

optimists, though not recognized as such in their day.

If the optimists who saw only the bright side achieved anything in generations gone, the world has forgotten it. We only know they existed because history recounts the mischiefs which they abetted. Chancellor Day had his prototypes in the sycophants of many a royal court, and the forerunners of Beveridge maintained the prestige of many a weak and wicked prince.

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It might be suggested that such are so well satisfied because as a rule they individually and as a class are "well fixed," and can therefore bear with equanimity the evils which only affect other individuals and classes. They can afford to see only the bright side because that is the side they are on, and a little muckraking might tarnish its shining surface. But granting their good faith, the dreariest pessimism is embodied in the optimism of the brighter side preachers. What ideal can uplift one who is satisfied with the sordid reality? What devotion to a worthy cause can consist with a conviction that all is well enough? What room for a hope that the ignorant may be educated, or the sordid made clean, or the toiler rewarded or the public service purified, can there be in the breast of one who persists in believing that everything is the best possible—one who is satisfied with the tinsel and glitter of surface facts, and shuns as muckraking any effort to know the profounder facts affecting the case? It is the optimism of the ostrich which will not see. It is the most hopeless pessimism, because it is without promise and without incentive to effort.

JOHN TURNER WHITE.

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THE SHEEP-DOG.

Ernest Crosby in "Swords and Plowshares."

I believe in the world.

I stake my reputation as a prophet on its future.

I am sure that it will come out all right in the end, and that is the reason why I am forever worrying it and barking at it like a shepherd's dog driving sheep.

If I did not think it would keep to the right road in the long run, I would not trouble myself about it.

The sheep-dog enjoys life, too, as well as any one, but, alas! why is it that the sheep always misunderstand him and his intentions?

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The terrible problem of pauperism began to press on English statesmen as soon as the old English cultivating groups (in which land was collectively and not privately owned) began distinctly to fall to pieces. —Sir Henry Maine.

NEWS NARRATIVE

To use the reference figures of this Department for obtaining continuous news narratives:

Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article on the same subject; observe the reference figures in that article, and turn back as before; continue until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginnings to date.

Week ending Wednesday, Jan. 9, 1907.

Death of Ernest Crosby.

Ernest Howard Crosby died suddenly of pneumonia in Baltimore on the morning of January 3.

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Mayor Johnson's Traction Victory.

By unanimous decision the Supreme Court of the United States on the 7th sustained the decision of the lower court on the question of the duration of the traction franchises. The decision so sustained (p. 727) was made by Judge Robert Taylor of the Federal court for the Northern District of Ohio, in the Summer of 1905. It held that the franchise on Central and Quincy avenues expired March 22, 1905. The company appealed from this decision to the Supreme Court at Washington, but allowed the appeal to rest until Mayor Johnson began to tear up the tracks on one of the avenues in question. The company then applied for a restraining order from the Supreme Court. This was granted by the court, but an early argument on the whole case was at the same time ordered. Some weeks have elapsed since the argument, and now comes the sweeping decision which sustains that of Judge Taylor and practically ends the long traction fight in Cleveland (p. 943).

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Under this decision the old company has no further franchise claims on two of its main lines, and within three years three-quarters of all its franchises will have expired. The City Council, at its meeting on the 7th, called a public meeting for the 10th to afford an opportunity to the old company to offer a fair settlement. This was in response to a formal communication from Mayor Johnson, in which he said:

The Supreme Court of the United States to-day decided that the franchises of the Cleveland Electric Railway Co., in Central avenue, Quincy avenue and a part of E. Ninth street expired on the 22d day of March, 1905. Since that date the Cleveland Electric Railway Co. has therefore been operating its cars in the streets named without legal right. It is now the duty of the Council to act. In its action the Council should consider two things: First, the convenience of the people of the city, and second, the amount due the city under the promise of the Cleveland Electric in consideration of your forbearance during the appeal to the Supreme Court. I suggest that the Council have an immediate public meeting to which representatives of the Cleveland Electric Railway Co. be invited, and that an invitation be extended to the company requesting the appearance of persons authorized to speak on its behalf and to act for it. At such a meeting the Council should be informed of the plan

of the company for terminating their use of the streets in the way least inconvenient to the public, and also the amount which the company concedes to be due the city for their past use, together with data upon which that amount is determined. In July, 1905, the president of the Cleveland Electric Railway Co. stated in writing that the company was willing, in consideration of its being allowed to continue the operation of its cars pending the appeal, to pay to the city all that it received from such operation, less operating expenses, taxes, depreciation and 6 per cent. interest on the value of the physical property used. The present situation is that the Cleveland Electric Railway Co. is operating without right on the following streets and parts of streets: East Ninth street, from Prospect avenue to Central avenue; Central avenue, from East Ninth street to East Eighty-third street (Lincoln avenue); Quincy avenue, from Fifty-fifth street (Willson) to Woodhill road (Woodland Hills avenue); East Ninth street, from Superior avenue to Euclid avenue, and from Scovill avenue to Woodland avenue; Michigan avenue, from Ontario street to West Third street; West Sixth street (Bank), from Lake avenue to private right of way; eastern track of the eastern roadway of Monumental square, between Superior avenue and Euclid avenue; Bolivar road and Eagle avenue, S. W., west on East Ninth street. The importance of immediate action of the Council is therefore apparent as each day's continued operation under existing circumstances is a denial of the public right and gives to the Cleveland Electric Railway Co. by sufferance, profits which should accrue to the people.

At the same meeting of the Council at which the public meeting was ordered as stated above, franchises to the Low Fare Company (p. 943) covering the same street territory which has already been granted to the "Threefer" were unanimously ordered. The "Concon" has now attacked the Low Fare Company by injunction, upon the ground that it is organized to evade the injunctions obtained against the "Threefer" upon the basis of Mayor Johnson's alleged financial interest therein. On behalf of the Low Fare Company it is argued that inasmuch as Mayor Johnson has no financial interest whatever in the Low Fare Company the objection is untenable, no matter whether it would be good or not as applied to the "Threefer."

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The Traction Struggle in Chicago.

The Chicago traction ordinance (pp. 914, 937), which has been for some months in preparation along the lines of Mayor Dunne's "Werno letter," under the direction of Walter F. Fisher as special counsel in behalf of the city, and a host of New York and Chicago corporation lawyers in behalf of the traction companies, was attacked before the local transportation committee of the City Council on the 3rd upon charges of bad faith in its construction. The attack was made by D. K. Tone, as counsel for the Chicago Federation of Labor, the Referendum League and the Municipal Ownership Delegate Convention. Mr. Tone criticized the ordinance in many particulars. One of his important disclosures was the fact that as the ordinance stands the City Railway Company, to which the South Side grant is to be made and which is authorized to go into the North Side if the North Side company refuses proffered terms, has no power under its charter to operate on the North Side and that under the constitution its charter cannot be amended. To overcome this difficulty a company called the "City Rail-

road Company" has since been organized to perform such obligations as the City Railway Company accepts, but may have no corporate authority to perform. Another of Mr. Tone's objections was to the effect that the companies to whom the franchises are to be granted are not limited in their expenditures for rehabilitation, and that consequently they may spend in excess of \$75,000,000. This would make it impossible for the city to buy, because \$75,000,000 is the limit of the Mueller certificates that have been authorized. Among Mr. Tone's other points were these: That the ordinance is not a license but a franchise in perpetuity unless terminated by purchase at exorbitant figures; that if the Mueller law should be overruled by the courts after the passage of the ordinance it will be impossible to terminate the franchise; and that it obligates the city to pay in the event of purchase, millions of dollars for useless property and expired or expiring franchises. It was argued also that in still other respects the ordinance fails to conform to the "Werno letter." Since this attack, amendments have been discussed, but no further action has been taken by the transportation committee.

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In view of these objections to the ordinance, and also of his campaign pledges and those of the aldermen, Mayor Dunne submitted the following message to the City Council on the 7th:

Ordinances are now under consideration by your committee on local transportation which aim at a complete settlement of the street railway question. They, therefore, fall within the description of the Foreman resolution of your body of Oct. 16, 1905, which received the almost unanimous approval of the Chicago newspapers at that time and was adopted by the Council by a vote of 63 to 0. This resolution declared it to be "the sense of the Council that the procedure in dealing with any ordinance or ordinances for the settlement of the Chicago street railway question" should provide for a referendum. To that course of procedure I therefore submit that your honorable body is pledged with reference to the pending ordinances for the settlement of said question. Many of your members are likewise pledged by the political platform upon which you were elected. And as Mayor I also am pledged to the same effect, as was my opponent at the last mayoralty election. In addition to these obligations of honor it behooves us all as trustees of the people to proceed with caution in this matter, for the ordinances in question are not yet in proper form to effectuate the purposes of the "Werno letter," and objections have been raised to them in their present form, which, if valid and not corrected, might operate to confer unwarranted and unintended franchise rights upon the traction companies. For these reasons and in order that the said ordinances may not be adopted without public scrutiny and approval, and also in order that the people may be fully assured of opportunity for such scrutiny and approval, I respectfully recommend that your honorable body readopt the aforesaid Foreman resolution of Oct. 16, 1905, as follows:

"Resolved, That it is the sense of this Council that the procedure in dealing with any ordinance or ordinances for the settlement of the Chicago street railway question shall be as follows: The ordinance or ordinances shall be framed up for passage and voted on in committee of the whole without final action by the City Council. Thereupon such ordinance or ordinances as shall receive a majority of votes taken by roll call in the committee of the whole shall be published, and the City Council shall take steps to have the question whether it or they