when the roads entered into their contract with the Federal Government. Inasmuch as subsequent State legislation could not affect a contract, and the State Supreme Court had decided that the words of the Constitution imposed no obligation at the time the contract was made, the Federal courts have held that the Stanford estate is not liable for any of the debts of the Pacific companies. The view taken by the Supreme Court seems to have been the view of the Attorney-General previous to the decision. In the Senate the question that has recently been under discussion is the continually recurring one of extending the Government's loan to the Pacific roads. The most striking speech made upon it was that of Senator Pettigrew (Republican, of South Dakota), who denounced the extension of the loans as bad morally as being a compromise with those who had swindled the Government, and bad economically because it imposed needless burdens upon the sections traversed by the roads. Senator Pettigrew urged that the mortgages be foreclosed and the roads be operated by the Government. Before the Senate Investigating Committee the principal witness has been Mr. C. P. Huntington, President of the Southern Pacific system. President Huntington has made very few damaging admissions. The most interesting point in his examination was when he was asked about the profit he and his three colleagues (Messrs. Stanford, Hopkins, and Crocker) had made out of the Construction and Finance Company, by which the Central Pacific was built and managed. Mr. Huntington replied that, taking into consideration all the work and anxiety that he had gone through for twenty years, he and his associates were not sufficiently remunerated. On being pressed to name the amount of his personal profit, Mr. Huntington finally put it at "not more than three or four million dollars." "That is pretty good pay for twenty years' work," Senator Morgan remarked. "No, not for the work we did," said Mr. Huntington. "I have done as much work in twenty years," Senator Morgan said, "and I never got a twentieth part of that."

❀

The Prohibition party, as well as others, seems in danger of dividing upon the financial issue. The advocates of harmony are urging the adoption of a platform from which all issues except prohibition shall be practically excluded. But even in the East they are only measurably successful. The platform adopted by the Rhode Island Convention last week was regarded as a signal triumph for the advocates of a "single issue;" yet even this platform demanded public control, or, if necessary, public ownership, of municipal lighting and transportation facilities, and indorsed the "initiative and referendum." In the Indiana Convention the week before the so-called "broad-gauge" element was completely triumphant. The platform adopted demanded, among other things, the free coinage of gold and silver at the old ratio; the Government operation of industries in which competition has been displaced by monopoly, and the amendment of the National Constitution so as "to allow an equitable taxation of the properties and incomes of the people." This was a typical "broad-gauge platform." On the question of monopoly the Prohibitionists of the East are nearly at one with the Prohibitionists of the West; but on the silver question the differences are irreconcilable. The West is insistent on a free-coinage plank in the National platform, and though the Eastern leaders merely demand the avoidance of this issue, they are not yet certain to be successful, though the holding of the Convention at Pittsburg is believed to give them a decided advantage. Among the candidates for the Presidential nomination the division seems to be as nearly as possible an equal one. Of the nine possible candidates interviewed by the "Voice" last week, four seemed to favor the free coinage of silver, four to oppose it, and one to favor it as a policy, but to oppose it as a plank in the party platform. The leader of the silver men, ex-Governor St. John, of Kansas, seems to consider the financial issue as more important for the time being than the prohibition issue. Of the nine planks in his platform, the first six related to the free coinage of silver and the issue of money exclusively by the Government; the seventh to public control or even ownership of the means of transportation, lighting, etc.; the eighth to the taxation of citizens in proportion to their wealth instead of their consumption of necessities; and only the ninth to the suppression of the liquor traffic.

❀

A new demonstration of the power of public opinion is afforded by the radical changes which have been made in the bill for the consolidation of the cities of Brooklyn and New York. We still think the bill objectionable in that it decrees consolidation without determining what the terms of consolidation shall be, and proposes to impose upon between two and three million people a constitution without giving them any direct right to pass upon that constitution themselves. In this respect it clearly infringes the democratic principle of popular sovereignty, but two radical amendments have reduced, if not removed, the other objections to the bill. One of these amendments requires that the commissioners to be appointed by the Governor shall all be taken from residents of the "Greater New York;" the other, that the final report of the commission must be made by the first of February, 1897, and the election of officers under the charter of the enlarged municipality must take place in the following November, so as to accomplish the consolidation by the beginning of 1898. The first of these provisions gives a reasonable assurance that the views and interests of the two cities will have legitimate consideration in the commission; and if Governor Morton rises to the opportunity afforded him, and appoints, not professional politicians, but eminent citizens, he can materially lessen the otherwise fatal objection to the bill that it imposes on a reluctant people a constitution which they have had no share in framing. The other amendment, limiting the time within which the commission must make its report, is probably rightly regarded as a withdrawal of the threat supposed to be implied in the measure in its original form, that the two cities should be governed by State commissions pending the framing of a charter. Whether this was ever intended or not we cannot say, but certainly there was fear that this course would be pursued, and it is not improbable that the public agitation prevented it. If the bill in its amended form should pass, and should be approved by the Governor (and the indications all point in this direction), the press of the city of New York and Brooklyn can render their constituents no better service than by employing the ablest pens which money can procure to contribute through their columns to the discussion of the question, What should be the constitution of such a municipality? It ought to be possible for the "Greater New York," if it comes into existence, to set such an example of municipal liberty and order as should give municipal reform throughout the country a great and lasting impulse.

❀

The decision of the Court of Appeals of New York State in The People vs. James A. Roberts seems to settle, so far as an opinion of the highest court of judicature can settle, the principle that hereafter all appointments to administrative offices must be made in accordance with the

principles of Civil Service Reform. The Constitution of the State provides that "appointments and promotions in the civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained so far as practicable by examinations, which, so far as practicable, shall be competitive." The Comptroller of the State of New York refused to pay the salary of a civil officer appointed without such examination, and the Court of Appeals refused to grant a writ of mandamus, thus holding that the salary was not payable because the officer had been appointed in violation of the Constitution. The principle of the decision is so clearly embodied in the following paragraph that the lay reader will easily comprehend its far-reaching significance:

"The principle that all appointments in the civil service must be made according to merit and fitness, to be ascertained by competitive examinations, is expressed in such broad and imperative language that in some respects it must be regarded as beyond the control of the Legislature, and secure from any mere statutory changes. If the Legislature should repeal all the statutes and regulations on the subject of appointments in the civil service, the mandate of the Constitution would still remain, and would so far execute itself as to require the courts, in a proper case, to pronounce appointments made without compliance with its requirements illegal."

The Civil Service Reformers of the State of New York have now simply to exercise combined caution and vigor to prevent the appointment of men to office hereafter by the machine for political reasons and irrespective of their merit and fitness. They should keep a close watch, and whenever such an appointment is made should bring suit, as they may do under the laws of the State, to enjoin the payment of the salary. The decision of the Court of Appeals puts the matter beyond even legislative interference. It will be for the courts to determine whether the office is one the qualifications for which can be ascertained by competitive examinations. The only recourse of the machine will be to change the Constitution, and we venture to affirm that it not only cannot change the Constitution by striking this provision out, but that it will not even venture to make an attempt so to do.

❀

The sub-committee to which was referred the different bills now before the New York Legislature affecting the schools of this city has agreed upon a measure which adopts the main features of the Pavey Bill, already commented upon in these columns, and includes many of the provisions of the bill prepared last year by the Committee of Seventy. It abolishes the entire system of ward trustees from and after June 30 of this year, and thus cuts the ground from under some of the worst abuses in our system as now organized. The abolition of the ward trustees concentrates instead of divides responsibility, and will go far to limit the play of those personal and narrowly local influences which have hitherto wrought such mischief. When the school system is administered by the Board of Education, it will be possible to fasten responsibility upon individuals, and to bring a definite body to the bar of public opinion. The proposed measure retains and increases the number of inspectors; it provides for the division of the city into fifteen school inspection districts of approximately equal population, and for the appointment of five inspectors for each of these districts. The appointing power is lodged in the Mayor, in order that, being independent of the Board of Education, these inspectors may represent more independently the interests of taxpayers and citizens. The bill also provides that the teachers and principals shall hereafter be selected exclusively from an eligible list, the constitution of which is carefully guarded in the interests of competency, intelligence, and promotion according to merit. All nominations are to be made from this list by the Board of Education on the nomination of the Board of School Superintendents. This Board is a new feature. The bill provides for its organization on the first of July by the City Superintendent of Schools and his assistants. It is supposed, therefore, to represent the best training and expert knowledge which the school system can supply. It is to nominate all principals and teachers, and to have large powers in the arrangement of courses of study and the settlement of all educational questions. The bill also provides for the establishment of high schools, which the school system of this city has heretofore entirely lacked. There may be some question about specific provisions of this bill, but about its general soundness there can be, in our judgment, no question. The passage of this measure, or of something akin to it, is absolutely necessary as a preliminary step to that educational reorganization which this city needs perhaps more than it needs anything else.

❀

The conferences under the auspices of the New York "Society for Improving the Condition of the Poor," to consider the problem of the housing of the poor, drew together an audience last week from many sections of the country, but very few persons from the city of New York, which ought to furnish many students of a subject so vital to it. As one of the speakers said, it was significant that one of the smallest halls in the city had been secured for this conference, and yet the capacity of that hall was in no way taxed. When one considers the public apathy expressed by the meagerness of this audience, and the greater meagerness of the press reports of its proceedings, he almost wonders that so much progress has been made. We no longer have families living in cellars; it is no longer lawful to erect rear tenements to exclude the light and make close the air; the entire lot cannot now be built upon; and we have now, thanks to the Tenement-House Commissions, the definite pledge of public baths and more park space in the tenement-house districts. Nevertheless, even the newer tenement-houses are most of them being erected with as little regard to the requirements of healthful living as the law will permit, and less than the public conscience would tolerate if the public conscience were aroused. The conference last week had the privilege—occasionally it was the duty—of listening to many remedies for the present evils. The most original, doubtless, was one that proposed meeting all the difficulties of the tenement-house problem by the placing of ventilating-pipes in the corners of the rooms! All phases of the subject of the conference were treated by such experts as Mr. Edward Marshall, Professor Felix Adler, and Dr. Albert Shaw. Rapid transit and the acquiring of land beyond the city limits by the city, or a syndicate, to be held at its original value and built upon for the benefit of the wage-earning population, was the far-reaching remedy that seemed to meet with the most general approval. Even without public ownership of land, cheap rapid transit might easily quadruple the territory in which wage-earners might live and reach their work at as little cost of time and money as now. The immediate outcome of the conference will be the forming of a permanent committee of responsible men, who will endeavor to form a syndicate or organization that will purchase land and erect small houses for the use of wage-earners.

❀

An Anti-Tramp Convention, attended by public officials from every part of the State, was held in Fond du Lac, Wis., week before last. The occasion of the Convention was, of course, the fact that the number of tramps or "hoboes" has