

for young people and those for children. He will be honorary and guest conductor of the concerts of the Symphony Society, and thus direct occasional concerts in its regular series. More than that, he is, it is understood, planning to widen his influence by developing orchestral concerts for the invisible audience of the radio. He is one of those wise musicians who see in the development of scientific appliances, not an obstacle, but a new opportunity for art and a new means for spreading acquaintance with the best, which is the only basis for good taste.

If only he could be made program-maker for all orchestral concerts, he would find full scope for his special gift. He has the rare instinct for understanding what musical compositions can be combined into a concert that of itself is a work of art. In this field of musical architecture he is unsurpassed.

The Fall-Doheny Case

NOT guilty! That was the verdict returned by the District of Columbia jury which tried Albert Bacon Fall and Edward L. Doheny on the charge of criminal conspiracy to defraud the United States Government in connection with the lease of the Elk Hills Naval Oil Reserve. The verdict is final. It is just. The crime of conspiracy to defraud was not proved.

But beyond that the verdict does not absolve the defendants or either of them of culpability. So far as this verdict is concerned, the defendants are not, technically at least, free from the charge of bribery, which still remains untried. Is the evidence of bribery sufficient to warrant the pressing of that charge? That depends upon the decision of the authorities. Of this the public has not adequate means of judging.

But the public can, and must, take cognizance of culpability that is entirely outside the province of a criminal court jury. In that sense, Albert B. Fall is culpable. When he accepted a personal loan from a man with whom, as Secretary of the Interior, he was transacting important public business involving the possibility of large profits, he placed himself in a reprehensible attitude toward his public duties. Of this offense against the public he was appointed to serve no jury can convict him; from it no jury can absolve him; but of that offense the people of the United States must be aware unless they are to become as de-



International

Walter Damrosch looks on approvingly while Mr. Henry H. Flager, President of the Symphony Society of New York, presents a diamond brooch to Madame Schumann-Heink in honor of the fiftieth anniversary of her appearance as a singer

void as he of the sense of public integrity. The financial bankruptcy which is said to have threatened Mr. Fall would have been accepted by a right-minded public official as a lesser evil than the moral bankruptcy which he incurred when he accepted the Doheny loan. And to the memory of the comradeship of the old prospecting days, which figured so prominently in the testimony, Mr. Doheny, when he made the loan, did no honor.

The trial of the criminal charge proved nothing as to the policy of leasing the naval oil lands or as to the validity of the particular lease made to the Doheny interests. In a civil action the lower courts have decided that this lease is invalid. The Supreme Court of the United States, which has still to pass upon the case, may or may not sustain that finding. If the finding of the lower courts is sustained, what will have been proved will be, not as to the wisdom or

unwisdom, the righteousness or unrighteousness, of the general policy of leasing naval oil lands, but only as to its legality.

If the public, or a large part of it, expected a verdict of guilty and is disappointed at the verdict of not guilty, it must blame neither the Court which tried Mr. Fall and Mr. Doheny nor the able men who conducted the case for the Government. It must blame the extravagance of statement which characterized the Senatorial investigation—an extravagance which created an expectation that could not be realized. Mr. Fall's lack of a proper sense of public duty did irreparable harm; but so did the intemperance of some of the Senators who took part in the investigation. The Nation may well be thankful if from this unsavory episode the lesson is learned that the Senate is no fit substitute for a grand jury and a criminal court.

Beethoven

By LAWRENCE F. ABBOTT

Contributing Editor of The Outlook

BOOTLEGGING and banditry are not the only sources of pleasure to New Yorkers, Southern and Western opinion to the contrary notwithstanding. A third B may be added—Beethoven. The newspapers give us plenty of information about the first two B's of the trilogy, but they do not say much about the fact that New York has become one of the greatest centers in the world of the Beethoven *culte*. This winter, for example, David and Clara Mannes—the brother-in-law and sister of Walter Damrosch, who has just retired from the conductorship of the New York Symphony Orchestra after forty years of leadership in music which has made him an international figure—are giving a series of noteworthy Beethoven recitals in the delightful auditorium of their well-known music school. At these recitals they are presenting the piano and violin sonatas, of which Beethoven wrote ten. I had the pleasure of hearing one of these recitals on a recent Sunday afternoon. The musical charm of these intimate performances by the Manneses is very great. But the program which I heard, not only gave me sensuous and intellectual pleasure, but set me thinking of the psychological and literary interest which must be forever attached to Beethoven's name.

That name may be coupled with the name Shakespeare in the realm of creative genius. The tragedy of Shakespeare is that we know so little about him—so little, indeed, that some people think he never existed. The tragedy of Beethoven is that we know so much. There are few biographies in existence that so lay open to us every incident, aspect, and emotion of a man's life as Thayer's monumental biography of Beethoven. In this respect it is hardly surpassed by Boswell's *Life of Johnson*. Thayer makes us familiar with the commonplaceness of some of Beethoven's ancestors, with his unhappy boyhood, with his drunken and harsh father, with the wretchedness of spirit caused by his early deafness, and with the antagonisms and enmities of some of his musical contemporaries. Out of these malevolent surroundings blossomed, not only a great creative genius, but a wonderful character and spirit. It is unfashionable in these days of physiological psychology

to use the word "soul." And yet Beethoven is one of the outstanding examples in biographical literature of the unconquerable soul of man. The program of the Mannes recital which I heard consisted of the sonatas in A Major, C Minor, and G Major, Opus 30. They were composed in 1802, when Beethoven was thirty-two years old. Paul Bekker, perhaps one of the ablest Beethoven critics, says that two of these sonatas contain passages that "are among the most attractive which Beethoven has composed." This is an interesting fact, but by no means the most interesting associated with these sonatas. In the year in which they were composed Beethoven wrote a document, prompted by his despair over his rapidly increasing deafness, which is known in Beethoven literature as the "Heiligenstadt Will." Not even that artificial *poseuse* Marie Bashkirtsev has written anything more pathetic. I quote:

O ye men who think or say that I am malevolent, stubborn or misanthropic, how greatly do ye wrong me, you who do not know the secret causes of my seeming. From childhood my heart and mind were disposed to the gentle feeling of good will. I was even ever eager to accomplish great deeds. But reflect now that for six years I have been in a hopeless case, aggravated by senseless physicians, cheated year after year in the hope of improvement, finally compelled to face the prospect of a *lasting malady* (whose cure will take years or, perhaps, be impossible). Born with an ardent and lively temperament, even susceptible to the diversions of society, I was compelled early to isolate myself, to live in loneliness. When at times I tried to forget all this, O how harshly was I repulsed by the doubly sad experience of my bad hearing. And yet it was impossible for me to say to men speak louder, shout, for I am deaf. How could I possibly admit an infirmity in the *one sense* which should have been more perfect in me than in others—a sense which I once possessed in highest perfection, a perfection such as few surely in my profession enjoy or ever have enjoyed. . . . I must live like an exile. If I approach near to people a hot terror seizes upon me, a fear that I may be subjected to the danger of letting my condition be observed. . . . What a humiliation when one stood beside me and heard a flute in the distance and *I heard nothing*. . . . Such incidents

brought me to the verge of despair. But little more and I would have put an end to my life. Only art it was that withheld me. It seemed impossible to leave the world until I had produced all that I felt called upon to produce, and so I endured this wretched existence. . . . It is said that I must now choose Patience for my guide. I have done so. I hope my determination will remain firm to endure until it pleases the inexorable *Parcae* to break the thread. . . . Divine One, thou lookest into my inmost soul, thou knowest it, thou knowest that love of man and desire to do good live therein. O men, when some day you read these words, reflect that ye did me wrong and let the unfortunate one comfort himself and find one of his kind who despite all the obstacles of nature yet did all that was in his power to be accepted among worthy artists and men.

Perhaps it was the irritability due to Beethoven's deafness that led to a quarrel in connection with the most famous of the composer's violin sonatas, the ninth of the series of ten, known as the "Kreutzer Sonata." This is the only composition probably which has involved literary as well as musical critics in voluminous discussions. Tolstoy absurdly denounced it as immoral in one of his novels, an assertion which aroused a storm in the literary as well as the musical world. The sonata was originally written by Beethoven at high speed for a young English violin virtuoso named Bridgetower. Bridgetower was a mulatto, the son of an African father and German or Polish mother, and the brilliant gifts he displayed as a violinist, when he visited Vienna, enlisted Beethoven's admiration. The sonata was first dedicated to Bridgetower. At the concert at which it was first performed by Beethoven and Bridgetower the sonata was regarded as so ultra-modern that it was laughed at. The friendship between Bridgetower and Beethoven, however, was broken by a quarrel, and the sonata was rededicated to Rudolph Kreutzer, a French violinist. Thus by a trifling incident the possibility of lasting fame was transferred from the now forgotten Englishman to the Frenchman whose name will endure as long as the violin is played.

So it is that the name of Beethoven has an appeal for the man of letters as well as the man of music, for the name of no artist, certainly the name of no musician, has made so marked an impression on modern literature as that of the composer of the "Kreutzer Sonata."