

CITY MISRULED, GAYNOR DECLARES

He Acquits Present Regime, but Blames a Recent "Base, Vul- gar, and Corrupt" Authority.

"PITIFUL LITTLE MAYORS"

"Safe," But Usually Mere Tools—Com- missioners Who Spend Millions Be- hind Closed Doors—Law's Delays.

Special to The New York Times.

NEW ROCHELLE, N. Y., Jan. 31.—Supreme Court Justice William J. Gaynor made a sharp attack on the government of the City of New York in an address to a large audience in the New Rochelle Theatre under the auspices of the New Rochelle Forum this afternoon. William J. Schieffelin, the new President of the Citizens' Union of New York City, presided.

Justice Gaynor said, in speaking of municipal Governments of the United States, that many were too often run by pitiful little Mayors, who appoint politicians to single-headed commissions who sit behind closed doors and spend millions without any one knowing anything about it until scandalmakers bring it out.

The Government of the City of New York is in form a despotism, said Justice Gaynor. "Do you think the Government of the City of New York was ever so base, so vulgar, and corrupt, as for a part of the time under its present charter?" he asked.

Says Judges Need to be Criticised.

Justice Gaynor said he would prefer to speak of something concerning the Judiciary to which he belonged, and had proposed as a subject the relation of the courts to the individual and the community, but that he had been overruled and assigned to the subject of municipal Government.

"I am not so certain, however," he continued, "that the former subject is not the more timely. If there be shortcomings in municipal administration I can assure you that there are also very grave shortcomings in judicial administration. The courts should be watched and criticised, and can be kept up to a proper standard in no other way. The ludicrous thing is for Judges themselves here and there to be proclaiming that the courts should not be criticised in their work. These same Judges are probably sadly in need of criticism. The law's delay in this country is scandalous.

"I am glad that President-elect Taft has taken this matter up. We have here within the City of New York a greater number of high court Judges than all England has, and yet the work is years in arrears. More causes are disposed of in a year in London alone than in New York, and yet there your case can be immediately heard after it is brought. Does any sensible person think the criticism of the extraordinary methods in the recent gas case were improper or hurtful? Criticism upholds and approves as well as condemns."

Justice Gaynor spoke of the contrast between the trend in the method of city government in Europe and here.

"In Europe, with its monarchical Governments, the cities are nevertheless governed by large elective Councils, the trend being to make them larger," he said.

"In this country there has long been a steady trend to decrease the size of Councils, and even to do away with them entirely, or else deprive them of all important administrative power. The reason assigned is that these Councils have been uniformly corrupt in this country. But were they any more corrupt than heads of departments have proved to be? Pray what do you know of the acts of a Commissioner or head of a department who simply closes his door and in privacy does as he pleases in the expenditure of millions?"

Our Recent City Rule Corrupt.

"Practically all power has been centred in the Mayor, who is given the appointment and power to remove heads of departments. The government of the City of New York is in form a despotism. Do you think the government of the City of New York was ever so base, vulgar, and corrupt as for a part of the time under its present charter? Just think of its condition not long since. My own idea is that the Mayor ought to go about from one department to another; spend a week in one with its head, if necessary, and then in another, and see that they are ruled properly and honestly, and that over one there is at work, and that no one is there simply to draw a salary and do nothing or next to nothing. He ought to welcome honest and intelligent assistance. The present Bureau of Municipal Research, for instance, instead of being rebuffed and called a nuisance, should be encouraged and helped to go through every department, one at a time, with a fine tooth comb.

"We do not elect a Mayor merely for him to sit down and look so smug and so important, as though thinking to himself all the while what a big man am I, when in fact, maybe, he is only a pitiful little conceited fellow with no more philosophy than a master of ceremonies; all of which is true to the life of some Mayors you can remember. Now I am talking only of what is history, with only a side glance at the present, for, of course, that is unavoidable."

"Reform movements, based on the support of honest, sincere people, often fail even when they elect a Mayor. This is because they fall into the hands of designing, self-serving, and dishonest persons."

Of taxation of personal property, Justice Gaynor said:

"The way the laws for taxation of personal property have long been carried out is a great wrong to the people of the city. It should have been stopped by some Mayor long ago. The names of people are taken from the Directory, and they are assessed haphazard. People who have no assessable personal property find themselves assessed for large sums. Others are assessed far in excess of their property, and have the same trouble. The result has been to drive a large number to take up a voting or legal residence outside of the city. The history of all peoples shows that they shed obnoxious laws as a snake sheds its skin."

Steel Railway Scandals.

Speaking of the street railroads, Justice Gaynor said: "We have in Manhattan and the Bronx the most valuable street railroad routes and franchises in the whole world, and yielding by far the largest revenues of any in the world. And yet for going on two years they have all been in bankruptcy, and operated by a United States Court through receivers. The Judicial Department of the Federal Government is running them. It finally came to pass that their enormous revenues were insufficient to pay their fixed charges of interest on bonds and guaranteed dividends on stock; and the result was bankruptcy, the shrinkage of large issue of stocks, in one case from \$265 down to \$16 a share, and a general swindle of honest investors. It is enough to say that bonds and stocks were piled up, issue upon issue, until the infamous total of nearly \$700,000,000 was reached, including the stocks and bonds of the holding companies, or, excluding them, about \$550,000,000."

"When the crash came did the financiers who did this thing own these stocks that fell down on honest people? Nay, nay; they have a maxim that a fool is born every minute to buy such stocks while they sell them and pocket the cash. You may well pause and ask in wonder how such a thing could possibly have happened in the civilized and enlightened City of New York. I say unto you that it never could have happened if those put in rulership over the city had stood up and exposed it. Instead they were in office mere puppets, they were in those were all the while in it up to their very armpits, and are able

now to live the lives of millionaires here and abroad—more than one or two of them abroad."

Land Condemnation Abuses.

Justice Gaynor also spoke of the expense and the abuse in the acquiring of lands by the city through Commissioners appointed by the courts.

"It can be safely said that the city, as a rule, is made to pay from two to five times the value of every parcel of land it acquires. There is generally an option man or a middle man in the case. The Commissioners take a year, or five years, at a compensation by the day to do what could often be done of a forenoon, and always in not to exceed a few days. It is a scandalous chapter, and I am sorry to say that these Commissioners are appointed by the Supreme Court. Let those who say the courts should not be criticised think over this."

"May I say (and I regret to speak of myself) that when it fell to me, by some sort of mishap, (for such things were rarely brought on before me) to appoint Commissioners for the Livingston Street widening in the Borough of Brooklyn, one of the largest condemnation proceedings ever had there, I called the men I appointed and arranged with them in advance that they should complete their work in sixty days. They did it, but encountered great opposition. It was said we were ruining the Commission business. That was five years ago. Another commission was appointed about the same time to open a neighboring street, and they are sitting yet. What a history of this business could be written concerning the acquiring of the new watershed in the Catskill, which is now going on! But do you hear a word about it from any of your officials?"

ST. LOUIS COMING IN SLOWLY.

Crippled Liner Sends Wireless That She Will Reach Port This Morning.

Vice President Franklin of the International Mercantile Marine Company received a wireless message yesterday morning from Capt. Jamison of the incoming American liner St. Louis, stating that his vessel would reach the entrance to the Ambrose Channel at 7 A. M. to-day. No particulars were given as to the breaking of the steamer's rudder, and from this the officials believe the damage is not very serious.

The St. Louis broke her rudder while running through rough weather, probably in mid-Atlantic. A high sea was running, and she was struck by a heavy wave. The vessel, it is said, is coming in at about a twelve-knot gait and steering with her engines. She is being navigated without trouble, but in order to facilitate her coming through the channels the line will send down tugs to assist her to her pier. According to the Marconia wireless report, she passed Nantucket at 4 P. M. yesterday. She will reach her pier, it is expected, about 9 o'clock this morning.

An official of the American Line said that no request had been made to the Navy Department for permission to dry dock the St. Louis at the navy yard, as the company wanted first to find out the extent of the damage before considering the question of placing her in dry dock.

Oppose Washington Park Court House

Members and representatives of the playgrounds associations of the city are protesting against the taking of part of Washington Square for the new Court House as an encroachment on the playing space of children. Their opposition is based on the fact that the eight acres of Washington Square are the only space for the 97,000 people of the Third and Fifth Assembly Districts and that the use of the square for a public building would further establish the precedent laid down when St. John's Park was built up.