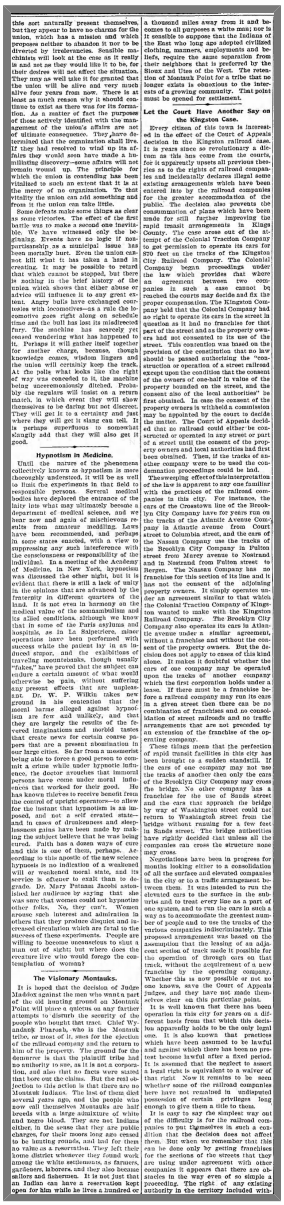
Brooklyn Public Library

Downloaded on Feb 27, 2015



this sort naturally present themselves, but they appear to have no charms for the union, which has a mission and which proposes neither to abandon it nor to be diverted by frederastics. Sensible machinists will look at the case as it really is and not as they would like it to be, for their desires will not affect the situation. They may as well take it for granted that the union will be alive and very much alive four years from now. There is at least as much reason why it should continue to exist as there was for its formation. As a matter of fact the purposes of those actively identified with the management of the union's affairs are not of ultimate consequence. They have determined that the organization shall live. If they had resolved to wind up its affairs they would soon have made a humiliating discovery—some affairs will not remain wound up. The principle for which the union is contending has been vitalized to such an extent that it is at the mercy of no organization. To that vitality the union can add something and from it the union can take little.

Some defeats make some things as clear as some victories. The effect of the first battle was to make a second one inevitable. We have witnessed only the beginning. Events have no logic if nonpartisanship as a municipal issue has been mortally hurt. Even the union cannot kill what it has taken a hand in creating. It may be possible to retard that which cannot be stopped, but there is nothing in the brief history of the union which shows that either abuse or advice will influence it to any great extent. Angry balls have exchanged courtesies with locomotives—as a rule the locomotive goes right along on schedule time and the bull has lost its mindlessness. The machine has scarcely yet ceased wondering what has happened to it. Perhaps it will gather itself together for another charge, because, though knowledge comes, wisdom lingers and the union will certainly keep the track. At the polls what looks like the right of way was conceded to it, the machine being unceremoniously ditched. Probably the regulars will insist on a return match, in which event they will shave themselves to be daring but not discreet. They will get it to a certainty and just where they will get it slang can tell. It is perhaps superfluous to somewhat jokingly add that they will also get it good.

Hypnotism in Medicine.

Until the nature of the phenomena collectively known as hypnotism is more thoroughly understood, it will be as well to limit the experiments in that field to responsible persons. Several medical bodies have deplored the entrance of the laity into what may ultimately become a department of medical science, and we hear now and again of mischievous results from amateur meddling. Laws have been recommended, and perhaps in some states enacted, with a view to suppressing any such interference with the consciousness or responsibility of the individual. In a meeting of the Academy of Medicine, in New York, hypnotism was discussed the other night, but it is evident that there is still a lack of unity in the opinions that are advanced by the fraternity in different quarters of the land. It is not even in harmony as to the medical value of the somnambulism and its allied conditions, although we know that in some of the Paris asylums and hospitals, as in La Salpetriere, minor operations have been performed with success while the patient lay in an induced stupor, and the exhibitions of traveling mountebanks, though usually "fakirs," have proved that the subject can endure a certain amount of what would otherwise be pain, without suffering any present effects that are unpleasant. Dr. W. P. Wilkie takes new ground in his contention that the moral harms alleged against hypnotism are few and unlikely, and that they are largely the results of the fevered imaginations and morbid tastes that create news for certain coarse papers that are a present abomination in our large cities. So far from a mesmerist being able to force a good person to commit a crime while under hypnotic influence, the doctor considers that immoral persons have come under moral influences that worked for their good. He has known thieves to receive benefit from the control of upright operators—to allow for the instant that hypnotism is supposed, and not a self created state—and in cases of drunkenness and sleeplessness gains have been made by making the subject believe that he was being cured. Faith has a dozen ways of cure and this is one of them, perhaps. According to this apostle of the new science hypnosis is no indication of a weakened will or weakened moral state, and its exercise is efficient to exalt than to degrade. Dr. Mary Putnam Jacobi astonished her audience by saying that she was sure that women could not hypnotize other folks. No, they can't. Women arouse such interest and admiration in others that they produce disquiet and increased circulation which are fatal to the success of these experiments. People are willing to become unconscious to visit a man out of sight, but where does the creature live who would forego the consciousness of woman?

The Visionary Montauks.

It is hoped that the decision of Judge Maddox against the men who want a part of the oil boring ground on Montauk Point will place a quietus on any further attempts to disturb the security of the people who bought that tract. Chief Wyandanch Pharaoh, who is the Montauk tribe, or most of it, sues for the ejection of the railroad company and the return to him of the property. The ground for the demurrer is that the plaintiff tribe had no authority to sue, as it is not a corporation, and also that no facts were stated that bore out the claims. But the real objection to this action is that there are no Montauk Indians. The last of them died several years ago, and the people who now call themselves Montauks are half breeds with a large admixture of white and negro blood. They are not Indians either. In the sense that they are public charges, for their mores long ago ceased to be hunting rovinds, and had for them no value as a reservation. They left their home districts whenever they found work among the white settlements, as farmers, gardeners, laborers, and they also became sailors and fishermen. It is not just that an Indian can have a reservation kept open for him while he lives a hundred or a thousand miles away from it and becomes to all purposes a white man; nor is it sensible to suppose that the Indians of the East who long ago adopted civilized clothing, manners, employments and beliefs, require the same separation from their neighbors that is preferred by the Sioux and Utes of the West. The retention of Montauk Point for a tribe that no longer exists is obnoxious to the interests of a growing community. That point must be opened for settlement.

Let the Court Have Another Say on the Kingston Case.

Every citizen of this town is interested in the effect of the Court of Appeals decision in the Kingston railroad case. It is years since so revolutionary a decision as this has come from the courts, for it apparently upsets all previous theories as to the rights of railroad companies and incidentally declares illegal some existing arrangements which have been entered into by the railroad companies for the greater accommodation of the public. The decision also prevents the consummation of plans which have been made for still farther improving the rapid transit arrangements in Kings County. The case arose out of the attempt of the Colonial Traction Company to get permission to operate its cars for 999 feet on the tracks of the Kingston City Railroad Company. The Colonial Company began proceedings under the law which provides that where an agreement between two companies in such a case cannot be reached the courts may decide and fix the proper compensation. The Kingston Company held that the Colonial Company had no right to operate its cars in the street in question as it had no franchise for that part of the street and as the property owners had not consented to its use of the street. This contention was based on the provision of the constitution that no law should be passed authorizing the "construction or operation of a street railroad except upon the condition that the consent of the owners of one-half in value of the property bounded on the street, and the consent also of the local authorities" be first obtained. In case the consent of the property owners is withheld a commission may be appointed by the court to decide the matter. The Court of Appeals decided that no railroad could either be constructed or operated in any street or part of a street until the consent of the property owners and local authorities had first been obtained. Then, if the tracks of either company were to be used the condemnation proceedings could be had.

The sweeping effect of this interpretation of the law is apparent to any one familiar with the practices of the railroad companies in this city. For instance, the cars of the Crosstown line of the Brooklyn City Company have for years run on the tracks of the Atlantic Avenue Company in Atlantic avenue from Court street to Columbia street, and the cars of the Nassau Company use the tracks of the Brooklyn City Company in Fulton street from Marcy avenue to Nostrand and in Nostrand from Fulton street to Bergen. The Nassau Company has no franchise for this section of its line and it has not the consent of the adjoining property owners. It simply operates under an agreement similar to that which the Colonial Traction Company of Kingston wanted to make with the Kingston Railroad Company. The Brooklyn City Company also operates its cars in Atlantic avenue under a similar agreement, without a franchise and without the consent of the property owners. But the decision does not apply to cases of this kind alone. It makes it doubtful whether the cars of one company may be operated upon the tracks of another company which the first corporation holds under a lease. If there must be a franchise before a railroad company may run its cars in a given street then there can be no combination of franchises and no consolidation of street railroads and no traffic arrangements that are not preceded by an extension of the franchise of the operating company.

These things mean that the perfection of rapid transit facilities in this city has been brought to a sudden standstill. If the cars of one company may not use the tracks of another then only the cars of the Brooklyn City Company may cross the bridge. No other company has a franchise for the use of Bonds street and the cars that approach the bridge by way of Washington street could not return to Washington street from the bridge without running for a few feet in Bonds street. The bridge authorities have rightly decided that unless all the companies can cross the structure none may cross.

Negotiations have been in progress for months looking either to a consolidation of all the surface and elevated companies in the city or to a traffic arrangement between them. It was intended to run the elevated cars to the surface in the suburbs and to treat every line as a part of one system, and to run the cars in such a way as to accommodate the greatest number of people and to use the tracks of the various companies indiscriminately. This proposed arrangement was based on the assumption that the leasing of an adjacent section of track made it possible for the operation of through cars on that track, without the acquirement of a new franchise by the operating company. Whether this is now possible or not no one knows, save the Court of Appeals judges, and they have not made themselves clear on this particular point.

It is well known that there has been operation in this city for years on a different basis from that which this decision apparently holds to be the only legal one. It is also known that practices which have been assumed to be lawful and against which there has been no protest become lawful after a fixed period. It is assumed that the neglect to assert a legal right is equivalent to a waiver of that right. Now it remains to be seen whether some of the railroad companies here have not remained in undisputed possession of certain privileges long enough to give them a title to them.

It is easy to say the simplest way out of the difficulty is for the railroad companies to put themselves in such a condition that the decision does not affect them. But when we remember that this can be done only by getting franchises for the sections of the streets that they are using under agreement with other companies it appears that there are obstacles in the way even of so simple a proceeding. The right of any existing authority in the territory included with-

Clipped By:

admin510
Fri, Feb 27, 2015

Copyright © 2015 Newspapers.com. All Rights Reserved.

POWERED BY Newspapers.com