it was time to do something to break up the Johnson "ring." . . . When Senator Hanna returned from Washington to attend the wedding of his daughter I went to his office and had a conversation with him in which he asked me as to what the decision would be in my opinion and what effect the decision would have upon the city both as to the board of control and the city council. I told him that I believed that the decision would be adverse to the city; that the law would be declared unconstitutional; that the members of the board of control would be ousted from office, and that if the entire federal law was declared unconstitutional it affected the standing of the council; and that this decision would require new legislation. . . . Senator Hanna stated to me that he believed that it was the best thing to do for the interests of the city to have the legality of the law tested and that it would be a good thing for the Republican party.

Senator Hanna denies Gibbons's statement. United States Marshal Chandler refuses either to deny or affirm.

It is stated from Columbus, with an air of authority, that an understanding has been reached among the courts of Ohio by which all ouster orders are to be held in abeyance until the spring elections next year, before which time, it is expected, the special session of the legislature will have provided a new system of municipal organization. This leaves the Cleveland officers elected in April, 1901, to govern the city until the next municipal election, April, 1903, and also removes the only excuse for changing the time of holding municipal elections from April to November.

Meanwhile the Cleveland city council has proceeded to remedy the technical defect in the ordinance for the new 3-cent fare street railway which enabled the 5-cent fare companies to secure an injunction (p. 187) against the construction of that line. Steps were taken for the enactment of new 3-cent fare ordinances in June, as soon as the injunction against the operation of the preceding ordinance was granted, and on the 15th of July the city council passed nine of the ordinances unanimously and two by a vote of 20 to 2.

Each ordinance calls for a bid for a separate part of the general route. The necessary technical conditions would delay final action for probably two months. But now all proceedings have been stopped by a temporary injunction, at the suit of the attorney general, restraining the city council from granting franchises. The basis of the proceeding is the supreme court decision invalidating the Cleveland charter.

Senator Hanna denies all knowledge of or interest in this proceeding, saying that he learned nothing of it until it had been reported by the papers. The lawyer at whose instance the attorney general authorizes it, insists that he does not represent the 5-cent fare street car interests, but property interests which object to one of the 11 ordinances, yet refuses to disclose his clients. Attorney General Sheets says that when this attorney was soliciting his authority, before any reports in the papers, Senator Hanna dropped in, and upon being told what they were talking about said:

Well, I am glad somebody has taken that matter up. That man [Johnson] ought to be stopped before he grants a lot more perpetual franchises and saddles the people with public contracts good for 1,000 years or more.

In a letter to the Cleveland Press, Mayor Johnson declares:

The only important franchises being considered are the three-cent fare railroad ordinances. The opponents of three-cent fare, through the aid of Attorney General Sheets, without whose consent the suit could not be begun, are using the power of that office to delay three-cent fare in Cleveland. Attorney General Sheets has never failed to do the bidding of the public service corporations and steam railroad interests of the state, and the people of Cleveland may thank him for this latest move in the interest of five-cent fare and against three-cent fare. How long will the voters, whether Republicans or Democrats, quietly look on at the compact between certain Republican leaders and the steam railroads and public service corporations of the state, by which every legal technicality is used to stifle competition and to prevent the payment of a just share of taxes and to block every move in the interest of three-cent fare?

When the Cleveland council met on the 21st a motion to reconsider the one ordinance at which the legal