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Rochester's Turbulent Transit History

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The protracted bus strike this past winter has stirred an interest in the history of Rochester's transit facilities. A hasty glance through the clipping files, reports, and miscellaneous records available on this subject reveals a mass of detail on a tangle of issues sufficient for a fascinating book. Such a study could explore the turbulent controversies between competing local interests, rival corporate giants, management and labor combines, and conflicting concepts of the public interest. We will only summarize these developments here, yet a brief article can point up some of the crucial roles played by successive transit facilities—horsecars, trolleys, and buses—in Rochester's history.

The Horsecar Era

Rochester was a bit tardy in the establishment of a horsecar company in 1862 partly because of the excellent service provided by earlier omnibus lines. The first regular omnibus drawn by four horses had taken its stand among the regional stages in front of the Eagle Hotel at the Four Corners on May 8, 1848. Owned and operated by William Hubbard, it made several runs daily that summer to Mt. Hope Cemetery on the south and to

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the steamboat landing on the north. How long it continued is uncertain, but a second omnibus appeared in 1850 and advertised trips out East Avenue to Pittsford four times a day. The licensing of numerous hacks the next year may have forced these lines to the wall, but in 1854 Hubbard acquired "a new and elegant 12-passenger omnibus" and announced five round trips daily out Buffalo [West Main] Street to Bulls Head. Two additional omnibuses were in operation the next year and, with Hubbard's, maintained regular service on three routes throughout the late fifties.

Supplemented by some thirty independent hackmen in 1859, the omnibusmen offered little encouragement to Nehemiah Osburn who, late that year, proposed the establishment of a horsecar line in Rochester. Osburn's proposal called not only for a technological improvement in the form of iron rails but also for the organization of a limited-dividend incorporation. Aside from a number of banks and insurance companies and a few plank-road companies, the only comparable institution yet formed in the city of some 48,000 residents was the Rochester Gas Light Company. Following its example a group of Rochester investors, including Osburn, applied for a legislative charter, which not only bypassed but failed to mention the Common Council, thus courting its opposition. The proposed route—on East Avenue, Main, Buffalo, and West Avenue—also aroused the hostility of prominent residents on both sides of town.

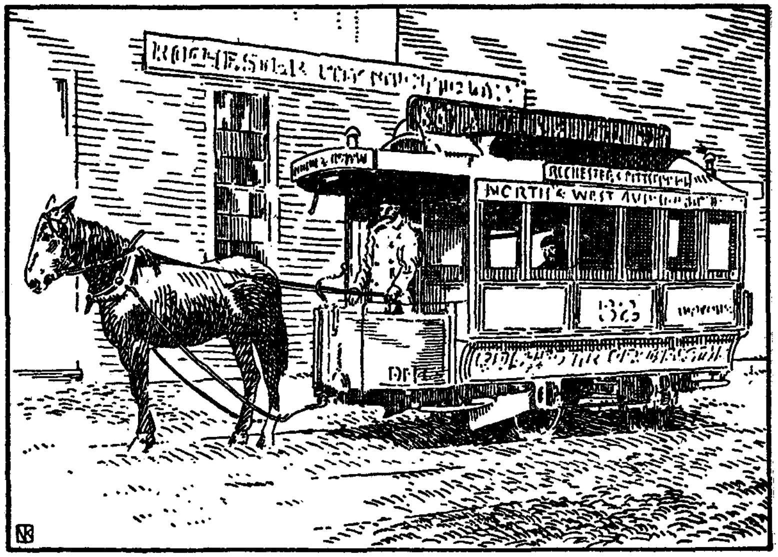
Although that first proposal was squelched, renewed efforts to establish a horsecar line in Rochester soon appeared. A half dozen leading cities had acquired such lines by 1860, and others were under construction in several towns more comparable to Rochester in size. Not only Albany and Buffalo but smaller Syracuse and Toronto boasted horsecar service before Rochester secured an acceptable charter early 1862. This document assured control to the Common Council and restrained the company from laying tracks on any street without the consent of a majority of its property owners. When the Rochester City and Brighton Railway Company, capitalized at $200,000 and headed by Patrick Barry, the nurseryman, secured a thirty-year franchise on May 20, the Council reserved the power to regulate the number and speed of the cars and to fix the location of all stops; it also stipulated a fee of $5 annually for each car and a fare of not more than 5c a ride.

More adequately safeguarded than most cities, Rochester watched the slow construction late in 1862 of the first line on State Street. A majority of the property owners had readily given their consent, but a few held off, threatening an injunction. To avoid such a delay the company hired an extra force of workman at $2 a day to rush construction in front of their properties over the Thanksgiving weekend. A single-track line with two turnouts was successfully completed from the Deep Hollow on the north to the canal at Exchange Street on the south, but an injunction blocked the laying of tracks on East Avenue and held up the running of cars on State Street until all its owners gave their consent. All but Joseph Medbery had complied on State Street by the next July when the first cars were ready for operation, and service was inaugurated on both sides of his property on the 13th. The indignation of passengers forced to walk past his door soon brought Medbery's capitulation. By October 17, ten "coaches," each drawn by two horses, were supplying continuous service from Lake View to Mount Hope on that line, and six more already in operation on Buffalo Street were ready to extend service eastward on a circular route over Main to Alexander, to Monroe, to Clinton, and back to Main, as soon as the track was approved.

The two intersecting routes, crossing at the Four Corners, were completed and in full operation by the middle of December. They totaled 6.6 miles of tracks, boasted 18 cars, 48 horses, and reported a passenger load of 190,897 for the first half year of partial operation. The income, at 5c a ride, was far from adequate, though the returns for December were encouraging, but a new problem loomed ahead as the winter snows forced the company to substitute sleighs for cars in order to surmount the drifts. Unfortunately the enclosed sleighs, warmed only by straw on the floor, attracted few passengers and represented a heavy drain on the company. Complaints of the slow service even in the warm months, when the cars were held up at the infrequent passing places, induced the company to seek authority from the Council in 1864 to double-track longer stretches on Main, Buffalo, and State Streets.

To meet its expenses the company charged double fares during the visit of the State Fair that September, and then raised its regular fare to 6c. This move was justified because a federal law levying a tax on all railroads had authorized fare increases to help meet the costs of the Civil War. Despite numerous protests and some refusals to pay the extra penny, the increased rates were maintained and the company reported a total load for 1865 of almost a million passengers whose payments however barely covered the operating expenses of $58,259 and left the company dependent on $26,000 in "other income" to meet its capital charges. Only the neglect of the city to collect the annual license fees and to enforce a repair of the road between the tracks permitted the company to struggle along another year before its bondholders forced liquidation.

In spite of heavy losses, both among the bond holders who recouped only 45c on the dollar and among the stockholders whose capitalization was dropped from $200,000 to $60,000, the two groups determined to carry on in order to serve the outlying districts of Rochester where most of them had large investments in land. Patrick Barry, with the largest and most widely scattered tracts, agreed to continue as president, and Chauncey B. Woodworth, representing the bond holders and the construction contractors, became vice-president at the reorganiza-



tion in March 1868. With their associates they pledged to give Rochester more effective service provided the city would grant the company an increase of fares to 8c, reduce its tax assessment, and waive its responsibility to maintain the street pavement. When, however, the Common Council refused these concessions the company suspended operations, and the horse cars stood idle throughout the winter while the Council and the company bickered over the terms of their operation. The Council insisted on a return to the 5c fare but amended the company charter so as to hold it responsible only for the maintenance of the roadway within its tracks and a foot on either side and this only for the next five years; the company was not to be charged for any repavement.

With these concessions the company resumed service on March 25, 1869, and soon began to extend its lines and upgrade its accommodations. The company acquired its first snowplows that winter and endeavored to keep its tracks open except during the heaviest storms. It installed a turntable at the Four Corners to enable the drivers to turn their cars around without unhitching. A more drastic economy was effected by introducing the new "omnibus" or "bob-tailed" cars, which could be drawn by one horse and manned only by the driver. Passengers entered at the rear and had to step forward to pay their fares, but the economy of the lighter cars encouraged the company to increase their number thus improving the frequency of service. A newly patented heater was tried out in a few cars in 1872, but it was not installed on all cars for another decade. Meanwhile construction commenced on a new line on St. Paul Street and on the extension of all other lines.

The Rochester City and Brighton survived the depression of the mid-seventies partly by reducing the wages as well as the number of its drivers and partly because of the forebearance of the city in collecting the $5 license fee. With the return of better times the drivers petitioned in 1880 for a restoration of wage cuts. When rebuffed by the management the workers called a strike, but the company promptly discharged and replaced them. As modest increments were subsequently granted without negotiations, the new drivers remained subservient for several years until the employment of a detective to check on their honesty spurred the formation of a union, which promptly negotiated for a reduction in hours from 14 to 12 in 1886 and 10 in 1888. When the company refused the latter demand, the Knights of Labor representatives of the drivers called a strike and after a two-day stoppage secured a compromise agreement. The recently formed State Board of Mediation and Arbitration assisted in negotiating this settlement, which gave the drivers an 11½ hour day with no reduction in pay and extra pay on Sundays.

The return of prosperity had brought renewed growth. As Rochester's population mounted from 62,000 in 1870 to 89,000 and 133,000 in the next two decades, the built-up area likewise expanded and with it the demand for improved and more extensive horsecar service. New lines were projected out Park, Monroe, North Clinton and Plymouth, and new extensions were made on the older lines. Yet although the total mileage exceeded 25 by 1885, many sections remained unsatisfied, and several rival companies appeared and petitioned the Council for franchises. The Rochester and Brighton headed off such bids for lines along St. Joseph Street on the east and Plymouth Avenue on the west. But the strength of the conflicting interests focussed attention again on the company's charter and revealed that it had failed to pay the annual $5 license fee for each car and had frequently changed the location of its stops without authorization from the Council as stipulated in the 1862 charter. The company denied that it was bound by that measure or limited to a 30-year franchise; however, with the chartering of three rival lines, its leaders capitulated. Still headed by Patrick Barry the company agreed in 1886 to pay current $5 fees and to extend its lines as rapidly as possible into all outlying districts where residents and promoters were ready to back it.

The Age of the Electric Trolley

The Rochester City and Brighton was seriously threatened from all sides in the late 1880's. Not only were rival real estate interests bidding for new routes, but outside capitalists were ready to back them by introducing new technological improvements. One proposed the building of a cable-car system to serve the western part of the city; a second, also chartered in 1887 as the Rochester Railway Company, actually began construction of a line extending north from the city limits to Charlotte. Spurred by the latter project's progress, a rival group organized the South Park Railway and the Crosstown Railway; both had formed under the presidency of George Mumford a banker who served as the local representative of several Pittsburgh and Philadelphia investors who were promoting the construction of electric lines in several cities.

Threatened with obsolescence by the invasion of such competitors, the Rochester horsecar line was also battling in the spring of 1889 to rid itself of the union. After refusing to meet with its men or to deal with the State Board, the company imported a sufficient number of "scabs" from the east to keep a few of its cars in operation, and after three weeks of sporadic conflict the union collapsed. But the horsecar company's triumph was short-lived for its own demise came a few months later with the sale of its properties and franchise to the Mumford group. Barry and his associates were handsomely rewarded, however, as their 5,000 shares of stock were liquidated at $260 each, and the total bonded indebtedness of $870,000 was assumed by the new directors.

A difficult legal question complicated the situation. The original 30-year franchise was due to expire in 1892, but the Rochester City and Brighton Railroad at the time of its reorganization in 1868 had secured a 99-year charter from the state and claimed that this superseded the 1862 franchise. City attorney Ivan Powers, after a thorough examination of the franchise and a review of all subsequent amendments, concluded that the 30-year limit was still in force; several prominent lawyers, among them George F. Danforth, endorsed his view. Other able lawyers, such as J. Breck Perkins and Edward Harris, supported the company's contention that the 99-year charter took precedence. The group of local and out of town capitalists who now acquired control of the old company accepted the latter interpretation; they proceeded to reorganize as the Rochester Railway Company with a capital of $5,000,000 and announced plans to electrify the entire system. By merging the three companies the new group had increased the number of their street franchises, but to complete and integrate their system they desired permission to extend it over other streets; they also requested formal recognition of its continuation beyond 1892. After a protracted series of hearings and debates, at which the

Chamber of Commerce vigorously opposed an extension of the franchise without assuring a reasonable return to the city, the Common Council finally passed an ordinance on February 18, 1890, granting the desired extension but stipulating that the company should pay the city one per cent of its gross receipts from 1892 until 1897 and two per cent from 1897 until 1967; furthermore it limited the fares to 5c and directed the company to institute a system of transfers in November 1892 and to pay the $5 license fee per car annually.

The new company finally accepted these terms, and under the leadership of John M. Beckley as president, vigorously proceeded to electrify the system. It ordered and installed heavier tracks and extended overhead wires along State Street and Lake Avenue where the first trolleys made their appearance late in October 1890. It pressed the work of electrifying the other lines as rapidly as possible and completed the entire job by the spring of 1893. Yet in spite of a fifty per cent increase in its mileage in five years, the demands of the outlying districts for an extension of service brought several applications for independent franchises reaching into Irondequoit and Brighton. The company blocked most of these efforts by an extension of its own tracks, though in some cases they remained idle for many months, particularly after the depression of the mid-nineties checked the upward climb in traffic, stabilizing it at 16,000,000 riders annually for several years. A probing investigation in 1895 revealed that most of the local directors were "dummies" who knew nothing of the company's operations, while the Pittsburgh capitalists headed by H. Sellers McKee who held dominant control had apparently lost interest in further improvements. The investigation also found many civic leaders in favor of public ownership but again no action resulted.

With the return of prosperity in the late nineties the fortunes of the company improved. When passenger loads approached 23,000,000 by 1900, earnings exceeded $900,000. Successive mayors endeavored to collect not only the promised percentage of gross earnings but also the full cost of new street pavements between the tracks, as authorized under a state law of 1884. When the company secured a reduction in its franchise tax in 1902 Mayor Rodenbeck demanded a reduction in fares to 3c, as in Cleveland. The company successfully resisted that demand, yet it could not disregard the mounting pressure for improved services. Mayor Cutler, who succeeded Rodenbeck in 1904, took up that cause and not only secured an extension of service into the early morning hours but also forced the company to purchase 50 new cars and to reconstruct 16 old ones to bring them up to modern standards. Cutler's achievement was partly the result of the successive moves of a new group of Philadelphia investors headed by C. M. Clark who finally achieved full control of the Rochester Railroad Company in January 1904.

With larger resources the Clark Syndicate, as it was called, made numerous improvements and pressed vigorously for the absorption of all possible competitors. These included the Rochester and Suburban Company, organized in 1900 to take over three earlier franchises in Irondequoit, and the Rochester and Sodus Bay Railway, the first of the four interurban electrics that were now linking Rochester to nearby cities and towns. The acquisition of the interurbans seemed desirable in order to assure their cars an entry into the heart of the city. That plan, however, raised serious questions concerning the transport of freight-carrying cars through the public streets and posed a threat to the New York Central whose steam lines served the same region. To head off such a development, William K. Vanderbilt and Horace E. Andrews of the Central formed a new syndicate, which brought out the Clark interests in February 1906, assuring his backers a handsome profit on their Rochester venture.

Improved service had doubled the passenger load in the first five years of the century and greatly increased congestion on

Main Street. Repeated studies by Charles N. Barnes, a traffic expert from New York, produced some changes, rerouting a few of the lines to the Court Street and Central Avenue bridges, but every effort to relieve the flow through the "neck of the bottle," as Barnes described Main Street bridge, met opposition since passengers and merchants alike favored that route. Yet the introduction of pay-as-you-enter (Paye) cars speeded operations; moreover the running of some cars in tandem and a few throughout the night achieved improvements that further boosted the passenger load to 66,790,000 in 1908. A reporter for the *Herald*, who learned in March 1912 that the total miles traveled by cars on the city's 15 lines was 27,000 each day, quickly calculated that it was more than twice around the world. A new study by Barnes that year prompted a new effort to reroute some of the lines and to eliminate most of the turns into Main Street, but with an average load of 235,000 a day it seemed clear that the only solution was the opening of one or more parallel streets.

Yet another solution, or at least a substitute carrier, was already in sight, though few recognized its potential. The automobile, introduced as a curiosity at the turn of the century, was rapidly transforming the city's street traffic. As the number of automobiles increased from 100 in 1902 to over 4000 a decade later, they not only displaced most of the horse-drawn vehicles but greatly speeded all traffic, including that of the trolleys. An effort to use jitney buses to compel the syndicate to reduce fares failed in 1915, but the smoother operation of the trolleys enabled the company to boost its passenger load to a new high of 106,252,000 in 1919 before the post-war flood of cars began to clog the streets and divert its market.

Horace E. Andrews, active leader of the syndicate, and Edward J. Cook, his local manager, were meanwhile engaged in several recurrent hassles with the regulatory authorities of the city and the state and with the representatives of their employees. In the latter case persistent disputes between the company and its motormen had prompted the organization in 1902 of a local branch of the Amalgamated Association of Street Car Workers. Although the company avoided any concessions in their first confrontation two years later, in 1911 the union was able to boost the wages of the motormen from 25½ to 30 cents an hour. Their success prompted the trackman to strike two years later for a 9-hour day at $2, but this time the company found substitutes willing to work at 19c an hour as long as they were needed. The trolley men won further advances in the next two years and, after a period of restraint during the war, secured in 1918 a War Labor Board boost from 41c to 45c an hour.

Meanwhile the incessant controversies over rates and services between city and company officials in Rochester and in most other cities had prompted the creation by the state under Governor Hughes in 1907 of a Public Service Commission to regulate urban utilities. Although Mayor Edgerton failed in several attempts to secure an order from the Commission for a reduction in fares to 3c, he repeatedly won its support for improved services. Unfortunately its directives did not always prove effective. Thus in 1917, when in the midst of war-time inflation the Commission appeared ready to grant the company's request for a 6c fare, the city supported its protest against such action by submitting a list of recommendations made over a period of years by expert Barnes for the Commission but neglected by the company. The city took its case to the Court of Appeals, which upheld the city's right under the franchise agreement to enforce the 5c fare. The same legal logic that had previously prevented a reduced fare now sustained the contractual one, yet 6 months later, after the city had annexed Charlotte, its attempt to enforce one city fare over the formerly two-fare trip to the lake was held unreasonable by Justice Benton. That decision however was soon in question, too, and a year later when the Court of Appeals upheld the rate fixing powers of the Public Service

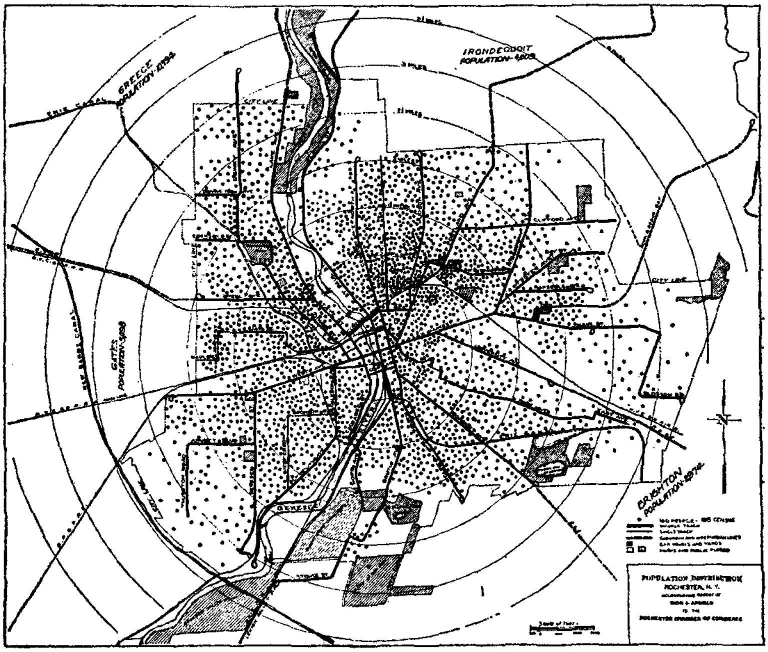
Commission in a Buffalo case, the future of the Rochester 5c fare appeared uncertain.

Even the experts differed. The city in support of its petition before the Commission submitted a report by M. and L. W. Scudder of New York who after examining the company's books found the revenue in Rochester adequate to pay the increased wages and a reasonable return on the investment. But when a group of Rochester business leaders, eager to secure more adequate services, engaged Price, Waterhouse & Company to make a similar study, it reported that the New York State Railways, which had taken over the Rochester Railway Company, was running at a loss; accordingly the committee, headed by George Eastman, requested an increase for the company. The city, however, responded by pointing out that its prosperous lines were being used to pay off the deficit of the less fortunate Syracuse and other city systems owned by the trust. When news arrived that the U.S. Supreme Court in a Detroit case had upheld the right of a transit company to make a fair return, the New York State Railway Company began to transfer some of its newly acquired Rochester cars to Syracuse and other urban divisions where higher fares were permitted. The Rochester *Herald,* which now launched a drive for improved services, reported many cars standing idle in the company barns and labeled Edgerton "the Five Cent Mayor."

Dismayed by the impasse, some thirty local organizations, including business firms, labor unions, and social agencies, formed a Citizens Committee to seek a solution. Professor Meyer Jacobstein called attention to a service-at-cost contract recently adopted at Boston, Cleveland, and several other cities. After a heated debate in the press, with the *Democrat* and the *Herald* supporting an increase and the *Times-Union* vigorously denying its necessity, and with several prominent Democrats proposing a move to public ownership, Mayor Edgerton, admitting his inability to compel the company to give adequate service, and troubled as well by a threatened strike of the trolley operatives, submitted a service-at-cost contract, which the Common Council approved in June 1920. Charles R. Barnes, named commissioner by the mayor, at a salary of $12,000 paid by the company, had power to fix rates under the terms of the contract and to order improvements. The 7c fare he authorized in August barely enabled the company to meet the costs of improved services including a wage advance to 60c an hour granted to the restless men. By the end of the first year of operation under the service-at-cost contract the company's returns, as reported by Commissioner Barnes, showed a deficit of almost $134,000, which he attributed to the prevailing hard times. Yet the company, possibly uncertain as to the effect of the fare increase on the declining passenger load, deferred a request for any further advance.

As the controversy over fares subsided the company and the commissioner had an opportunity to consider long deferred improvements. To meet the need for crosstown service Barnes proposed and the company introduced a trackless trolley to link the northeastern and northwestern sections of the city over Driving Park Avenue bridge. Soon a second crosstown line, this one of buses, was put into operation to reduce the travel in and out of the central district. An experiment with one-man cars in December 1922 quickly prompted their wider use and resulted in other economies that encouraged the city to look for relief from the 7c fare the next year. When a reduction failed to appear the *Times-Union* blamed it on a neglected aspect of the service-at-cost contract, which had recognized the capitalization at $19,216,000 although its actual value in 1919 plus all new investments was less than half that figure. A Bureau of Municipal Research study also recommended a reappraisal of the company's properties since the earlier evaluation had not taken depreciation into account.

But other and more dramatic developments in the transit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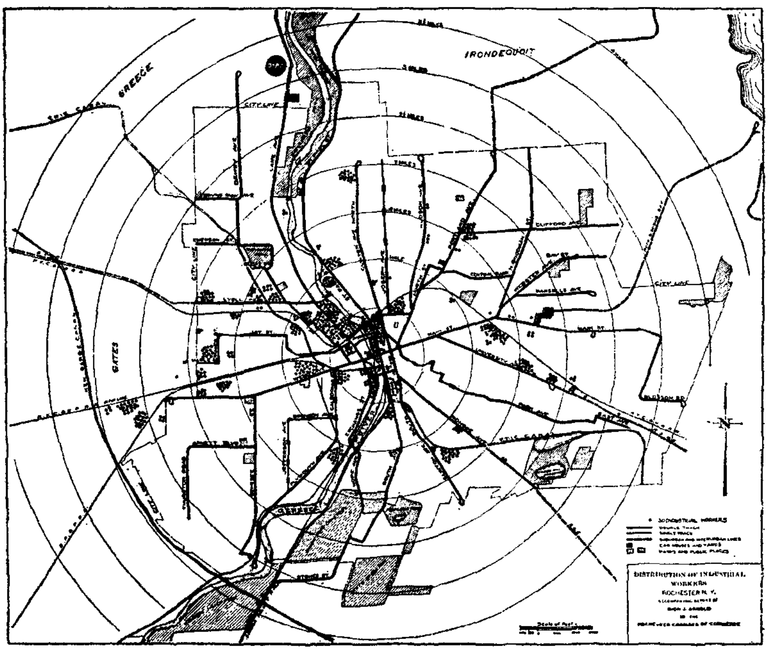
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DISTRIBUTION OF INDUSTRIAL
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ROCHESTER N. Y.

field distracted attention from these controversies. The efforts of the city to exclude the big interurban electrics from the streets had been complicated after 1909 when the New York State Railway, a holding company organized by the Vanderbilt-Andrews syndicate to manage their electric roads, acquired the Rochester and Eastern and the Rochester and Sodus Bay Railway. Frustrated in his efforts to compel that company to improve its local transit services, Mayor Edgerton was also incensed by its control over the potential competition of the Rochester, Syracuse, and Eastern and the Buffalo, Lockport, and Rochester, the two independent interurbans that held great promise for the development of the city's eastern and western hinterlands. When the state's decision to replace the old Erie Canal with a new Barge Canal to be routed across the river south of Rochester made available the old Erie ditch through the center of the city Edgerton seized upon the suggestion that it be used as a depressed artery for the entrance of the interurban lines into the downtown district. That plan, advanced in 1915, was deferred by the slow construction of the Barge Canal, which was not completed until 1920; the building of the necessary tracks and stations required another seven years of planning and construction.

Before that ambitious project could be completed another development intervened and completely altered the situation, alike for the city, the transit company, and the interurbans. As the automobiles, which numbered 12,761 in Monroe County in 1915, increased in successive five-year periods to 34,400, 82,500, and 111,300, the initial relief they had brought to the formerly horse-clogged streets was replaced by a more stifling congestion, which not only stalled many trolleys but depleted their passenger loads and also reduced their earnings. The original wooden policeman, which had prescribed the proper turning point at one intersection in 1915, was replaced by stop-go traffic lights operated by officers at five Main Street crossings in 1922, and two years later by an electrically controlled system that greatly speeded traffic including that of the trolleys. But as this and other improvements eased the flow of motorcars they further reduced the patronage of the trolleys and doomed the interurbans to extinction.

The failure of the jitney bus in 1915 had only briefly delayed the appearance of commercial buses. The first surburban line, running from Rochester to Dansville, had announced a regular schedule the very next year, and by 1920 seven lines were serving the Rochester area. Protests from the railroads and the trolley company had brought more stringent regulations and prompted five of these lines to merge in 1921 into the Interurban Bus Company. The transit company introduced its first motor buses on an experimental base two years later; although when coupled with the trackless-trolley they ran a deficit for several years, the more flexible service they afforded won popular favor. These added expenditures, in face of the declining passenger loads and the shrinking revenues of the late twenties, induced the company to boost its fares, under the service-at-cost contract, first to 8c and then to 9c a ride. These advances stirred criticism of the contract and further reduced its market. The impending expiration of the 10-year contract brought matters to a head.

The Era of the Motorbus

The Great Depression, which commenced in 1929, further aggravated several of Rochester's transit problems, yet during its protracted hold the city saw these facilities extensively reorganized. Not only did the buses take precedence over the trolleys during the 1930's and finally displace them entirely, except on the subway, but that new facility also took over for the abandoned interurbans. And after the collapse of the syndicate that had controlled the New York State Railway Company a new group of Rochester men assumed the management and operation of the local division freeing it from outside control.

Moreover the operatives, strengthened by the New Deal safeguards for labor, acquired increased bargaining powers and would eventually force a reconsideration of the issue of public ownership.

Of course the upsurge of automotive power antedated the depression and supplied the major characteristic of the new era. The summer resort trolleys to Manitou and Irondequoit Bay were the first casualties to the automobile in 1925. Although the New York State Railway, by refusing to run its cars into the city-built subway unless it retained control over their operation, forced Rochester to grant it a service-at-cost contract to operate the subway as well, its management, which commenced in December 1927, lasted for less than three years as the Rochester and Eastern cars were brought to a halt by competing automobiles and buses in July 1930. The management of the subway passed at this point to the New York company's Rochester division, the old Rochester Railway Company. The two independent lines ran their cars into the subway for a few months more, but the last faded from the picture in June 1931. Only the large cars salvaged from the former Sodus Bay line continued to provide an infrequent subway service.

The collapse of the New York State Railway plunged the Rochester Railway into receivership. Efforts to reorganize the system under local leadership faced serious problems of re-evaluation and forced a number of extensions of the service-at-cost contract until the issues could be resolved. Fearful of the effects of a long delay, several business leaders urged public ownership, but a dispute in the courts as to the identity of the existing owner forced the appointment of a receiver. A committee of local stockholders, with attorney Howard M. Woods as secretary, worked out a proposed reorganization with the capital to be fixed at $10,000,000. While the bondholders, represented by Robert C. Watson a local banker, protested such drastic action, the Public Service Commission pared the value down still further after a reduction for depreciation to less than half that figure. Several years of negotiations followed before the PSC, late in 1937, approved a reorganization plan submitted by Howard Woods, but it was not until the next August that the Rochester company acquired full control of the local lines.

The substitution of buses for trolleys had fortunately progressed during the interim, for a careful check in January 1939 had revealed that only the bus lines showed a profit. The transition continued and by the close of that year all but four of the 21 lines had been converted to buses. The last surface-level trolley was replaced in April 1940 and if the company had had its way it would have abandoned the subway as well. But the new service-at-cost contract granted in December that year called for a continuation of the subway service and the introduction of a weekly pass at $1 to stimulate recovery in the passenger load. Partly for this reason and partly because the outbreak of the war in Europe brought renewed prosperity and at the same time checked the use of automobiles, the Rochester Transit Company enjoyed an increase in revenue in the early 1940's that brought a reduction in the price of tokens to 7.7c in 1945. Even the subway showed a profit as its passenger load for 1944 approached 3,000,000 while the total for the system, surpassing the previous high of 1919, reached 110,477,269.

The Rochester directors, who in 1943 rallied local support to purchase full control of the Rochester Transit Company, elected John F. Uffert a veteran of the system as president. Their chief problem that year was to secure enough gasoline to keep their 465 buses in operation. By enlisting the cooperation of other business leaders they persuaded several firms to stagger the working hours of their employees to relieve congestion at rush hours. This wartime schedule and the rationing of gasoline helped to account for the banner year enjoyed by the Transit Company. That happy situation was soon forgotten, however, as the relaxation of pressure brought a sharp decline in the passenger load in 1945 and prompted the new management to raise the spectre of an abolition of the weekly pass. This pass, which permitted its holder to take an unlimited number of rides each week for a dollar, had become popular with many riders, and the rumor of its withdrawal brought a turnout of 1200 Republican ward leaders to blast the suggestion. To protect the public interest the city appealed directly to the Public Service Commission in Albany to uphold the pass.

When its plea was denied the city in 1946 questioned the power of the Public Service Commission to modify or set aside its service-at-cost contract. The Appellate Division, however, and finally the State Court of Appeals upheld the authority of the Commission. Yet the company, eager to maintain the advantages it had enjoyed under the old contract, continued to pay the salary of the Rochester commissioner but pressed at the same time for an increase in fares. The Public Service Commission finally moved in January 1948 to boost the price of the weekly pass from $1 to $1.20 and authorized other fare increases to relieve the company's tight budgets. Overjoyed by its triumphs, the company professed its continued willingness to cooperate with the city in achieving improved services. But its critics were quick to point out that the increased fares were contributing to a decline in the passenger load that would inevitably cut deeply into its operating revenues.

The experience of the next few years amply supported that prediction. As the new rate advances pushed cash fares up to 15c a ride by 1952 and the weekly pass to $2.50, the passenger totals declined from 111 million in 1948 to 67 million three years later. Part of the decline was due to the abandonment of gas rationing and a wide return to private automobiles. Thus the subway alone lost four of its five million passengers in a five-year period—a much sharper drop than the buses suffered, but the company seemed indifferent to the decline. By requesting and securing repeated rate increases it was able to check the downward plunge of its revenues so that by further curtailments of service it was able to effect a reduction in operating expenses sufficient to assure continued annual profits on its investment.

Despite an occasional call for public ownership to assure a management more responsive to the public needs, the only serious threat to the company's position came from its restless employees. Thus in May 1952, when the union submitted demands for a 40-hour week with no losses in the take-home pay currently received for 48 hours, the company responded with such modest concessions that the union called a strike that halted all buses for a period of 23 days and greatly inconvenienced the public. Alarmed by the stoppages Mayor Samuel B. Dicker called for an appointment of a Board of Inquiry by the State Industrial Commissioner. Both parties agreed to resume operations during the inquiry and to supply all information requested, and although the union rejected the Board's recommendations its report successfully pointed the way for an early settlement.

It was, however, little more than a truce, and the city's transit problems continued unabated. To pay its added costs the company sought and secured from the city a reduction in the license fee on each bus from $200 to $50 and won consent of the PSC to a 2c charge on each transfer. It pressed for release from its obligation to operate the deficit-ridden subway and rejoiced when the city finally in 1956 turned that old route over to the state for the Eastern Expressway. Meanwhile the company had abandoned the weekly pass and boosted its cash fares to 20c, which further depleted the passenger load and reduced it in 1957 to barely 35 million, less than a third the number of a decade before. Despite these retrenchments the company's net income and capital returns were more stable and more gratifying to the stockholders in the late 1950's than at any recent period. Only the public had cause for complaint, and most of its members were delighted by the renewed opportunity to drive their own cars.

Yet the sheer magnitude of the flood of traffic as former bus riders shifted to private cars threatened to stall even the improved buses now proudly acquired by the affluent company. The opening of the Eastern Expressway in 1961 and the adoption of a one-way street plan three years later helped to relieve the congestion somewhat and may have contributed to a reversal in 1964 in the downward spiral of transit passengers. That year also produced the largest net returns to the stockholders and prompted the management to cut the price of the token from 20c to 19c.

The operatives, however, were by no means satisfied. After a brief two-day strike late in 1965 they secured a two-year contract assuring staggered increases that would bring the drivers up to $2.78 an hour and mechanics to $2.95 an hour, but wage increments in other fields soon made these gains appear modest. The men moreover complained of a lack of communication with the management. In May 1967 when a worker with low seniority was transferred to a new and unlisted job, the union demanded the discharge of the manager involved and, failing that, called the men out on strike. Provoked by the suddenness of the stoppage, by the irresponsible attitude of the union, and by the failure of the company to maintain communications with its men, many citizens began to think again of the possible merits of public ownership. A settlement was reached after a week's stoppage but no party was very confident of its durability. Indeed, as the end of the contract approached in November 1967, the drivers, resenting the many charges leveled against them, were ready to demand new and substantial increases.

Signs of the impending crisis were clearly evident early in November. Despite the best efforts of State Mediator Milton Goldberg and the pleas of City Manager Seymour Scher and of many interested citizens, the two sides made little progress in negotiations. The start of the strike was postponed by the failure of the union attorney to register its intentions as prescribed in the Taft-Hartley Law. But that oversight was soon corrected and, in spite of renewed efforts to promote negotiations, all attempts failed and a strike finally halted all buses on November 30. City Manager Scher promptly announced the appointment of a Fact Finding Committee headed by Dr. Jean McKelvey, but the spirit of hostility and feelings of suspicion between the parties were so intense that neither side sent representatives to its meetings, and while the union deliberated the company refused to consider its conciliatory recommendations. As a result the strike dragged on through the holiday season and spurred a renewed search for some formula for public operation. When after much persuasion the union finally polled its members on the last company offer and soundly rejected it, the City Council, pressed for decisive action, voted to supply public funds to bridge the gap between the parties temporarily; but again the union and the company rejected it.

Frustrated by the impasse, which threatened to extend a blight over the entire community, the city and the county drew together behind a plan for an ultimate public takeover of the transit company. The city accordingly negotiated a contract with the company empowering it to reach a working agreement with its men pending the final acquisition of its property by a Transit Authority soon to be created. Under the contract, the company granted a formula of hourly wage increments of 22, 16, and 16 cents over the next three years—advances that immediately boosted the hourly rates for drivers to $3.00 and assured them of larger increases than they had originally demanded. Thus the strike was brought to an end on January 25 after a duration of eight weeks, and Rochester faced a new era of transit operation with mixed feelings of relief and uncertainty.

The uncertainty was prolonged by several unexpected delays. An alert attorney detected a defect in the first bill to grant the city authority to condemn and purchase the transit system, and the redrafting process was delayed by an adjournment and by a battle over the provision of state funds to back local action. The city had to get an extension of the time stipulated under its contract with the company for the take over and, failing to reach an agreement as to its proper value, had to institute condemnation proceedings. But finally all hurdles were surmounted and, following a plan approved by the county, the city engaged the services of the National City Management Co. of Houston to operate the lines and proceeded on May 23 to take possession of the entire system. William Lang, whose annual report for 1967 showed a handsome profit, protested the city's action and maintained that the company would have been able to continue to render superior service and to pay its share of the tax burden had not the city intervened to support its striking workers. Mayor Lamb in reply noted that the company by its poor labor policies had subjected the city to repeated transit stoppages in the last few years, inflicting losses that overshadowed its modest taxes. All were in agreement that regular transit services were so indispensable to the city's well-being that they constituted a public responsibility.

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