

Railroad, will be solely in charge of such of the railway's matters as will come before the Legislature. The purely political attorneys have been discharged, the regular local attorneys are retained only on condition of refraining from participation in politics, even in their individual capacity. Nothing will be given to any public officer to influence him in the performance of his duty. The lobby has been done away with. This is the platform which President Mellen lays down, and we are convinced from President Mellen's speeches, from correspondence which has been made public, and especially from our knowledge of the high character and determination of Mr. Rich, that the company has every intention of living up to this platform. In taking this stand it is to be commended, not merely for a moral action, but for very excellent business common sense. The railways, as well as other great industrial corporations, are beginning to find out that secrecy and corruption does not pay, and that publicity and action in the open does. This new attitude of the Boston and Maine toward New England politics is one of the excellent fruits of the consolidation of the New Haven system and the Boston and Maine. But the people of New Hampshire will not enjoy this fruit unless they also do their part to protect and cultivate it. If the railway finds that a sincere attempt to administer its legal affairs with integrity brings down upon it blackmail or injustice, it might be tempted to take up again the old methods of corrupt self-protection. The people of New Hampshire should not in the least relax their effort to regulate the railway efficiently, but they should be scrupulous in doing it justice. If in the matter of taxes, or in the matter of rates, the people, through the Legislature, do not show a sense of fairness and justice, and even of reasonable generosity, towards the railway, they will have only themselves to thank if the situation drifts back into the old atmosphere of bribery and domination. The conditions now prevailing in New Hampshire make that State an important center of political reform; the whole country will watch with interest to see how the progressive citizens who are in control of the politics of the State meet the overtures of

a great and powerful corporation which, openly confessing past sins, earnestly professes the desire to establish a good character in the future, and actually takes the first steps to establish such a character.

SUBWAYS FOR NEW YORK

The vexed problem of more subways for New York City has moved a step forward toward solution, while at the same time it has taken on a new phase which may make it still more difficult of solution. The Outlook reported two weeks ago that a fundamental question confronted the city, which must be answered one way or the other before choice could be made between rival subway plans. That question is, Shall the city in its future subway development adopt the principle of monopoly in operation or the principle of competition in operation? The city has already, it must be remembered, adopted the principle that all subways must be *owned* by the city; the only question is, How shall they be operated? The Public Service Commission has answered this question in favor of monopoly. In a letter to the Board of Estimate and Apportionment the Commission expresses its conviction that the acceptance of the offer of the Interborough Company, made several weeks ago, provided certain modifications can be agreed upon, would be for the best interests of the city. For this conclusion the Commission gives several reasons:

First, the Interborough agrees to operate future extensions to the system as they may be built by the city.

Second, the city would have the power, after the lapse of ten years, to take over the extensions now to be built, and, by constructing a few connecting links, have a distinct and comprehensive subway system.

Third, construction can be begun at once, and relief obtained most quickly.

Fourth, the terms of operation of the present subway and the proposed extensions can be so arranged that the entire system will revert to the city at the same time.

Fifth, the city will have to provide only fifty-three million dollars as against a hundred or more million dollars under any other plan.

Sixth, there will be a single five-cent

fare and free transfers over the same system.

Seventh, the Pennsylvania Railroad Station will be connected with the main subway system of the city.

Eighth, the plan embraces two important connections of the elevated railway with the Borough of Queens, one by the means of the Steinway Tunnel and the other by the Queensborough Bridge.

The Interborough proposition must now be acted upon by the Board of Estimate and Apportionment, for no subways can be built in the city without the approval of that body, which must vote the necessary money. It is known that two members of the Board, who possess six votes out of sixteen, are strongly opposed to the principle of monopoly and committed to the principle of competition. Mayor Gaynor, with three votes in the Board, is known to be friendly to the Interborough proposal; but just how the Board will eventually align itself on the proposal made by the Public Service Commission cannot be safely predicted. The McAdoo proposal for the equipment and operation of the Triborough route, which was described in *The Outlook* two weeks ago, is no longer before the city. The McAdoo Company is convinced that there could be no fair comparison between the details of the Interborough proposal, based on the fundamental principle of monopoly, and its proposal based upon the fundamental principle of competition. The Company believed that the city must decide between monopoly and competition before it could determine which offer it would accept. It therefore did not renew its proposal when the time limit originally set for its acceptance or rejection had expired. The McAdoo proposal, however, has done two great public services. It has forced from the Interborough Company a vastly more advantageous offer than it ever had been willing to make before; it has shown that private capital is not afraid to undertake the operation of a second subway system like the Triborough. The Interborough offer has been shown by the Public Service Commission to have many attractive features. *The Outlook*, however, believes, as it has already declared, that the principle of competition is an important

one to be maintained in transit development in a city like New York. In the confusion of New York's subway situation two things at least are clear. The city needs more subways; and before it can obtain them the Public Service Commission and the Board of Estimate must agree on the plans for their construction. It is the duty of every member of both parties to do his utmost to bring about an agreement which shall "make the dirt fly" at the earliest possible moment.



THE SUGAR TRUST STILL IN TROUBLE

As already reported in *The Outlook*, eight officers and individuals connected with the Sugar Trust were criminally indicted more than a year ago for forming a conspiracy, in violation of the Sherman Anti-Trust Law, to obtain the control and suppress the competition of the Pennsylvania Sugar Company. The attorneys for two of the defendants, one of the latter being Gustav E. Kissel, a banker of high personal and family standing in New York City, made the plea that they were exempt from prosecution under the statute of limitations. The lower courts sustained this plea, and the Supreme Court, to which the Federal Government appealed, reverses that decision. To put the matter in plain language, the plea of the defendants was that the three years, after which the statute of limitations says a man cannot be prosecuted for a criminal act of this character, had elapsed before the indictment was found. The Supreme Court decides that the statute of limitations does not apply in this case, for a conspiracy is not merely committed on the day when conspirators make their agreement, but continues to be committed as long as criminal acts are performed by conspirators in pursuance of that agreement. In other words, "a conspiracy may have continuance in time." The case is therefore sent back to the court of original jurisdiction, and the indicted defendants must be tried upon the question as to whether their acts were in fact illegal. The famous Knight case is also involved in this decision, for the lower court will now have to determine whether the precedent established by the Knight case justifies the defendants in their