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First to Last—the Truth: News—Editorials—Advertisements
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right wing is, therefore, in an even more perilous position than the Greek left wing. In the war of maneuver Constantine's raw commanders are making a sorry showing against the undervalued Turks.

Buying at the Bottom
Governor Miller's special message asking for an amendment to the new traction act makes it impossible for even the most suspicious to credit the slander that the Governor is a party to a conspiracy to benefit the traction interests at the expense of the public.

The Governor would have a further safeguard to protect the city. He proposes, in brief, that the commission when making the valuation of traction property which must precede a new arrangement shall fix no higher value than is supportable out of present earnings with a five-cent fare. This is to say that he would acquire the property not on the basis of prospective income but on the basis of to-day's income.

If the Governor's recommendation is studied doubt may arise as to whether the companies will come in on his basis, but no reasonable person will longer believe nor any candid person longer charge that he seeks to serve private interests. He would secure for the city at bottom costs a property of almost limitless worth and prevent any future group of traction speculators fattening at the public's expense.

The San Antonio Case
Fuller information in regard to the Supreme Court decision in the San Antonio, Texas, traction case throws doubt on the accuracy of the newspaper summaries of the decision.

The decision was presented as one to the effect that a contract for a five-cent fare is not binding when its enforcement means a company is not earning a fair return on its property. In fact, it seems to be merely that the city of San Antonio did not have power to contract—that there was no contract, and hence the five-cent clause in a non-binding instrument was not enforceable.

It appears that the original San Antonio Traction Company was organized by a special act of the Texas Legislature in 1874, and that the Texas constitution of 1876 provides that "no irrevocable or uncontrollable grant of special privileges or immunities shall be made." In 1899 San Antonio passed an ordinance providing that street railways operating in the city should not charge more than five cents for a continuous ride. But subsequently the Legislature ordered the sale of tickets to school children at one-half the regular fare. The company resisted on the ground that it had a contract with the city whose terms the Legislature had impaired, and that therefore the Legislature's act was void.

The decision was that there was no contract—that the city had no power to make one, on account of the constitutional provision mentioned above.

The litigation which ended on Monday arose out of an ordinance of the city forbidding an increase of fares. Whereupon the company attacked the ordinance on the ground that the city's act was confiscatory. The roles being reversed, the city argued there was a contract and the company that there was not. The lower court decided there was no contract, and this decision the Supreme Court affirms. The implication is that if there had been a contract the company could not have raised its fare.

In the Cleveland case in 1904 the Supreme Court held that when a city had a right to contract with respect to fares, and a traction company entered into such a contract, it could not abrogate the contract on the ground that the contract rates were confiscatory.

Any case coming up from New York City will probably involve questions not touched upon in either the San Antonio or Cleveland case. Here we have contracts made in behalf of the city by a state commission whose power to contract is not challenged. The issue with us is whether the state, acting through another commission as trustee for the city, can modify a contract made by its predecessor when the other party thereto agrees to the modification.

Old Names Are Best
Our busy Board of Aldermen has resolved in favor of Welfare Island as against Blackwell's Island and is contemplating the replacement of Herald Square with Bennett Square. We have already sighed over the Pollyannish euphemism of Welfare Island—why abandon an old salty name like Blackwell's for what is, in the present state of penology and human nature, a silly and hypocritical pretense?

The proposed elimination of Herald Square raises similar emotions. A good rhythmic mouthful is this title, which George Cohan made famous in his song about Broadway and the matter of being remembered to Herald Square. In these years it has become an honored bit of Manhattanese, and those who would lightly alter it have little understanding of how an old town attains flavor and mellowness and personality. Let it be added that if the Board

of Aldermen does insist upon changing Herald Square, now that the Herald Building is at an end, there are the best of reasons for naming it Greeley Square rather than Bennett Square. Such was the old name of the crossways, and Uncle Horace in bronze still surveys the scene from the lower side of the square, which has never lost his name. A reunion of the whole area under the title Greeley Square would perpetuate history and end confusion. To have a Bennett Square facing a Greeley Square across Thirty-fourth Street would have its sardonic humor in view of ancient personalities of the Greeley-Bennett days, but there is not much else to be said for the plan. Old names are best.

Legalizing Syndicalism
The New York Call, a radical Socialist publication which ardently labors to promote syndicalism, is intelligent enough to recognize it when it sees it. So it vehemently opposes the Meyer-Martin bill, which would plug up a hole in the anti-trust act whereby syndicalism has crept into New York law.

The Donnelly act forbids combination to control the price of any article of common use. Construing this statute, the courts have held that products of the photo-engraving industry are not of common use, and hence the prohibition does not apply to it. Taking advantage of this interpretation, the union of photo-engravers and their employers have combined to fix prices and to keep new concerns out of the business.

This is syndicalism—that is, a monopoly group of employees has seized control of an industry and absolutely dictates what the public shall pay for its products. Beholding the nose of the camel of syndicalism thus in the tent, The Call, with its principles, naturally resists its expulsion. It hopes the whole animal may get in. The issue is so plain that it is strange Mr. Gompers, who is against syndicalism, is willing to journey to Albany to oppose the Meyer-Martin bill.

The authors of the Donnelly act, of course, never intended to authorize syndicalist monopoly in the photo-engraving industry. They did not dream that the courts would narrow the phrase "of common use" so as to exclude products that merge into and are a part of other articles. But, construing the language of the act in a forced way, there is exclusion. The Meyer-Martin bill merely puts the matter back where it was thought to be. If the bill is not passed syndicalism will continue in the photo-engraving industry, as The Call perceives.

Women in the Courts
That the ends of justice will be better served when women have a larger share in the administration of the law was the burden of the recent speech of Judge Florence E. Allen, of the Court of Common Pleas, Cleveland, Ohio, before the Women Lawyers' Association. Her chief complaint against all-male courts and juries is that their notions of "chivalry" get the better of their common sense when they are dealing with women wrongdoers.

"Criminals take advantage of this fact," she says; "they use a woman to perform acts essential to the committing of crimes, with the feeling that she will be let off at the same time that she serves the purpose of screening them. It is quite true that practically all men—lawyers, judges, prosecuting attorneys, witnesses and jurors—are disposed to be lenient with women." The leniency is not deliberate, she seems to think, but a matter of instinct. Pretty women, particularly, are all too likely to make men lose their balance.

The woman criminal is, of course, ready enough to play up her delicacy or her charms in the hope of being treated as a child and let off easy. But such exemptions, as Judge Allen says, are an undeserved reflection upon the character and intelligence of the sex, and women in general disapprove of them. A woman crook before a woman judge is pretty sure to get fair treatment—and nothing more.

As women come to have more of a hand in enforcing the law their unsentimental way of dealing with women lawbreakers doubtless will have the force of an example. This, certainly, is one of the reasons why women should be enabled to serve on juries. And there are other and more obvious reasons, chief among them being the consideration that to double the number of people from whom jurors may be recruited will be to halve the difficulty that now exists in obtaining intelligent jury service.

There is need also of women judges. So far only one woman has held judicial office in this state—Judge Jean Norris, who was appointed by Mayor Hylan to the magistrates' bench, and who has been discharging the duties of her post with credit. New York would do well to follow the precedent of Ohio by placing a woman on the bench of a court of general jurisdiction. The state has women lawyers of distinction. Bertha Rembaum, for example, was nominated for the Municipal Court in 1919 and received the support of all the bar associations and of the Citizens Union, and there

can be no doubt of her fitness for a higher post than that to which a Tammany-riden electorate failed to raise her. Miss Rembaum has been suggested as a fit bi-partisan candidate for one of the next occurring vacancies in the Supreme Court of this county.

The Revival of Baseball
There are seasons and seasons, but none that quite equals the baseball doings that began yesterday with at least the usual uproar. Locally there are good reasons for an extra whoop from the throats of the devoted. The immortal Ruth stands up to the plate again for another try at fate and the unbelievable record of last year which he himself hung up. Never before have the Yankees presented so formidable a front as this year. The Giants have more uncertain and untested spots, but they promise much. The Dodgers start with a fine record, a tried team and a world of good will for their game and successful fight last year.

There has been a heavy mortality of familiar faces since last year, thanks to the clean-up of crookedness. The race is open than usual as a result. There may be many surprises before the season is done. In a very real sense baseball is starting fresh, with a new lease of life and a revival of good will and oldtime zest and applause.

But let no manager or owner or player mistake the temper of the fans. Suspicious long whispered and long evaded or ignored proved to be the truth last year, and it would be idle to pretend that the fan approaches the game this year with the same old trust. The new era in baseball must earn the confidence of its patrons all over again, from the ground up. There must be no shadow of crookedness permitted. There must be a rigorous obedience to the strictest discipline. The standards set by Judge Landis must prevail in fact as in name. The game must seem straight and be straight or the revival will die a-borning.

Bits of Real Life
Motion Picture Plots in the Day's News That Censorship Would Spoil To the Editor of The Tribune.

Sir: Your editorial "Aladdin's Lamp Realism" in to-day's issue is, without perhaps your intending it to be such, one of the best and strongest arguments against the censorship of motion pictures that could be advanced.

As your editorial points out, it is a fact that writers look to the daily newspapers for bits of real life for amplification or condensation into novels, plays, motion pictures, etc. But it is also a fact that in numerous states such situations and bits of life as you mention are debarred from the motion picture screen by politically appointed censors.

As one who writes for the movies I agree with you that the gem of all the nebulous plots in the group you mention is the story regarding the capsule containing \$5,000 worth of radium, which was lost by a hospital attendant and which is a deadly menace to the finder who keeps it. It is a capital idea for what is known as a serial—a continued melodrama.

But if, as you suggest, a producer were to make a picture in which this radium was stolen by a band of international thieves and one by one its members were attacked by the unsuspected malignity of radium's rays and suffered ugly, cancerous death, the censors in many states would refuse to permit the showing of such scenes and would be very likely to condemn the whole picture as exerting too "wild" an influence on children, or to prohibit its showing for any one of a hundred other "reasons."

All of the other "bits of real life" that your editorial mentions would also be mangled by the censors' scissors, especially anything that even remotely suggests suicide.

It is well for the people of New York to realize now that censorship may keep from the screen such "bits of real life" as your editorial mentions. BEN H. GRIMM, New York, April 12, 1921.

German Debts Due Americans To the Editor of The Tribune.

Sir: Some time ago I noticed an article in some of the papers by a New York lawyer referring to the collection of funds from Germany due American citizens residing in America. I have in mind just such a case as was mentioned in the above article. It is the case of a widow whose husband was an American citizen residing in America and left her an income from German properties. None of this money has been received since war was declared by Germany and the widow is in sore straits. She has been notified by the German government that one-half of this income will be taken by the government to pay war indemnity. How about this?

It seems to me that it is high time something was done to protect the rights of our citizens in this matter. I cannot understand why the matter has not been taken up by our Senators. WILLIAM R. HOOPER, New York, April 12, 1921.

The Penalty of Greatness (From The Louisville Courier-Journal) The optimist used to encourage the struggling youth with the assertion about there being always room at the top. The pessimist nowadays observes that at the top there are taxes which lap off earnings like the scimitar of Saladin looped off heads.

The Conning Tower

BALLADE OF A SMALL SALARY
I do not know and I do not care
A cuss where those ladies are to-day,
Alys and Ermengarde and the fair
Flora of rascally Villon's lay;
The last year's snows are melted away,
As any idiot ought to know,
But not so completely as my pay—
Where does my monthly salary go?

For long dead ladies I don't despair;
I'm well contented that they should
stay
Wherever they are, whatever they wear;
I know a lovelier lot than they;
But every one of them says me nay;
Bonbons and roses I can't bestow,
Never a luncheon, never a play—
Where does my monthly salary go?

To fuss the flappers I do not dare;
Seldom I see them, for my array
is ruinous and beyond repair;
My only trousers are all a fray;
I belong in a field to keep at bay
The thieving and unmelodious crew;
Tailors are damned expensive—and say,
Where does my monthly salary go?

LENSVOI
Tell me a mouthful, Queen, I pray;
Forget that query about the snow;
This is my burden ever and aye,
Where does my monthly salary go?

C. W. W.
There is to be a revival of "The Belle of New York," but we doubt its ability to enthrall us as it did in 1897. The voice of Dan Daly singing "From far Cohoes, where the hopvine grows" is inimitable; and his dancing shoes are non-refillable.

It was at a performance of "The Belle of New York" that we "discovered" similarity between tunes. The first eight notes of the chorus of that song—"Of course you can never be like us"—are the first eight of "My Grandfather's Clock."

Another Burst of Morality (From the Grand Rapids (Mich.) Journal)

The Muskegon Community Council announces that Mary Pickford and Douglas Fairbanks's pictures will be barred because of their marriage after her divorce. Mack Sennett's Bathing Girls will be featured.

There was talk, a few years ago, of changing the name of this nation to the United States of Columbia. Our choice is the U. S. of Puritanism. For President: Clayton R. Lusk.

Think of a Condition in Bourbon! Sir: Down in Chile, South America, in the National Agricultural Institute, they teach the art of making wines, liquors, etc. What a pleasure to honor man in Cognac—or what a consolation to flunk in Champagne! What an impetus the desire for learning would get if our own Aggies boasted such courses! ALONZO.

Unsentimental though we are, we could not read without the proverbial catch-in-the-throat that a large lot at 408 East Ninety-third Street, Utica, is to let by [gulp] Adame Happel.

"With These Convergences I Forget All Time" (From The Havana Post) AMERICAN GIRL—Wanted by well educated Cuban young man to exchange English and Spanish conversation of any kind. Apply A. W. H. P. O. 2098, Habana. 4-9

It is Jean's contention that it is the impermanent wives who get the permanent waves. And the best of women linotypers says that the p. w. puts a permanent crimp in the pocketbook.

Provoking: Curly locks, curly locks, wilt thou behave? Thou needest not to purchase a permanent wave.

Hæc Fibula Docet Sir: Lying awake at night has nothing, in the matter of continuity, on lying in bed with a broken fibula. These questions will recur:

Oh, why should the spirit of mortal be proud? Can't think of a reason. Will you walk into my parlor? Can't. Where are you going, my pretty maid? Nowhere at all.

What's this dull town to me? Less than nothing. What ails this heart of mine? Nothing at all; it's my ankle that's broken. Who ran and kissed me when I fell? Nobody.

Have you heard of the wonderful one-horse shay? Yes, but I wasn't built like that. C. W.

Suggested for The New Republic's "The Band Wagon": "The American public always deals with its affairs on the merits of the case."—Judge Landis.

Subway Starts Suddenly she gave a start; the time had come. She looked about furtively. No one was watching her. Swiftly and silently she opened the black bag and extracted a long, sharp implement. Then she paused and once more making sure that she was not being spied upon, slowly raised the pencil and wrote in her memo book "Get steak for dinner." D. V. N.

Even so careful a writer as Mr. H. W. Roynon refers, in the current Weekly Review, to "Miss Lulu Betts" and to the chief character in Zell as "Herman Zell."

The Greenwich Golfer 'Tis nice to live in Greenwich, Where they have a 19th hole, And when you've finished 18, You slowly toward it stroll; And sit there sad and gloomy And silent while you sip A Cos Cob Rhubarb Cobbler Or Mianus River Flip. J. Q.

During the war he served as a Lieutenant in the United States Army—Columbia Alumni News. [Cries of "Treason!"]

Of course, the freedom of the city can be abused. Remember Gomorrah.

We are not one to oppose the President, but our policy is slightly in variance with his, of national economy and a strong home defense. It's just the other way with us. F. P. A.

SPEAKING OF OUR WASTEFUL LAND TENANTRY SYSTEM



A Suggested Subway Plan

Outline of a Method for Unifying City's Traction System

The subjoined specific proposal looking to a consolidation of the traction lines of the city, some of whose features are in accord with Governor Miller's special message of yesterday, was prepared for The Tribune by one of the city's leading traction experts.

(1) A new company is to be formed to operate the various properties to be leased to it by the city. The company and its operations are to be subject to regulation by the Public Service Commission. The city is to have representation upon the new company's board of directors.

(2) The capital value of each line should be estimated by the Public Service Commission or by a special board of adjustment to be appointed by the Governor, such estimate to be made as follows: The future earnings of the line should be estimated on the basis of the 5-cent fare and operating expenses on the basis of the average price of materials and labor during some preceding term of years, such prices to be higher than during the pre-war period but lower than those prevailing in 1920. These estimated future earnings capitalized on a 5 or 6 per cent basis should then be the basis for fixing capital value. The commission or board of valuation should be required in each case to take into consideration probable future increase of traffic on lines serving undeveloped districts of the city and various other items effecting earning capacity.

The Right to Review If the City of New York should refuse to accept any such estimate of earning capacity or of capital value the city should be given the right to a review of the estimate by some specially designated tribunal, whose decision should be binding. Probably such an estimate could not be made legally binding upon a traction company, but any company refusing to accept the estimate would have no rights under the plan or the enabling legislation.

If deemed advisable it could be provided that the estimated capital value thus fixed for the subway shall in no case be higher than the price at which the city is entitled under its present contracts to recapture the same and that the estimated capital value of the elevated lines and surface lines shall in no case be higher than the estimated cost of reproducing their physical properties, with due allowance for depreciation.

3. The Interborough Rapid Transit Company and the Manhattan Elevated Railway Company are to be reorganized as follows: To effect the proposed reorganization the Interborough Company's properties are to be sold at receiver's sale, subject to the first and refunding mortgage, or, if found advisable, the mortgage is to be foreclosed and the properties are to be sold at foreclosure sale.

4. The various surface lines are from time to time to be valued as above provided and to be taken over by the city and leased to the operating company in the same manner as the Manhattan elevated lines. In many cases, probably, the debts of the surface lines would exceed the capital value of their properties and the whole of these debts could not be assumed by the new company. It is probable also that some of the surface lines cannot be operated at any profit and that they are not really needed to serve the public. Such lines should be abandoned and the rails taken up. Other surface lines may not be capable of operation at a profit, but are needed to serve the public. In such cases the city should have the right to take over these lines at a price based on their scrap value, approved by the Public Service Commission or the Board of Adjustment, and to lease them to the new operating company, the latter being protected against loss by the provisions of paragraph 6.

5. The Brooklyn Rapid Transit Company is to be reorganized as follows: The lease and contract relating to the company's subways is to be amended and to be vested in the new operating company on the same basis as the lease and contract of the Interborough Rapid Transit Company. The elevated and surface lines of the Brooklyn Rapid Transit Company are to be dealt with in the same manner as the other elevated and surface lines.

(6) At the outset the new operating company is to charge a 5-cent fare on all lines taken over by it, subject to such transfers as may be prescribed by the Public Service Commission. However, it is to be the duty of the Public Service Commission to increase the 5-cent fare whenever this may be necessary to enable the new company to earn and pay its taxes, interest and sinking fund charges, and say, 6 per cent on the portion of the agreed capital value (fixed as above provided) of its properties represented by its outstanding shares of stock. If in any year the earnings should not be sufficient to pay these sums the deficiency should be made up out of future earnings and the fare should be adjusted accordingly. If there should be a surplus this surplus should go to the city to be applied against the interest and sinking fund charges of the city upon all indebtedness heretofore or hereafter incurred by the city for the construction of traction lines leased to the operating company.

Upon the application of the city fares should be increased by the Public Service Commission from time to time so as to make it conform to this plan. If it should become necessary to foreclose the new mortgage a similar new mortgage is to be executed by the new company and bonds secured thereby are to be issued in exchange for the present bonds of the Interborough company.

The lines of the Manhattan Elevated Company are to be vested in the city, subject to the company's indebtedness, and are to be leased to the new operating company under a lease and contract similar to the amended lease and contract covering the subways.

The new company is to issue its stock in exchange for the stocks of the Interborough company and the Manhattan Elevated Company on the basis of the capital value of their respective properties (fixed as above provided) in excess of the indebtedness assumed.

The Surface Lines 4. The various surface lines are from time to time to be valued as above provided and to be taken over by the city and leased to the operating company in the same manner as the Manhattan elevated lines. In many cases, probably, the debts of the surface lines would exceed the capital value of their properties and the whole of these debts could not be assumed by the new company. It is probable also that some of the surface lines cannot be operated at any profit and that they are not really needed to serve the public. Such lines should be abandoned and the rails taken up. Other surface lines may not be capable of operation at a profit, but are needed to serve the public. In such cases the city should have the right to take over these lines at a price based on their scrap value, approved by the Public Service Commission or the Board of Adjustment, and to lease them to the new operating company, the latter being protected against loss by the provisions of paragraph 6.

Recapture by the City Provision is to be made giving the city power to terminate all the leases and to recapture all the properties as an entirety. It would be desirable also to give the city a right instead of terminating the leases to acquire all the stock of the operating company at a fixed price, based on the agreed capital value of its property represented by the stock. If the city should ever take over the traction properties they ought to be operated like other city departments by elected or appointed city officials. A better plan would be to require the city to operate them through a separate corporate organization managed by a classified board, consisting of, say, nine members, of whom only one would be appointed each year. If all the traction lines were operated by elected or appointed city officials like the other departments of the city a dangerous amount of patronage would be vested in the political party in control and the operation of the lines would become both inefficient and extravagant.

1914 and After To the Editor of The Tribune. Sir: Your correspondent Frank L. Sowler writes: "If any nation or nations, for any purpose they saw fit, wished to bring about such a crisis as arose in 1914, the United States would be ready to do what it did in 1917." May I refer Mr. Sowler to the files of The Tribune in the days preceding the war, so that his letter to you may appear in its proper perspective? We were "big enough, strong enough, brave enough" in 1914, but we waited as Belgium was raped, as France was devastated, as the Lusitania was sunk; but our bigness, strength and bravery were not sufficient to compel us to declare war on Germany, or even send Von Bernstorff home.

Once again I respectfully refer Mr. Sowler to the editorials of The Tribune from the fall of 1914 onward. He will not then feel like writing about doing something in 1924 that we ought to have done in 1919, namely, join the league or be proclaimed the bully among the nations. JOHN M. F. HOWIE, Buffalo, N. Y., April 12, 1921.

The Home Front (From The Washington Post) For safety from hold-up men, New York's home-building boom should include a line of forts.