

fare would be profitable, is offered by the street car situation in Cleveland. As is pretty well known, Mayor Tom L. Johnson, one of the best street car experts in the country, undertook two years ago to establish a three-cent fare system in Cleveland. In this he was supported by the city council, not only after it became Democratic but while it had a Republican majority. The franchise was offered for bids. Only one bidder responded, but he deposited \$50,000 cash as a guarantee of good faith, and when the franchise was awarded him, he promptly began the work of construction. Now, if he could not have made the road profitable at a three-cent fare, what could have been better for the old street car interests than to keep quiet and allow him to go on to his own destruction? Nothing could have been more convincing of the impracticability of the three-cent fare idea. But they did not keep quiet, except as burglars do. They pulled wires and fought under cover in the courts until they had succeeded in overturning the whole municipal system of the State—all for the purpose of heading off the three-cent fare railway. In that they have thus far been successful. But now they must meet the people of Cleveland, squarely upon the three-cent fare issue, and as the people decide so it will be. The old franchises are beginning to expire, and the issue is between Senator Hanna, the head of the street car ring of Cleveland, who seeks a renewal of franchises on the old terms, and Mayor Johnson, who advocates three-cent fares immediately and municipal ownership at the earliest possible opportunity.

While this issue was taking shape a significant thing occurred. The central organization of labor unions of Cleveland had appointed a committee on low fares, and this committee reported a few weeks ago, with studied elaboration of detail, that upon investigation they had found that it costs more than three cents per passenger to operate the street cars. Wherefore they advised

against the three-cent fare movement and in favor of extending all franchises to 1914, when the last one expires. As soon as that report became public Mayor Johnson declared that it bore internal evidence of having been prepared in the office of Senator Hanna's lawyers. This characterization was denounced by the committee, whose members, however, opposed a motion to invite Mayor Johnson to explain his charge before the central body. The invitation was extended, nevertheless, and the result proved disastrous to the street car ring.

When he appeared before the central body of the labor meeting in response to their invitation, Mayor Johnson read a carefully prepared paper in which he exposed the bad faith of the report. Referring to the advice to extend the franchises to 1914, he said:

This proposition to extend the franchises to the date of the expiration of the last is exactly the street railroad contention. It is what has been the most frequently suggested to me in the last year as a solution of the question. It is the plan of greatest advantage to the companies. This stifles any competition for new lines and postpones the settlement to such a distance that the railroads will very gladly take the chance of getting a favorable administration and city council any time within the next ten years to settle this question as they have attempted to in Cincinnati by a 44-year grant, made directly by the legislature.

He then proceeded to describe the report, taken as a whole, as—

an able brief presenting the street railroad side of the question in the strongest way for their interest. It is the ability and cunning in its preparation that first impressed me with the belief that it was prepared by street railroad attorneys, and I naturally came to the conclusion that their principal advisers, Messrs. Squire, Sanders & Dempsey, had written, directed, or in some way inspired the arguments found on its pages. I did not see them do it. I do not know that they did, but there are not many street railroad lawyers who could produce a better piece of work. I think a careful reading of the report, in view of the ingenuity and cunning I have pointed out, will convince you gentlemen that no member of your committee is sufficiently skilled in such work to produce so able a brief. If in this

I am mistaken, I would advise him to change his occupation, as the privileged classes pay exceedingly well for high-grade work of this kind.

Turning to the facts connected with the making of this extraordinarily able labor report, Mayor Johnson went on:

Now as to the facts connected with the making of this report: I have no desire to reflect upon the private character of any one. I repeat, that I have no facts that would warrant my going before a grand jury with charges, but there are some questions that I think would have weight. In this case we must at the outset admit that there is a powerful interest anxious to perpetuate franchises in the streets of the city, in which they think at least millions are at stake. And there is sufficient incentive on that side to warrant an attempt to influence directly or indirectly, either by argument or payment, those having in charge the preparation of this report to so shape it that it will amount to an indorsement at the hands of the labor organizations of their arguments and contentions, and will discredit as much as possible the people's side of the question. I believe that I have shown you this report does that very thing, and you will admit that there is sufficient at stake from the side of the railroads to warrant the disposing of large sums to accomplish their end. Now the point is, whether any members of this committee, directly or indirectly, have been deceived, unduly influenced, or corrupted in this work. I propose to show you some circumstances that I think, if unexplained, will, to say the least, cast doubt upon the sincerity of one or more members of this committee.

Here Mayor Johnson turned from his paper to say he would like to ask one member of the committee whose report was before the body one or two questions. "I would like to ask this member of the committee," he said, "whether he has lately had any large sum of money paid him?" Without waiting for an answer the mayor then suddenly faced the member to whom he had alluded and exclaimed: "Michael Goldsmith, have you had any large sum of money paid to you recently, either \$500, \$1,500 or \$2,500?" "Yes," came the reply from Goldsmith. The question and the answer are reported to have caused the most intense excitement among the delegates. Those present in the hall were fairly overwhelmed and the stillness that followed the

asking and the answering of the question was almost painful. A second later the mayor continued: "Where did you get the money and what were you doing so often during the holidays around the offices of the president of the Little Consolidated?" "None of your business," responded Goldsmith. Amidst the oppressive silence that followed this virtual confession, the mayor concluded:

I want to state that in what I am about to say, if it is not so, I deserve more than your contempt, and Mr. Goldsmith has right of action against me for personal damages. I charge that near the end of last July Mr. Goldsmith made a deposit in the Cleveland national bank of \$500 and that two days after the report of your low fare committee was made he made a deposit in the same bank of \$1,250. I believe myself that these deposits are in some way related to the report of the committee, although I am not attempting to cast reflections on the members of that committee. Now, gentlemen, you have my whole case.

When Mayor Johnson had finished, the central labor body hotly discussed the subject and ended with throwing out the report of their committee. They adopted as a substitute for it a resolution saying nothing of fares, but indorsing municipal ownership. Thus did Senator Hanna's effort to line up the labor vote of Cleveland in support of his expiring street car franchises come to grief.

The negotiations in Chicago between the city council and the street car interests (p. 695) have reached the stage of a deadlock. From all the circumstances it is now evident that the representatives of the street car interests have simply been trying to get an extension of franchises under agreements that would carry over to the next expiration the unsettled legal questions which they are using to force a compromise now. The 99-year act is their principal weapon. This infamous grant, purporting to extend franchises from 1865 to 1964, would probably give them sufficient standing in court to keep the question in litigation for years, and an offer to surrender all claims under that grant in consideration of an extension was consequently most favorably

received. But now they refuse to make the surrender. They ask that the question of the validity and value of the grant be postponed. This is the very trick they played 20 years ago. It is fast becoming evident that the best way, if not the only way, to fight these tricksters is to fight them; and the time may not be far off when aldermen and citizens alike, who urge a compromise, will fall under reasonable suspicion. With \$60,000,000 of watered stock of the traction companies upon the market and in the hands of "widows and orphans," worthless if the franchises are not extended but good for their face if they are extended, blind confidence in the integrity even of "our best citizens" is indicative of some kind of weakness.

The hearings before the anthracite arbitration committee were made memorable by the extraordinarily able closing speech of Clarence S. Darrow. Aided by Mr. Mitchell and Mr. Lloyd, Mr. Darrow had presented the case of the miners with consummate ability. All the elements of a great tragic drama, not founded on fact merely, but made up altogether of facts, were evolved from the daily lives of the coal miners of eastern Pennsylvania; and in his summing up Mr. Darrow marshaled and massed these facts so skillfully yet so simply that the drama seemed to unfold itself. It was the tragedy, rather than the speaker who described it, that for two days engrossed the attention of the commission and entranced the fortunate auditors.

Among the many striking things that Mr. Darrow said, one is especially worth remembering. It was in reply to the advice of the lawyers on the other side that trade unions ought to get themselves incorporated. We quote him:

I am not willing to admit for a single moment that anything can be gained for manhood, for righteousness, for the good of all by going into some petty legislature and asking to merge the individual flesh and blood man into a corporation created by the state.

Why, we were told in the argument that the State of New Jersey—of all the places on earth, the State of New Jersey!—had introduced a law to compel labor organizations to incorporate. New Jersey has been busy with the corporation business. New Jersey has issued its bogus charters and sent them broadcast over the United States, its charters which have been simply letters of marque and reprisal for every pirate that sails the high seas of commerce to capture what he can get, until New Jersey has become a stench and a byword in the minds of all people who believe in fair dealing and justice between man and man.

Senator Campbell, of Illinois, has won an unpleasant distinction by proposing in the State senate a peculiar bill for the nomination of judges. Had this bill become a law the judgeships of the State would have been appointive offices, and party bosses would have been invested with authority to make the appointments. For it provided that—

The central or managing committee or executive committee of any political party authorized to make nominations of, in or for any judicial district, judicial circuit, or county, may itself make any and all nominations for judge or judges of any court of record without holding any primary election or convention.

Senator Campbell heard a rumbling when the news about his bill got abroad, and he promptly moved to strike out the enacting clause. His motion was adopted. He explained, however—and his explanation was more unpleasantly significant than anything else about the whole matter—that he had offered the bill at the request of "a committee of the judges of Cook county, who claimed to represent all the judges." Would it not be fair to the people of Chicago to let them know the names of that committee of judges?

The magnificent Lincoln day banquet at Columbus, Ohio, of the Jefferson-Jackson-Lincoln league, was marred by the speech of ex-Gov. Budd, of California. Though the lawyer in California of William R. Hearst, proprietor of the New York, Chicago and San Francisco papers that go by his name, Mr. Budd had the bad taste to announce his client,