

ing Japanese, from owning land in the State or mortgages thereon.

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A similar though more drastic measure than either the Nevada or the California bills, was introduced in the Oregon legislature on the 5th by Senator Bailey. It is a joint resolution asking for the exclusion and prohibition of the settlement and naturalization of Chinese, Japanese, Hindus and all other Oriental races.

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#### Novel Proposal by the Oil Trust.

A sensational development of the proceedings in Missouri against the Standard Oil trust was reported on the 2d. In the nature of a response to the decision of the Supreme Court of the State ordering judgment of ouster (p. 14), the trust made a formal proposal to the court on the 1st for judgment in lieu of ouster. It is to this effect: The trust offers to puts its Missouri business under the supervision of the court through the organization of a Missouri corporation to take over all the Missouri property of the trust and to succeed to all its business in the State; all of the stock of the new company, less enough to qualify directors, to be issued to, and for four years to stand in the name of, two persons as trustees, one selected by the State and the other by the trust, and both selections to be approved by the court; these trustees to act as officers of the court, subject to its control and direction, to vote the stock and supervise the affairs of the company so as to see that it conducts the same fairly, justly and lawfully, and that proper treatment is accorded to the public as well as to the property and its real owners; if the trustees cannot agree as to any action to be taken or pursued, the controversy to be submitted to the judges of the court, or some one named by them as arbitrator, and the decision of the judges or their arbitrator to be final. No decision on this novel proposal has yet been announced. But it is reported that while it has completely puzzled the State officers, there is a disposition to believe that the novelty of the scheme would make it worth while to try.

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#### The "Recall" of the Mayor of Los Angeles.

That the Municipal League of Los Angeles has undertaken to apply the law of the "recall" to the mayor of their city, Arthur C. Harper, has been already reported (p. 107). This is the second time the recall has been used in Los Angeles, the first occasion being the removal of a ward councilman (vol. x, p. 578). The Municipal League, which is composed of four hundred and fifty citizens and taxpayers of Los Angeles who are intent upon securing the best possible government for the city, charge the mayor with making unfit appointments in payment of political debts; with breaking promises; and with maintaining a

wide-open town on the basis of immunity to violators of the law, in return for purchase by them of the stock of various corporations in which he and members of his police commission are large holders. The petition for his recall was determined upon on Jan. 20. By Feb. 2, 7,000 of the necessary 8,000 signatures had been obtained without difficulty (25 per cent of the votes cast for that office at the last election). The petition is to be presented on the 16th, and the election will probably take place early in April. At the election Mayor Harper may be a candidate, but the League is confident that he has no chance for re-election. The candidate of the Municipal League and representative members of the Chamber of Commerce, the Merchants' and Manufacturers' Association and the City Club, is William D. Stephens, a former president of the Chamber of Commerce.

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#### The Berkeley Charter.

The new charter for Berkeley, across the bay from San Francisco (p. 28), was adopted on the 29th by a vote of 4 to 1. This charter carries the initiative, the referendum and the recall, and for the first time in this country substitutes second elections for primaries—the first election being treated as a primary for candidates who do not poll a majority, and as final for candidates who do poll a majority of the votes cast.

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#### The Traction Situation in Cleveland.

The only action of the City Council of Cleveland regarding traction questions (p. 132) at its regular meeting on the 1st, consisted in the temporary disposition of several resolutions, only one of which is of general interest. This resolution, offered by Councilman Pearce, directed the City Solicitor to prepare a new 3-cent franchise. It declared that the success of 3-cent fares had been demonstrated to the extent of paying a large profit on the capital employed, including a large amount of "dead horse debts" of the old monopoly company. The new franchise it proposed was one at 3-cent fare with universal transfers, to be offered to the Cleveland Railway Company when the high fare franchises expire, and if refused to be then offered to the old low fare company. After Mayor Johnson had explained that a report on the progress made by the Judge Tayler committee would be offered at a special meeting the next morning, the Pearce resolution was sent to the railway committee by a vote of 20 to 10.

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The special, or public, meeting of the Council, referred to by Mayor Johnson at the regular meeting, as noted above, convened on the morning of

the 2d. Explaining to this meeting the present stage of the controversy, Mayor Johnson said:

I hope we may get to the place where we can all agree. For there must be a final adjustment some time and some where. I cannot conceive of the fight going on indefinitely. How many weeks or months it will take I do not know. Personally, I believe the desire of the Administration and of the Council, too, is to go on in the hope of reaching a settlement along the lines suggested by Judge Tayler. That is what we have all been striving for. If it can be accomplished by other methods than those tried in the past, we ought not to close our eyes. I believe a settlement is possible and shall work to that end. Our meetings progressed favorably, and at the conclusion of the last one a few days ago, five of us agreed that a final settlement along the lines under consideration was possible. We didn't draw an ordinance, but confined our discussions to a consideration of the various questions that would be presented. We adjourned subject to call.

At the last meeting I stated that I would take up the \$120,000 deficit reported by the receivers. This deficit was shown after making all charges for interest on the stock and dividends under the lease. I maintain that the \$120,000 was not fairly considered a deficit. I say that included in the item of expense was expense in the receivership proceeding, which is certainly not an ordinary expense. Instead of a deficit of \$120,000 for October, November and December, there was a surplus of \$42,000. A penny charge for transfer would have given, in the three months, \$100,000 more revenue. This on their own figures would have left a deficit of only \$20,000. In addition to this there was charged off for maintenance \$120,000 that was not spent. That is a pretty high amount. Most roads don't charge as much as 5 per cent. Still more, \$9,156 was charged off for damages, leaving a balance of \$129,156 charged off but not spent. At least \$20,000 of a total of \$23,387 included in the expense reported by the receivers, should be counted as extraordinary.

At the close of his explanation, quoted above from the Plain Dealer and the Press, Mayor Johnson offered the floor to A. C. Dustin, counsel for the receivers; but Mr. Dustin declined the invitation. He did, however, reply to Councilmen who charged the receivers with trying to discredit 3-cent fares, saying that there was no disposition on the part of the receivers to discredit any rate of fare. This meeting adjourned until the 3d, when it was understood that the receivers would appear and explain their position.

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At the meeting on the 3d the receivers were in attendance, but refused to discuss either the details of operation or the question of whether 3-cent fares are or are not profitable. They explained that Judge Tayler had instructed them to discuss these questions with no one but himself. Several Councilmen expressed indignation at this secrecy of the receivers, characterizing it as a repetition of the methods of the old monopoly

company; and the Council directed the City Solicitor to confer with Judge Tayler on the subject. After his conference he stated that Mayor Johnson would report on the matter to the Council on the 4th.

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When the Council met as a committee of the whole on the 4th, Mayor Johnson reported as the result of his conference with Judge Tayler that complaints of the Council would be taken up by Judge Tayler on the 5th, and that a meeting of the peace committee would be held on the 6th. The traction receivers did not attend the meeting of the Council, Judge Tayler having told them that they need not do so. He advised that complaints should be taken to him direct, promising that he would consider them.

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A stockholders' meeting of the old low fare company—the Forest City company—was held on the 3d, at which the following officers were elected: M. A. Fanning, president; C. H. Miller, vice president, and Fred C. Alber, secretary and treasurer. The new directors are M. A. Fanning, C. H. Miller, Thomas P. Schmidt, Charles F. Seelbach, A. M. Willard, Herman Schmidt, F. A. Mehling, Fred C. Alber and Francis E. Wright. According to the Plain Dealer of the 4th, attorneys for the company were of opinion that while the property and franchise rights of the old corporation were sold, the corporate rights of the company were not sold and it still exists as an independent company. Several hundred shares were not transferred under the terms of the agreement of last April. "Following the meeting," continues the Plain Dealer, "it was stated in the inner circles of the low fare contingent that the company would again enter the street railway arena as an active competitor of the Cleveland Railway Co. This was considered in traction circles as an open declaration of war and the reopening of the old contest for control of the streets."

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## NEWS NOTES

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—The one hundredth anniversary of the birth of Felix Mendelssohn-Bartoldy was celebrated by music-lovers on the 3rd.

—The Atlantic-Pacific fleet of sixteen battleships, under command of Rear Admiral Sperry, left Gibraltar (p. 133) on the 6th for Hampton Roads.

—The census bill was vetoed by President Roosevelt on the 5th for providing "in effect that appointments to the census shall be under the spoils system."

—At a meeting held in memory of Abraham Lincoln, at the Berkeley Lyceum in New York, on the 7th, under the auspices of various women's clubs, Miss Amy Mall Hicks, of the Women's Henry