



NOTES AND EVENTS

Bi-partisan Judiciary Deal in Brooklyn.—Recent scandals affecting the minor judiciaries in New York City have stimulated interest in the problems relating to the selection of judges and the responsibility of the bar associations concerning these selections. To this has now been added a chapter on the workings of the bi-party system in the election of judges.

For several years the bar associations of Brooklyn and the rest of Long Island and Staten Island, which constitute the second judiciary department in New York, had been clamoring for more judges for the Supreme Court—the court of first instance—in their department. It could not be denied that calendars were badly congested, though some dared to point out that if judges sat more regularly, arrived in court more promptly, conducted judiciary business more efficiently, and took less generous vacations, this congestion would disappear—none the less, there was a substantial general demand for several new judges.

The Republicans controlled the state legislature, but were dominant in only two of the five counties involved. On a general ticket it was clear that the Democrats could have elected their entire state.

The Republicans were unwilling to authorize any new judgeships unless they were assured of one or two places for their party. Unable to agree upon a proper division of four places, party leaders thought they might solve their difficulties by creating six, but the difficulties persisted, and the number was increased to ten. At length they compromised upon twelve, of whom the Republicans were to name four.

That a deal had been reached no one could or did doubt when the bill was finally passed. Even Governor Roosevelt, in signing the bill, alluded to the rumors concerning a deal, and

remarked that that was a phase for the electors to deal with.

Thus the matter rested from the signing of the bill until the eve of the judiciary convention in September. Then was spread that Boss McCooey, of Brooklyn, had in mind to pick for one of the Democratic places his 31-year-old son, who had never held public office and could hardly be said to have distinguished himself at the bar.

So preposterous was this suggestion that few were disposed to take it seriously. The Boss kept his own counsel, and the names he had selected were not announced until a few minutes before they were offered to the convention. The Democratic convention, which met first, took the slate which McCooey gave it, including the name of his son, and four Republicans. The Republican convention, meeting the next day, placed the same names in nomination. A storm of public protest gathered at once. Four of the persons who had assisted the legislation in its passage through the legislature were named as beneficiaries under it. These included the former Republican leader of Brooklyn, the county chairman of Kings County, the Republican leader of Suffolk County, and Boss McCooey in the person of his son.

Indignant opponents of this arrogant action sought to put an independent ticket in the field. They were able finally to muster four lawyers, satisfactory in competence and experience, but hardly to be called outstanding. They were offered as the "square deal" ticket. The committee on courts of the Brooklyn Bar Association condemned the deal which the Republican and Democratic leaders had made, and refused particularly to approve the candidacy of the youthful McCooey. The membership of the body, however, not only repudiated its commit-

tee, but actually adopted resolutions extolling McCooley's fitness. Such is his father's power.

The "square deal" candidates fought gamely in the up-hill contest, unquestionably handicapped by the universal conviction that they hadn't a chance. The public was more than a little confused as to the reason why indignation was expected of it, because of emphasis placed in the past upon bi-partisan endorsement of sitting judges, and because such inter-party deals are far from uncommon.

The independent nominees received less than 100,000 votes in a total of 788,475 cast. The only other noteworthy circumstance in connection with the balloting was the fact that McCooley's boy, though placed at the very head of the ballot, ran poorest. One may wonder if a governor, however partisan, would have dared to take the responsibility for appointing so obviously political a group of judges to the bench.

JOSEPH D. MCGOLDRICK.



New York Cities Organize Purchasing Service.—When a city or first-class village in New York state now purchases a quantity of supplies, the purchasing official of every other city and village knows within a month the quantity and quality purchased and the unit price paid. This new municipal purchasing service, the first of its kind ever attempted by municipalities, is being carried on under the direction of the New York State Conference of Mayors and Other Municipal Officials. The details of the new service were formulated by a committee of municipal purchasing officials consisting of Norman C. Sprickman, Buffalo; August Smingler, Syracuse; Wendell E. Andrews, Rochester; Harold Evans, Watertown.

In this service, inaugurated on December 1, the Mayors' Conference is sending to the purchasing official of each city and first-class village a blank form on which is listed about one hundred supplies and materials which all municipalities ordinarily purchase in the course of a year. The official reports on this form the quality and quantity of all the listed articles which his municipality purchased during the previous month, and the unit prices paid. He returns the report to the Conference not later than the tenth of each month. All data received are compiled and a confidential report mailed to each purchasing official not later than the fifteenth of each month.

In its announcement to the municipalities of the new service, the Mayors' Conference said,

"Owing to the difficulty of reporting the exact quality of the products purchased or the detailed specifications under which the purchases were made, the unit prices paid will not indicate the purchasing efficiency of the municipalities. There are also other factors, such as accessibility, condition of market, freight rates, etc., which cannot be indicated, but which greatly influence unit prices. The information, however, will be of great value to every purchasing official.

"The reports will keep each city and village informed every month of the municipal purchases of all the other municipalities. With this information each purchasing official can check his work, possibly learn where he can obtain better prices or markets and prevent being imposed upon. This service should eventually make all of the cities and first class villages in effect a single purchasing unit with its resulting benefits."

ALBERT H. HALL.



Cincinnati's New Waste Collection and Disposal System Saves \$100,000 per year.—In 1931 Cincinnati inaugurated a new waste collection and disposal system, having several outstanding features of general interest. Under the new plan the city will collect and dispose of all household refuse including garbage. Previously the latter service had been handled by a private concern under contract. Improved service features include front house line collection instead of curb service, the elimination of many dumps and dump fires, and a less offensive and more sanitary method of collection and disposal with no increase in cost.

Three incinerators for the disposal of combustible wastes have been constructed, having a combined capacity of five hundred tons per twenty-four hours. The plants are so located as to minimize the cost of collection transportation which constitutes the greater proportion of a city's total expenditures for this service. District garages for storing and repairing equipment adjoin the incinerators. A system of dispatching equipment is being evolved which will provide the most economical and efficient collection service possible.

Despite its added service features, the operating cost of the new plan is essentially the same as under the previous system. It is an accepted fact that a renewal of the contract for garbage collection and disposal would have cost the city at least \$100,000 more than the present operating costs.

It was necessary to provide additional motor transportation facilities when the city assumed this new responsibility. A survey made of the peculiar collection problems existing in Cincinnati revealed the desirability of particular types of equipment to meet the various problems presented by the topography and general physical characteristics of the city. For instance, trailer trains were designated as the most effective transportation medium in congested districts of level topography. These trains are limited by law to two tractors each and are hauled, in most cases, by a small tractor mounted on pneumatic tires.

In other localities semi-trailers, designed according to the city's suggestions, have been used with great success. The body of this unit is similar in design to the trailer equipment. Each body has a water level capacity of nine cubic yards and a loading height of five feet ten inches. It is of the side dump type and attached to the power unit by a fifth wheel attachment. The complete unit is mounted on pneumatic tires and equipped with air brakes. Each semi-trailer can draw an additional trailer which is attached by a "pintle hook."

The third type of equipment purchased was a truck with special body constructed according to our specifications. The body has an eight-cubic-yard water level capacity and a loading height of five feet ten inches. Trucks are essential on the hills of the city, especially during the winter months.

The transition from the old scheme of collection to the new was effected with very little trouble despite the fact that it occurred at a peak load period.

Pittsburgh Indicts Treasury Officials.—Two responsible officials of the treasurer's office of the city of Pittsburgh have been indicted for embezzlement of city funds and others may follow (December 10). It is reported that a shortage of some \$75,000 has been discovered by the controller's auditors, who have been at work several weeks on the treasury books. Early in their investigation, City Treasurer Schooley was suspended and later dismissed by Mayor Kline. This is the second time since February, 1931, that the dismissal of a department head has been forced by the discovery of irregularities in his department. As in the department of supplies, and to some extent in the department of public works, loose administrative practices

have allowed the unprincipled to profit and have made it difficult for the conscientious and the competent to perform meritorious public service. The fact of more than passing significance is that the departments of supplies and of public works have already effected important changes in administrative methods, and that the treasurer's department is soon to follow.

ELBERT EIBLING.

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Disputed Voting Machines Approved in Pennsylvania.—After several tests and retests the new Poole voting machine has been finally certified by the secretary of commonwealth of Pennsylvania, not, however, without recommending alterations in the machine. A taxpayer's suit to prevent the final payment of \$410,000 on the 1,100 machines purchased for use in Allegheny County was withdrawn after the manufacturer agreed to post adequate bond that the several changes recommended by the state would be made.

ELBERT EIBLING.

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Michigan Begins Survey of Local Government.—The Michigan State Commission of Inquiry into County, Township and School District Government has arranged with Lent D. Upson, director of the Detroit Bureau of Governmental Research, to be in charge of this study. The report must be submitted to the state legislature at its session beginning in January, 1933. The University of Michigan and Michigan State College are joining with the Detroit Bureau of Governmental Research in supplementing the appropriation for the survey made by the state government.

Professors Thomas H. Reed, E. R. Sunderland and John Sundwall of the University of Michigan, and Professors P. A. Herbert and F. M. Thrun, of Michigan State College, are serving as an advisory committee to the director.

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Administrative Code Approved by Maine Voters.—On November 9 the voters of Maine accepted the Administrative Code Act at a special referendum election. Though the total votes cast numbered about one-fourth as many as in general elections, the majority in favor of the code was substantially larger than had been generally expected. The governor will soon appoint heads for three new departments, and the reorganization of five departments will take effect early in 1932. While the present governor,

William Tudor Gardiner, will serve for another year, he naturally hopes his successor will be favorable to the new plan.

E. F. Dow.



Cleveland Voters Veto Municipal Light Bonds.

—A reversal of public opinion toward the Cleveland Municipal Light Plant was recorded at the November election, when the electorate rejected a bond issue of \$2,500,000 for the expansion of the plant. Out of a total vote in the city of 164,516, the vote on the bonds was 135,543 while the vote on the charter which abolished the city manager plan in favor of the elected mayor was only 113,379.

Over a long period of years previous bond issues for the plant have passed without exception, receiving in each instance 60 per cent or more of the total votes cast. The vote this time was 73,128 for and 62,415 against the bonds or about 8,000 votes short of the required 60 per cent majority.

The change in sentiment toward municipal ownership and operation of electric utility service in Cleveland is due primarily, first to a better understanding by the voters of the politics and economics of this municipal utility venture; second to the fact that the plant serves only a small minority of homes and has not provided any such thing as three-cent domestic light in Cleveland since 1921 and, finally, the fact that the plant has failed as a rate regulator of the private company which is not only well managed but also has the confidence of the public and serves five-sixths of the light and power consumers of the city at lower average unit rates.

Since 1919, at least, the Cleveland Electric Illuminating Company has served as a rate

regulator for its municipal competitor. The company has made a half a dozen voluntary rate reductions which brought its charges to various classes of consumers below the municipal rates. In every such instance the municipality was forced to reduce its rates to hold its business.

The private company has taken the initiative in rate reductions despite the fact that it pays twelve cents out of every dollar of revenue into the public treasury as taxes, while the municipal plant is tax-exempt. The sixteen-year record of the municipal plant shows that it could not have continued in business if it had been obliged to pay taxes. And the public now knows that some one has to pay these taxes.

The bond issue aroused added opposition because it carried with it a tax levy for 15 years, as required by law, to pay the principal and interest on the bonds. Proponents of the bond issue claimed that these charges would be paid out of earnings, but it appeared that the present plant is not overloaded, and there is little prospect that it will be in the near future. The voters did not seem to believe that light plant expansion would be self-supporting.

The *Cleveland Plain Dealer* and the *Press* warmly approved the issue while it was opposed by the *News*, the Chamber of Commerce, the Building Owners and Managers Association, the Apartment Owners Association, the Association for Retrenchment of Public Expenditures and taxpayers generally. The president of the private company also sent a communication to his own customers calling attention to competition by a tax-free municipal plant as unfair not only to the company but to its customers and all taxpayers.

HOWELL WRIGHT.