MATTY'S MEMOIRS ::

FRANK MATTY.

Railway Company relative to

alleged assessments growing out

of certain improvements along

the various lines of street rail-

road formerly owned by the Syracuse Consolidated Street Railway Company, and

"Whereas, the city of Syra-

cuse heretofore and on or about the 31st day of December, 1896, commenced an action

against the Rapid Transit Rail-

way Company, seeking an an-nulment of the franchise for-

merly owned by the Syracuse Concolidated Street Railway

Company on account of various

alleged violations of the fran-

chises of said company and of

the ordinances of the city of

Syracuse and the laws of the

"Whereas, it is deemed advis-

able for the city and the rail-way company alike that a pay-

ment of the claims and assess-

ments be made upon the terms hereinafter stated, now there-

"Resolved: That the city of

Syracuse hereby agrees and

does accept in full settlement

and satisfaction of all its as-

sessments against the Syracuse Consolidated Street Railway

Company, a sum of money equal to that shown to be due upon the city's record books on ac-

count of such assessments, less

the amount of penalties: upon

condition, however, that the railway company will also pay interest on said amount, less

penalties, at the rate of 4 per

cent. per annum. And the

mayor, city clerk and corpora-

tion counsel are hereby authorized and directed to execute the

necessary papers and take the

necessary proceedings to effect

the settlement herein provided

ment of the sum of money herein provided for by the rail-

way company, the said action

heretofore and on or about Dec. 31, 1896, commenced against the Rapid Transit Railway Com-pany, together with all the is-

sues and differences therein re-

ferred to, be and the same here-

by are discontinued and settled,

and the corporation counsel is

hereby authorized and directed

to sign the necessary papers and

take the necessary proceedings to so discontinue and settle said

Well, that took care of one end

McGuire kicked like a wild steer

on the franchises I proposed to

put through to square up the

traction company and start it off

all even, again. I passed the franchise once, and McGuire im-

mediately vetoed it and filled the newspapers full of those bitter.

sarcastic phrases of his, damning

all of us as a pack of thieves.

PARK

of the deal. So far, so good, But

there was trouble to come.

"Resolved: That, upon pay-

for, and it is further

action."

state of New York, and

CHAPTER XVII

I have mentioned in earlier chapters how the street railroads in Syracuse grew up from the old horse-car lines, first as independent enterprises and then combined as the Con-

solidated Lines and the Syracuse Street Railroad Company, finally getting under one management as the Syracuse Rapid Transit Company.

All of these old franchises were full of holes. A good lawyer, honestly trying to do it, could have driven my best team of horses through any of them. None of them gave the city anything in return for the perpetual rights given to use the streets, except for some of the later ones in which I, personally, insisted that the city get at least a little something.

One of McGuire's greatest issues was opposition to the street railroad interests, which he always called "the franchisegrabbers." He campaigned along that line the first time he ran, and after he got elected and got rid of Charlie Ide as corporation counsel, he had Jim Newell, Ide's successor, start a suit to revoke the franchise on the ground they were in-

As a matter of fact, the trolley lines owed the city almost \$200,-000 at the time, representing the cost, of paving what was called "the trolley strip" between and just outside of the tracks. All the payements in those days were laid by the Syracuse Paving Company, which a lot of people will remember, and they cost plenty of money. The street railroads never paid any of their assessments and they let the charges pile up on the books until it amounted to almost

McGuire knew, just as well as I did, or as Bill Gannon, who was handling the traction interests, that his lawsuit to void the franchise would never amount to anything. On the unpaid assessments for pavements, he had a good case, but he never made any effort to press it. Finally, when we were engaged in one of our famous battles early in his term, I exposed the situation. Calling Newell before the Common Council. I made him admit he had never attempted to collect the money and didn't intend to.

About that time, the Consolidated went into bankruptcy, and when they came to settle up, they found there would be about \$80,-000 left. Some of the traction people got the idea that they might be able to make a deal concerning the unpaid assessments, and by getting the city to take \$50,000, they would have \$30,000 left. We had an aldermanic committee on trolleys at that time, made up of Aldermen Gene Mack, the Republican, and John Troendle and Ed McLaughlin, Democrats. As president of the Common Council, was an ex-officio member.

People had been hammering me pretty hard on account of some of the franchises I was putting through with the aid of my 12 "combine aldermen," and I thought it might be a good time to demon-strate that I occasionally did something for the common people, too. So, I fixed up a deal with the traction people by which they agreed to repay the city for all of the money actually advanced on paving jobs assessable against the railroad, and in return, I agreed to get the Common Council to force abandonment of the McGuire lawsuit and to put through a new blanket franchise. I didn't tell McLaughlin and Troendle anything about it, and of course, I didn't let Mack in on it, either. One night, when nobody was expecting anything to happen, I presented to the Common Council a report in which I announced that the controversy over unpaid paving assessments had been settled. And then, I offered the resolution that put the deal into effect. I have a copy of it today, and it might be interesting to re-

Whereas, certain differences exist between the city of Syra-cuse and the Rapid Transit Col. John F. Gaynor, Democratic state committeeman, was interested in the Syracuse and Suburban, and also in the old Syracuse Street Railway Corporation, or what was left of it. And there was quite a lot of opposition to giving the Rapid Transit a clean bill of health and a virtual mon-

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opoly on the trolley business. The newspapers went after us almost as hard as they did on the subway franchises, but I put it over, just the same. We passed the franchise ordinance over Mc-Gulre's veto, after one of the wildest nights the old city hall ever knew. The place was full of people, taxpayers and lawyers and lobbyists and plain cranks and reformers and what-not. Bob Drake, who was counsel to the Rapid Transit, and Loomis Allen and Ed Tozier, both of whom the oldtimers will remember, came over and worked with me, and finally, we put it across. Here is the interesting part of

In order to soften up McGuire, I agreed to include in the franchise an amendment providing that the traction company must pay one-fourth mill for every passenger carried after Jan. 1, 1906. But I didn't put the amendment

in the original franchise! First, I repassed the franchise ordinance, exactly as it stood. And then, I introduced and passed the "amendment," which read like

this: "The said Syracuse Rapid Transit Railway Company, its successors and assigns, shall pay into the city treasury for the use of the city of Syracuse annually on the first day of January in each year commencing with the Jan. 1 after the year 1905, one-quarter mill per cash fare collected from each passenger carried by said company over its roads or any part thereof which it now owns and operates within the city of Syracuse, or which it is hereby authorized or permitted to operate, and in case of any such payments being not made as above provided, then the same may be recovered by the city in an action instituted by it for that purpose, and to enable the city and its officers to ascertain the amount of such cash fares collected by said corporation from passengers carried by said corporation, over its said roads or lines, from which it has received or collected cash fares,

FRANK MATTY JAMES GORDON FRASER

the books of said corporation shall at all times be open after the date above mentioned to the inspection and examination of the treasurer of the city of Syracuse or his duly appointed

"The said Syracuse Rapid Transit Railway Company, its successors or assigns, shall, on or before the 26th day of July, 1897, file with the city clerk an acceptance of this franchise."

How many people knew that anything like that was on the

Well, there was a great clamor about that "amendment." Some lawyers said it was meaningless and invalid, because it was simply passed after the franchise had been granted. Others said it was all right. But nobody ever saw, a dollar of that money collected. By 1906, the trolley company was carrying a lot of people, and onequarter of a mill for each of them would have mounted up to a tidy little sum. But, so far as I know, no effort was ever made to col-

As for the Rapid Transit, it just ignored the whole thing, and as is usually the case when the public utility corporations have smart lawyers hired and smart politicians on the stock books, the Rapid Transit got away with it.

I remember that, the night we put the deal over, Joe Griffin, then an alderman, got up on his feet and announced that he had seen all he could stand and intended to quit.

"This is a cursed franchise! He said: It is the most damnable piece of business I have ever seen. That amendment doesn't amount to anything; the company already has its franchise. The whole thing is an outrage upon the people! I accused Joe of being a dema-

gogue and reminded him: "You don't know anything about the people. You would just as soon make a working man walk as let him ride." And McGuire signed the amend-

ment! Good evening! Have you read the Want Ads, noted for their romance and human interest? A stenographer's position open because she is getting married, a diamond ring for sale for needed cash, etc. You'll find many interesting notices in Journal-American Want Ads. Watch them and they'll watch out for you.



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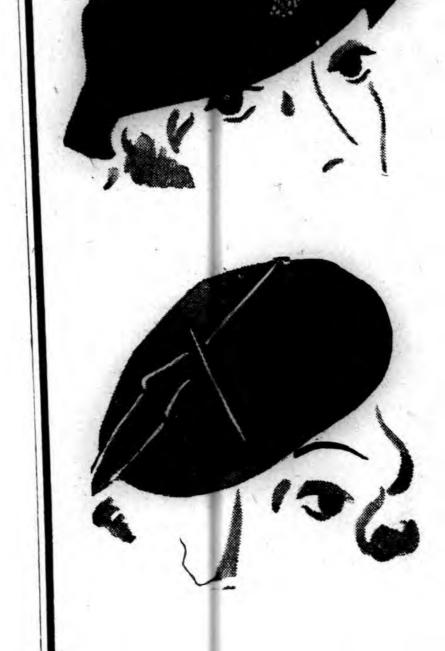
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