

THE REFORM OF THE FEDERAL SERVICE.

THE Civil Service law has failed to justify the hopes and the claims of its advocates. It has failed, not for lack of a fair trial, for it has been honestly enforced by two successive administrations, but because the means which it provides are wholly inadequate to accomplish the end sought. It has done something toward lessening the evils of the spoils system, but the boundaries of that system are far wider than the limits of the law. It is the purpose of this paper to sketch briefly the rise and growth of patronage in our Federal politics; to describe the efforts which have been made to check this development; to examine, in detail, the effects of the Civil Service law; and, in concluding, to discuss some of the further remedies which have been proposed.

I.

The Fathers of the Republic had a very feeble conception of politics as now understood and practiced. Madison's naïve statement, in the first Congress, that the President would expose himself to impeachment if he removed an official for any other reason than the public good, and Jefferson's denial that any of his few removals were made on political grounds, show how little the advantages of patronage were realized. But some time before Jackson became President, the practical politicians began to recognize the aid it would give them to be able to turn their opponents out of public employment and reward their friends with offices. In 1820 a law was passed giving district attorneys, collectors, surveyors and naval officers of customs, and some other classes of officials, a four-years' term of office. The purpose of this law was to give the President a large number of places to bestow on his friends without the necessity of making removals; and the effect of the law

was such that the civil service soon began to be a topic of debate, if not a political issue. The Benton report of 1826, the Calhoun report of 1835, the Davis report of 1842 and the Moorehead report of 1844 are all protests, earnestly supported by the most eminent men of the time, against removals and appointments for political reasons. These reports form a library of civil service reform literature. The sincerity of the debaters who discussed these reports may sometimes be questioned,—it is natural that men should feel more keenly the wrongs done by their opponents than those done by themselves,—but the reports and speeches show that the patronage system made its way into our political life gradually and at first slowly, and that it was strenuously and honestly opposed by many of our best public men.¹ Several efforts were made to repeal the law of 1820, but without success. The politicians were getting a firm grip upon the political organization. Instead of yielding anything, they gained more.

The act of 1820 did not touch postmasters. These were appointed by the postmaster-general, for no designated period, and customarily served till they misconducted themselves, died or resigned. Public sentiment did not yet warrant a President's removal of all the postmasters he found in office, in order to give their places to the men who had voted for him in conventions or rendered him other services; and in order to gain their end without removals, the politicians extended the four-years' term of office, by the act of 1836, to postmasters whose salaries

¹ Of the law of 1820, Mr. Jefferson wrote to Mr. Madison: "It saps the constitutional and salutary functions of the President, and introduces a principle of intrigue and corruption, which will soon leaven the mass not only of senators, but of citizens. It is more baneful than the act which failed at the beginning of the government to make all officers irremovable but with the consent of the Senate. This places every four years all appointments under their power, and even obliges them to act on every . . . nomination. It will keep in constant excitement all the hungry cormorants for office; render them, as well as those in place, sycophants to their senators; engage these in eternal intrigue to turn out one and put in another, in cabals to swap work; and make of them what all executive directories become, mere sinks of corruption and faction. It must have been one of the midnight signatures of the President, when he had no time to consider or even to read the law." Jefferson's opinion was based upon eight years in the presidency, and every word of his has been amply justified by events.

exceeded \$1000. As the larger post offices were held by political tenure from this time on, the minor post offices began to be held on the same terms. Of course the result was to make the public interests second to partisan convenience.¹

Up to the end of the Polk administration, and a dozen years after Gen. Jackson had retired to private life, the accounting officers of the Treasury were still regarded, like judges, as outside of politics. But the politicians soon learned to accuse the party whose places they wanted of stealing, and to base on this charge a demand for the examination of the books—a demand, in other words, for the displacement of all the comptrollers and auditors.

The introduction of the spoils system in the military and naval administration has presented greater difficulties. The American people inherited a deep-seated jealousy of an armed force, and a fear that sometimes seems absurd of the possible

¹ The following is the testimony of Postmaster-General Cave Johnson in his last annual report, 1848: "It may not be inappropriate to remark that those connected with administrative duties in this department could not but have observed that there has been, for some years past, a strong feeling pervading the country that the system had been conducted by an organized corps, extending throughout the Union into every neighborhood, under the control of politicians at the seat of government, wielded with the view of promoting party purposes and party organization rather than the business and social interests it was created to advance; that the offices were bestowed as a reward of partisan services rather than from the merit and qualifications of those selected; and that each presidential contest is to produce a new distribution of the offices, and hence embittered political contests are excited in almost every neighborhood, demoralizing in their tendencies and injuriously affecting the purity of elections. Whilst such apprehensions are entertained by a respectable portion of the community, a want of confidence in the honesty and correctness of the officers, however pure and upright in their conduct, soon shows itself, seriously injuring the business of the offices, and bringing discredit on the system itself. The post office system was designated for business purposes, for the cultivation of the social and friendly feelings among the citizens of the different sections of the Union, and should be in no wise connected with the party politics of the day. This will give that degree of confidence in its agents necessary to render it the most useful to the people. There does not seem any reason why this business and social agent of the people should be more connected with them than the officers of the courts of justice or the accounting officers of the government. If it were believed that the latter officers performed the duties assigned them with a view to the advancement of party purposes, public opinion would soon correct the evil. If the post offices were alike exempt from political influence and party contest, public confidence would be maintained and the best interests of the system promoted."

use of troops in maintaining a man or clique in power. For this reason the politicians have never dared to treat military appointments as the spoils of their kind of warfare; but they have made free use of the civil attachments of the army and navy, and, if they have their way and are allowed time enough, they will get hold of the colonelcies and the captaincies and the department headquarters, and move from the navy yard to the quarter-deck. Indeed, there has already been a movement in this direction. The law of 1866 required the President to fill vacancies in the corps of army paymasters from persons who had been employed as additional paymasters during the war. The politicians in Congress wanted these very desirable places, and in 1875 they repealed this law. Since then there have been appointed as paymasters in the army: the brother of a senator, the clerk of a senator, the postmaster of the Senate, a state senator who had been useful to a United States senator, the son-in-law of a senator, the son of the chairman of a state central committee (who was allowed a year or two later to make his accounts good and resign), a personal friend of a President, a brother-in-law of a President, a secretary of a President, a disbursing clerk in the War department, the friend of a senator, two friends of another senator, and the son of an eminent bishop. Only two of these gentlemen had any military experience, or had rendered any service to the country prior to receiving these desirable appointments. In the winter of 1882-3 again, the pay corps in the army was a subject of discussion in Congress. The House voted to allow it to die out; the Senate voted to perpetuate it with a reduced number of officers. In consequence of this disagreement, the bill went to that mysterious but potent wheel in our legislative machine, a conference committee. Thirty-six hours before the Congress expired, and when there was no time to consider anything, this conference committee reported, by way of harmonizing the differences between the two Houses, a section repealing the law that required assistant quartermasters and commissaries of subsistence to be selected from the army. This was an absolutely new proposition, not suggested by or connected with anything

that had been said in the debate on either side in either House. That is the present law. Thus far it has done the politicians little good, but they will find it convenient yet. Hitherto the only civilian appointed under this law was a President's brother-in-law.

The charge that navy yards are used in politics is regularly made at elections; but the administration of the day, which always denies this, is the custodian of the evidence, and naturally enough not much of it gets published. But navy-department correspondence which has been made public shows that the number of men employed in the one department of construction and repair in the Norfolk navy yard in the fall of 1882 was as follows: August 1, 217; September 1, 435; October 1, 1263; November 1, 1248; November 16, 354; December 1, 289. There was a congressional election November 7. I have before me a statement of the number of persons employed under the three large bureaus in all the navy yards during the summer and autumn months of several years, and I am glad to say that this case of the Norfolk navy yard in 1882 is an extreme one. But it shows what has been done and can be done when the secretary of the navy, the commandant of the yard, and the head of a bureau in the yard exert themselves. I am compelled to admit, however, that more use may have been made of navy yards than the tabular statements show, because it has not been unusual to employ several hundred men during the summer and furlough them immediately after their names had been put on the rolls. Then, as the election approached, these men who were on the suspended roll were allowed to draw pay; and thus the law restricting the increase of employes at navy yards within sixty days of an election, the very existence of which law tells its own story, has been evaded.

II.

Many people fail to realize how large is the class of actual and possible political mercenaries created by the spoils system. The report of the Cockrell committee, March 8, 1881, states the

total number of officers and employes in the several branches of the civil service at 132,072. An estimate of five aspirants on an average for each place is certainly modest enough. But as Mr. Webster said, "Patronage acts not only on those who actually possess office, but on those who expect office, or hope for it," and before an election this includes both political parties. We must therefore double five and reckon ten possible candidates for every place large and small. This makes a million and a third of voters. To these must be added voters in the families of the possible candidates or otherwise intimately interested in their candidacy. Then most of the places of employment under state, county and municipal governments are disposed of in the same way, and all these additions must raise the one and a third to something like two and a half millions, so that about one-fifth of all the voters in the country approach the ballot boxes with a more or less distinctly realized personal pecuniary interest in the result.

The effect of this state of affairs upon our political life is notorious. The evils of the system have been often and fully described. What, now, are the remedies that have been proposed or attempted?

The efforts to reform the civil service have taken two directions :

(1) It has been demanded that office-holders limit their political activity to depositing their ballots.

(2) It has been attempted to remove certain classes of public employes from the domain of patronage.

The first remedy was applied as early as 1841, when Mr. Webster, secretary of state, by direction of President Harrison, issued an order reciting the scandal of political management by the President's appointees, and concluding :

He therefore directs that information be given to all officers and agents in your department of the public service that partisan interference in popular elections, whether of state officers or officers of this government, and for whomsoever or against whomsoever it may be exercised, or the payment of any contribution or assessment on salaries or official compensation for party or election purposes, will be regarded by him as cause for removal.

But a fortnight later General Harrison was dead and John Tyler was President. The Moorehead report of 1844 was a protest against Mr. Tyler's use of his patronage to influence elections.

President Hayes entered the White House with strong avowals in favor of a public service freed from political assessments and freed as far as possible from the element of political favoritism. He even promised not to be a candidate for re-election, lest his ambition should get the better of his convictions. In the June after his inauguration he issued a circular letter to his heads of departments in which he said :

No officer should be required or permitted to take part in the management of political organizations, caucuses, conventions or election campaigns. Their right to vote and to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. No assessment for political purposes on officers or subordinates should be allowed.

In spite of this order Mr. Hayes rewarded with appointments every man who was concerned in the delivery of the electoral vote of Louisiana to the Republican party—including, I believe, the man for whom he wrote a note to Secretary Evarts asking that the bearer be given a consulate in a warm climate. There was no change in the party control of the administration and therefore no clean sweep, but appointments and removals went on very much as they had done under previous administrations, and in 1880 the subordinates of the Treasury department were working like beavers to procure the nomination of the secretary of the treasury for the presidency, while the business of extorting campaign funds from government employes by assessing them two per cent of their salaries and giving them to understand that they would be dismissed if they did not contribute, was carried on more openly and unblushingly than ever before under the Republican party, and became so offensive to public sentiment that the politicians have never dared repeat it on anything like the scale of that year. The political bosses even extorted from the Republican candidate for the presidency, who for years had been an opponent of political patron-

age and assessments, an intimation in his letter of acceptance that he would farm out the federal patronage among the local political bosses and a letter to "my dear Hubbell," which was universally understood, and unquestionably intended to be understood, as meaning that General Garfield knew that political assessments were being levied and approved the means resorted to for their collection.

Obviously, if the great end of politics is to get places for a few men, other men who are not to have places must get something tangible in order to induce them to follow their leaders. This involves money, and one very practical if not lofty way of getting money is to go to the Federal officials and ask them for a certain proportion of their income as a condition of their being left in possession of their places. Every Federal officeholder is expected to pay a rental to the party for the use of his office. The party puts him where he can get a certain sum of money and he must expect to divide with the party. Campaign committees render no accounts of their stewardships and little is known of the amounts of money collected for political purposes, the means employed for their collection, or the uses made of the funds. But, last fall, the disbursing clerk of the Patent office died, and when his accounts were examined it was found that he owed the government between eleven and twelve thousand dollars. There was found in his safe a copy of the department register for 1880. Lying in this book was the following memorandum, in pencil, in the financial clerk's handwriting:

Amount paid by Interior department to Congressional committee for the campaign of 1880	\$16,064
By Patent office	4,360
	<hr/>
	\$11,686

This clerk's shortage to the government was \$11,525, so nearly the sum set down above as the share of the Interior department, outside of the Patent office, that the inference has been drawn that he advanced the money for other bureaus than his own and never got it back. This seems highly improbable.

But in this copy of the register sums of money were written in ink opposite the names of all the male employés in the Patent office, which sums were sometimes more and sometimes less than two per cent of the officer's or clerk's salary, but in most cases were just two per cent. The total of these sums is \$4360, the amount which the memorandum indicates that the people in the Patent office contributed to the congressional committee. Twenty-four dollars is a good deal for a clerk with \$1200 a year to give away unless it seemed to be very necessary, and a laborer on \$500 or \$600 would hardly give eight dollars to anything so abstract as the advancement of a political party if it were entirely optional with him. Every clerk knew that the politicians who gave him his employment and could take it away again knew whether he contributed to the campaign fund and, if he did, how much he gave. When General Garfield asked Mr. Hubbell how the departments were doing, the latter might truthfully have replied that they were doing tolerably well.

Undeterred by the failure of previous efforts, perhaps not very earnestly pressed, to curtail the "offensive partisanship," to use the President's phraseology, of Federal office-holders, President Cleveland on the 14th of July, 1886, over his own name, issued a general notice to Federal officials to let the private citizens manage their own politics. Public sentiment would not tolerate any efforts of judges or officers of the army and navy to direct the political movements of the country, and substantially the same reasons would forbid civil officers to make like efforts. In this letter the President said:

I deem this a proper time to especially warn all subordinates in the several departments, and all office-holders under the general government, against the use of their official positions in attempts to control political movements in their localities.... The influence of Federal officers should not be felt in the manipulation of political primary meetings and nominating conventions. The use by these officials of their positions to compass their selection as delegates to political conventions is indecent and unfair, and proper regard for the proprieties and requirements of official place will also prevent their assuming the active conduct of political campaigns.

Robert L. Taylor, pension agent at Nashville, was a candidate for nomination as governor of Tennessee. Under date of August 4 he wrote to the commissioner of pensions that he had taken no part in the canvass, but he was confident of being nominated and, if he were, he would like to be present. He would not go if it would be contrary to the President's wishes. The letter was answered by Deputy Commissioner McLean, who said :

I have the honor to inform you that, in pursuance to the instructions of the honorable, the Secretary of the Interior, it is better for you not to attend the nominating convention. While no doubt exists as to your good faith in your proposed action, your presence at the convention will place you and the administration, if not in a false position, in one subject to misconception.

Mr. Taylor did not attend the convention; he was nominated and then resigned his Federal office and entered into the state campaign.

During the fall a Republican district attorney in Ohio was nominated for a state judgeship and at once resigned. A Democratic district attorney in Wisconsin, Mr. Delaney, was nominated for Congress and sent in his resignation. Action on his resignation was postponed until after the election, in which he was unsuccessful, when it was accepted. This acceptance can hardly be supposed to have had any connection with the order of July 14, for he procured his nomination and carried on his campaign while a Federal official. On October 27 the President directed the suspension from office of District Attorney Benton, of Missouri, Democrat, and District Attorney Stone, of Pennsylvania, Republican, for making campaign speeches. After the election Mr. Benton was restored to his office and Mr. Stone was succeeded by a Democrat. Whatever may be thought of Mr. Benton's restoration, the refusal of the President to reinstate Mr. Stone can not be severely criticized. The President said, with justice, in his letter of November '23 to the attorney-general :

Mr. Stone and others of like disposition are not to suppose that party lines are so far obliterated that the administration of the govern-

ment is to be trusted, in places high or low, to those who aggressively and constantly endeavor unfairly to destroy the confidence of the people in the party responsible for such administration.

These are the only cases, I believe, in which the President's warning of July 14th was in any degree followed up by action. *The Philadelphia Record* published a list of thirty-three Federal officials who were actively engaged in the congressional campaign of 1886. In the spring of 1887 Federal officials took an active part in the municipal campaign in Chicago. In fact, the Democratic city convention having failed to agree on a candidate for mayor, the appraiser in the custom house was authorized to select a number of gentlemen to constitute another convention and make a nomination. Later, Federal officials were conspicuous as delegates and political managers in conventions in New York, Pennsylvania, Maryland and Indiana. Early in 1888 a large conference of Democrats was held in Indianapolis, and an auditor of the Treasury and a chief of division in the Pension office left their desks in Washington and went to the conference, according to the press reports, to see that the convention declared itself in favor of a certain aspirant for the vice-presidency and against another aspirant. If the Federal officials who participated in the Pennsylvania convention of 1887 were not there to promote the interests of the President, they were there to promote the interests of the member of congress to whom they felt that they owed their appointments.¹

The second remedy is the removal, by law, of certain classes of government positions from the field of patronage. A little

¹ *The New York Tribune* of May 16, says that there were present, at the Democratic state convention in New York to select delegates to the St. Louis convention, Deputy Collectors of the Port of New York McClelland and Mason, Special Agent Holahan of the Treasury, Collector Martin of Genesee, Internal Revenue Collector Beach of Syracuse, Internal Revenue Collector Hanlon of Buffalo, Postmaster Hackney of Fort Plain and United States Marshal Bunn of the Northern district of New York. *The Press* of the 17th adds to these Surveyor of the Port Beattie, Deputy Collectors Jones and Davies, Disbursing Officer Hart, Chief Clerk McGee and Superintendent Whalen (all of the New York custom house), and Colonel Lodewick, postal agent.

more than twenty years ago Mr. Jencks, a representative from Rhode Island, began to agitate a legislative reform of the civil service. His efforts met with an encouraging response. President Grant, in his annual messages of 1871, 1872 and 1873, recommended legislation designed to lessen political influence in appointments to and removals from minor offices. In 1871 Congress authorized the creation of a civil service commission, and a year later a set of rules governing examinations and appointments was promulgated. In 1874 the House of Representatives refused to appropriate any more money to carry on the commission, and the whole enterprise fell to the ground. As soon as members of Congress found that their patronage was diminished by the new methods, they were opposed to them; and President Grant never manifested any reluctance to use the patronage at his disposal for rewarding his personal and political friends.

But the demand for the curtailment of political influence in the matter of appointments and removals had already a certain strength among the people; and in 1876 the Republican and Democratic parties, in their platforms, and the Republican and Democratic candidates for the presidency, in their letters of acceptance, took very strong ground in favor of a system of appointments, at least to the minor offices, that should take into account the fitness of the candidate, or of the incumbent, and should not make party service the sole condition of public employment. Both parties and both candidates were pledged to the country to eliminate partisanship at least from the lower ranks of the public service. In spite of this, the Congresses whose popular branches were elected in 1876 and 1878 made no response; and President Hayes used his power of removal and appointment much as his predecessors had done. In 1879 the popular movement obtained an organization, in the establishment of the Civil Service Reform association; but in the following year there were very scant allusions to the matter, either in the platforms of the parties or the letters of the candidates. Interest in the reform had ebbed, and the politicians felt that they were not obliged to make obeisance to their enemy. The Congress

which began its existence in 1881 manifested during its first session no decided intention to deal with the subject. The House was Republican for the first time in several years; the Senate had just been recovered by the Republicans after the Democrats had controlled it for two years. But the unseemly scramble for the offices which followed the change of administration, and particularly the wretched squabble between the executive and the New York senators over the New York custom house, convinced a great number of "plain people" that something must be done. The assassination of President Garfield by a disappointed and crazy office-seeker transformed this feeling into an imperative demand. As soon as Congress met again, in December, 1882, Senator Pendleton withdrew his own reform bill, which had been reported during the previous session, and substituted a bill prepared by the Civil Service Reform association of New York. The bill was debated with ardor. The Senate would not even entertain the idea of taking the usual Christmas recess till this important measure had been passed. A good many senators spoke against it, or at least against every vital provision in it, but only five voted against the bill on its passage. In the House the bill was passed off-hand; it was reported January 4, and passed the same afternoon by a vote of 155 to 47. The Republican members of Congress had the less inclination to oppose the reform because, between the first and second sessions of the forty-seventh Congress, a congressional election had taken place, and the Democrats had won the majority of seats in the next House. The devil was sick, and the devil a monk would be.

The law and regulations provide for competitive examinations for clerkships in what is called the "classified service" in the departments at Washington, and in the larger post offices and custom houses of the country, *viz.* those having more than fifty employees. The law and regulations have nothing to do with postmasters or any officials whose appointments are conditional on the approval of the Senate; nor do they apply to chief clerks, or chiefs of division, or private secretaries, or bonded officials, or persons responsible for moneys or securities. A certain margin

of selection is preserved, the appointing officer having three names to choose from. All appointments are probationary for six months. Appointments are apportioned among the states according to population. There is no limitation upon the power of removal; this may be exercised at any time and with or without cause. The law is not aimed to keep clerks in the service, but to deprive the appointing officer of that motive for their removal which the power of designating their successors would give him. The law stringently forbids political assessments of officials by officials.

The law went into effect six months after its passage and the service was classified, in the main, by rules issued by the President. The existing statutory classification of clerks,¹ ranging from the \$1200 to the \$1800 grade, was incorporated into these rules, bringing these classes under the operation of the law. On September 23, 1883, Secretary Teller extended the classification to include employ  s of the Interior department in Washington who received \$1000 a year and copyists at \$900 and \$720. But as soon as a Democratic President was elected, the heads of departments began to extend their systems of classification. On November 19 the secretary of war extended the classification in his department so as to include all civilian employ  s, irrespective of salary, except of course persons exempted by the law itself, and also except laborers and workmen, among whom messengers and watchmen are included. The Agricultural department is not one of the executive departments in the usual sense of the term, and is not one of the enumerated departments referred to in the Civil Service law. No attention was paid to the law by the commissioner of agriculture till November 24, 1884, when the civil service commissioners received an undated letter from him announcing that he had made a classification of the employ  s of his office under the law, and on December 16 the commission was notified that the President had accepted the classification. The postal facilities were so inferior that the communication from the secretary of the navy, announcing the extension of the classifi-

¹ Under the laws of 1853 and 1855.

cation in his department, which was dated November 1, several days before the election, did not reach the commission till November 25. This extension took in the \$1000 clerks and the copyists at \$900 and \$720. On December 6 the secretary of the interior enlarged his classification upwards and downwards so that it took in employes getting \$2000 a year or more, not chiefs of division nor specially exempted, and copyists without regard to salary. January 2, 1885, the secretary of the treasury so revised his classification as to include all employes except those specially exempted, presidential appointments, and laborers, messengers and watchmen. February 6, the postmaster-general extended the classification of his department, taking in employes with more than \$2000 and running down to employes getting only \$720, but excepting laborers, messengers and watchmen, and of course positions exempted by the law.¹

Apart from the peculiar circumstances of its passage and its extension, — its passage by a Republican Congress after the election of a Democratic House; its extension by a Republican administration after the loss of the presidential election, — apart from these circumstances, the Civil Service law was certainly put to a severe test by the advent of a Democratic administration after twenty-four years of Republican rule. How has it borne the strain? What is the actual condition of the service? What progress, if any, has the reform movement made?

President Cleveland entered office with the general understanding on the part of the public that he was opposed to the patronage system, but there is a wide-spread misapprehension of the extent to which he shared the opinions of the persons who have manifested the most interest in the reform of the civil service. His own words must be read carefully. In his letter of acceptance he said :

The selection and retention of subordinates in government employment should depend upon their ascertained fitness and the value of their work, and they should neither be expected nor allowed to do *questionable* party service. . . . The unseemly scramble for place under the government, with the consequent importunity which embitters official life

¹ Report of the Civil Service Commission, 1888.

will cease, and the public departments will not be filled with those who conceive it to be their *first* duty to aid the party to which they owe their places, instead of rendering patient and honest return to the people.¹

There is no promise here to abstain from political removals and appointments. But in the letter to the Civil Service Reform association, dated December 25, 1884, the President-elect unquestionably went a little farther, though he still reserved for himself much latitude of action. He said :

There is a class of government positions which are not within the letter of the civil service statute but which are so disconnected with the policy of an administration that the removal therefrom of present incumbents, in my opinion, should not be made *during the terms* for which they were appointed *solely* on partisan grounds and for the purpose of putting in their places those who are in political accord with the appointing power.

In his inaugural address he said :

The people demand reform in the administration of the government and the application of business principles to public affairs. As a means to this end civil service reform should be in good faith enforced. Our citizens have the right to protection from the *incompetency* of public employes who hold their places *solely* as the reward of partisan service and from the corrupting influence of those who promise, and the vicious methods of those who expect, such rewards ; and those who worthily seek public employment have the right to insist that merit and competency shall be recognized, instead of partisan subserviency or the surrender of honest political belief, in the administration of a government pledged to do equal and exact justice to all men.

In his letter of September 11, 1885, accepting the resignation of Commissioner Eaton, he said :

I believe in civil service reform and its application in the most practicable form attainable, among other reasons because it opens the door for the rich and the poor alike to a participation in public place-holding. And I hope the time is at hand when all our people will see the advantage of a reliance for such an opportunity upon merit and fitness instead of a dependence upon the caprice or selfish interest of those who impudently stand between the people and the machinery of their

¹ Here and in the following passages the italics are mine.

government. In the one case a reasonable intelligence and the education which is freely furnished or forced upon the young of our land are the credentials to office ; in the other the way is found in favor secured by a participation in partisan work often unfitting a person morally, if not mentally and physically, for the responsibilities and duties of public employment. You will agree with me, I think, that the support which has been given to the present administration, in its efforts to preserve and advance this reform, by a party restored to power after an exclusion for many years from participation in the places attached to the public service, confronted with a new system precluding the redistribution of such places in its interest, called upon to surrender advantages which a perverted partisanship had taught the American people belonged to success, and perturbed with the suspicion always raised in such an emergency that their rights in the conduct of this reform had not been scrupulously regarded, should receive due acknowledgement, and should confirm our belief that there is a sentiment among the people better than a desire to hold office, and a patriotic impulse upon which may safely rest the integrity of our institutions and the strength and perpetuity of our government.

On the 26th of March, 1886, in a message transmitting the annual report of the civil service commissioners to Congress, he said :

The exhibit thus made of the operations of the commission and the account thus presented of the results following the execution of the civil service law can not fail to demonstrate its usefulness and strengthen the conviction that this scheme for a reform in the methods of administering the government is no longer an experiment. Wherever this reform has gained a foot-hold it has steadily advanced in the esteem of those charged with public administrative duties, while the people who desire good government have constantly been confirmed in their high estimate of its value and efficiency.

In his speech, May, 1887, at the unveiling of the Garfield statue, the President said :

But while American citizenship stands aghast and affrighted that murder and assassination should lurk in the midst of a free people and strike down the head of their government, a fearless search and the discovery of the origin and hiding place of these hateful and unnatural things should be followed by a solemn resolve to purge forever from our political methods and from the operation of our government the perversions and misconceptions which give birth to passionate and bloody thoughts.

It is evident from these quotations that the President definitely committed himself to nothing more than the cordial enforcement of the existing Civil Service law, but that his own individual judgment was utterly opposed to the application of the patronage system in fields of the public service not covered by the law. He never promised to conduct his administration without any partisanship and he never pledged himself to make no removals or appointments for political reasons, though his own disgust for the spoils system is plain enough. He and his agents have faithfully enforced the Civil Service law. Not only has the letter of the law been enforced, but within its own rather limited field the spirit of the law has been lived up to. Under President Arthur the commission made no attempt to deal with the question of promotions; but early last summer the present commission, after consultation with the President, perfected a plan of examinations for promotions which was at once put into operation in the War department with the assurance that it would be extended to other departments. The classified service has been extended to take in several minor groups of employés and the 150 special examiners of the Pension office, who from the nature of their employment are peculiarly liable to be used as political agents. The law authorizing the employment of these special examiners seeks to prevent their political misuse by forbidding their assignment to duty in the states from which they were appointed.

The present civil service commissioners are entitled to high praise for the faithfulness with which they have worked, in spite of continual and intentional misrepresentation and persistent ridicule, to rescue the lower grades of government employment from the office-brokers. They have had the cordial and painstaking support of the President. The new rules for the application of the law, promulgated February 3 by the President, who had carefully revised the work of, and often consulted with, the commissioners, and which went into effect March 1, make a great advance in the work of excluding politics from the filling of the lower grades of government positions. The appointing officer's opportunity for making unfair discrimina-

tion among the eligibles certified to him by the commission is reduced by the rule that only three instead of four names shall be certified at a time. The penalty of dismissal is attached to the violation of those sections of the law which forbid political discriminations in appointments, removals and retentions, and to the collection of political assessments or contributions — offences for which no penalty had previously been provided. The number of places in the service which may be filled without regard to the law is reduced. For example, the old rules provided that deputy collectors could be appointed without competitive examination. In many collection districts it became usual to attach the title of deputy collector to every clerk, examiner or inspector, so that they might be appointed without regard to the Civil Service law. In Port Huron there was but one official in the custom house left subject to the Civil Service law, and in Detroit and Burlington only two or three of the employés were appointed after a competitive examination. This evasion of the law is frustrated by the new rule which provides that only deputy collectors who perform none of the duties of clerks, examiners and inspectors may be appointed without an examination.

The former practice was to require each applicant for examination to file vouchers as to his character. These vouchers, with the examination papers, went to the appointing officer. If the appointing officer found that of the four eligibles certified to him one was vouched for by some of the leading politicians of his own party, and the other three by persons unknown, or known to be members of the opposition party, it was an easy thing for the appointing officer to decide which of the four to select. Of course it is impossible to prevent information regarding the political affiliations of an applicant from reaching the appointing officer; but, to reduce this kind of discrimination to its lowest terms, applicants for places in the postal service are no longer required to furnish vouchers; instead of this, they are required to tell what work they have done and by whom they have been employed for four years last past; and, in the case of applicants for places in the departments in Wash-

ington, the commission detaches the voucher from the examination paper and retains the former when the latter goes to the appointing officer, if it appears from the vouchers that they were intended to give the appointing officer information as to the politics of the applicant. This is a matter of discretion and usage, and not of regulation.

Besides all this, the new rules will have the immediate effect of stopping all promotions except after examination. They provide for the early establishment of examinations for promotions, in all the departments in Washington and in the custom houses and post offices covered by the law, that shall be compulsory and competitive, except as to old soldiers or members of their families. The rules also provide for the extension of the competitive system to the independent bureaus of the government, such as the civil service commission itself, which has never been under the law; the interstate commerce commission; the fish commission and some others, possibly including the government printing office.

Further the appointing officers very generally are heartily in favor of the present law. I have talked with officials who came to Washington believing the law to be a humbug and who have become its friends. It furnishes the departments with quite as good a class of clerks as the patronage system did. It furnishes them with clerks who know they must give satisfaction or get out, for there is no political influence to save them if they are deficient. The law saves the appointing officers an immense amount of bother from office-seekers and their friends in Congress; importunity to secure clerical positions in the departments has ceased.¹

As to places outside of the classified service, the President was bound by no law and had volunteered no specific pledges.

¹ In the first session of the forty-ninth Congress, Mr. Pulitzer, chairman of the committee on reform in the civil service, submitted, on a bill to repeal the Civil Service law, an adverse report of which the following is one paragraph:—"The principle of divorcing the subordinate offices of the government from politics and elections, and making the term of office depend not upon party service, but upon merit and good behavior, is a good one. So far as this principle is sustained by the present law, the committee think there should be no change."

Unquestionably he entered office with the expectation of not making a "clean sweep"; but he encountered the tremendous pressure of the office seekers, and the still greater importunity of the office brokers in Congress, and only a very limited section of the public supported him in his original intentions. In his own affairs a man may dare much; but the President has come to be regarded as a trustee for his political party, and it is too much to expect any President to pursue his own private convictions in regard to public affairs when all his political friends assure him that he would thereby ruin the party which placed him in power for its benefit and not for his individual enjoyment.

The following table shows the number of appointments made by President Cleveland down to February, 1888, in certain classes of offices, and the number of officials in the same classes appointed by previous Presidents and still in office. I have compiled the table from the official registers of departments, supplemented by information from the appointment clerks.

	<i>Appointed since March 4, 1885.</i>	<i>Previously appointed.</i>
Foreign ministers	32	1
Secretaries of legation	16	5
Consuls getting over \$1000	148	71
Collectors of customs	102	14
Surveyors of customs	32	1
Naval officers of customs	6	0
Appraisers, all grades	36	5
Superintendents of mints and assayers	11	2
Assistant treasurers at sub-treasuries	9	0
Collectors of internal revenue ¹	85	0
Supervising inspectors of steam vessels	9	1
District attorneys ²	67	3
Marshals ³	67	3

¹ The number of collectors has since, by the President's order, been considerably reduced; these officers have no term of office.

² The terms of two of the three expired in March, 1888.

³ The terms of the three have expired.

	<i>Appointed since March 4, 1885.</i>	<i>Previously appointed.</i>
Territorial judges ¹	22	8
Territorial governors	9	0
Pension agents	17	1
Surveyors general	16	0
Registers and receivers ²	204	20
Indian inspectors and special agents . . .	9	1
Indian agents ³	47	10
Land office inspectors and special agents .	59	5

After the compilation of this table and up to May 1, 1888, fifteen registers and receivers were replaced, leaving only seven of the 224 in office March 4, 1885; the last Republican pension agent was replaced; two more marshals were appointed, leaving only one Republican in office; four territorial judges were succeeded by Democrats; and several consuls and collectors of customs were appointed.

Two of the earliest acts of Postmaster-General Vilas were: the issuing of a public notice to railway mail clerks, assuring them that if they were efficient in their business and let Republican politics alone they need not fear dismissal; and a confidential letter to the congressmen from several states, suggesting the most effective manner of getting changes made promptly in a considerable portion of the fourth-class post offices. In this letter he says:

I am impatient to assist our people in securing relief, to which they are justly entitled, from partisan [Republican?] postmasters. . . . I desire to appoint from three to ten a week in a county in Virginia, amounting to several hundred altogether. . . . I think that from 15 to 25 per cent of the fourth-class postmasters in Ohio might be removed within the next two months, and great good accomplished thereby, if our people will adhere to a proposed plan.

¹ The terms of four of the eight expired in February and March, 1888.

² The 204 are exclusive of appointments to new offices.

³ Of the ten, four have received re-appointments since March 4, 1885; the 57 are exclusive of three army officers.

In his last annual report the postmaster-general gave very detailed information regarding the changes made in the postal service. On the 4th of March, 1885, the presidential post offices numbered 2339. Up to June 30 last, five offices had been discontinued, and 185 reduced to the fourth class. At the latter date the old incumbents were in possession of 340 of these offices, — 27 of these having been reappointed by this administration, — and new men were in possession of 1890 of the offices. With the new offices added to the class, the presidential offices numbered, July 1 last, 2336. Of the new appointments 876 were made on the expiration of the previous postmaster's commission; 475 to vacancies caused by resignation; 65 to vacancies caused by death; 509 to vacancies caused by suspensions and removals; 27 postmasters had been reappointed; 28 new appointments had been made in offices that had become presidential; in 170 offices that became presidential the President appointed the postmaster whom the postmaster-general had appointed; and 313 postmasters were still holding commissions from Mr. Cleveland's predecessors.

Fourth-class postmasters are appointed by the postmaster-general and hold during his pleasure. When this administration came in, these officials numbered 49,017. Up to June 30 last, 6599 new offices had been created, 2692 had been discontinued, and 103 (net) had become presidential, leaving the whole number of fourth-class post offices 52,821. In these offices there had been a total of 36,252 appointments, divided as follows: on account of resignations 16,345; deaths, 1243; removals, 12,065; new offices, 6599.

Between March 4, 1887, and January 31, 1888, there were appointed 497 presidential postmasters, nearly half of whom were appointed before June 30 and are included in the statistics of the postmaster-general. Of these 497, 113 were appointed to succeed postmasters removed; 145 to succeed postmasters whose commissions had expired; 83 to succeed postmasters who had more or less voluntarily resigned; 119 were appointed to new offices, and 37 succeeded to vacancies caused by death.

In the railway mail service Postmaster-General Vilas changed

the general superintendent, the assistant superintendent, and four out of nine division superintendents. One or two of the removed division superintendents were retained in the service in less responsible and remunerative positions. One of the first acts of Postmaster-General Dickinson was to remove one more division superintendent, who was retained in the service as a clerk, a new man from Michigan being appointed division superintendent. In reply to a complaint from a Democratic politician that the postmaster-general had not removed a certain division superintendent, a Democratic official in Washington, not in the Post-office department, wrote what he understood to be the explanation. I have seen the letter, which, though of course not official and, it may be, incorrect, is interesting. My friend told the complainant that the postmaster-general had found it necessary to give the party the largest number of offices that he could and at the same time impede the public service as little as possible. He could not remove all the experienced clerks and all the experienced division superintendents at the same time, and the pressure for the removal of thousands of railway mail clerks was so strong that he had to go slowly in removing the division superintendents until the new clerks had learned their business. The last report of the postmaster-general shows that when this administration came in there were 4356 railway mail clerks, of whom, up to June 30 last, 2085 had "gone," as he puts it. The departure of 383 of them was due to their partisanship, and that of 805 to the maintenance of discipline. A large number of the clerks organized a sort of trade union and prepared to resist removals by a strike. The new appointments between March 4, 1885, and June 30, 1887, were 2850. In 405 cases railway mail clerks were dropped on the recommendation of the division superintendents at the end of the probationary terms; and 152 railway mail clerks, appointed shortly before March 4, 1885, were dropped at the end of their probationary terms without the recommendation of the division superintendents.

On February 11, 1887, Senator Plumb read in the Senate letters from business men and articles from newspapers in

Kansas complaining bitterly of the inefficiency of the postal service. On the following day he recurred to the subject and read articles from *The Boston Globe* and *The Atlanta Constitution*, both Democratic papers, denouncing in the severest terms the mismanagement of the postal service in New England and the South. Senator Coke, Democrat, said of the postal service in his state :

The mail service in Texas, especially in the second and third-class offices, is very poor. There has never been a time in the history of the state, since I have known it, when it has been worse, except during the war ; and it results from the fact that there is an insufficient force to handle and distribute the mails.

On the 25th of January, 1888, in speaking of the failure of the deficiency bill at the previous session of Congress, Senator Allison said :

The failure of the bill crippled that [the postal] service greatly. The result was that in the section of the country where I dwell the postal service never was in such condition of inefficiency as it is this day and this hour.

"Everywhere else, too," added Senator Platt of Connecticut. The failure of the deficiency bill in March, 1887, could not have caused the troubles complained of by Messrs. Plumb and Coke in February. Senator Plumb and Representative Perkins of Kansas offered resolutions for an investigation of the complaints, and Senator Plumb reinforced his complaints on the 30th and 31st of January and the 2d of February last.¹

So far as these complaints are well founded, they are undoubtedly due, in the far West at least, whose complaints were uttered by Senators Manderson and Teller, to the fact

¹ As the resolutions referred specifically to alleged defects in the postal service in Kansas and Nebraska, the reply to Postmaster-General Dickinson was limited to the service in those states. The reply is effective politically, because it shows that in some cases the evils complained of were due to the carelessness of the complainants, and some of the complainants had denounced the service under Republican administrations as vigorously as they denounced it under the present administration. It also presents evidence of the efficiency of the railway mail clerks. But it gives no information as to the causes of complaints from Texas, Georgia, Tennessee, Iowa and Massachusetts.

that the appropriations for the Post-office department did not keep pace with the growth of the country; but this hardly explains defects in the service in New England and the South; and as some of the complaints come from Democratic sources, they can not all be attributed to political hostility. It is not unfair to infer that the personnel of the service has been changed faster than the good of the service demanded. The Post-office department has had no chief more intelligent and industrious, or more determined that the public good should be considered in the management of his department above all other things, than Mr. Vilas, and there is much in his last annual report that should be read with care by the spoilsmen. For example he says, on pages 48 and 50:

So signally helpful to the public service is a well-trained, well-disposed, faithful, honest and patriotic postal clerk, who is devoted to his duty and content to confine himself to its excellent performance as his best recommendation, eschewing foreign contentions, which excite needless animosity and invite attack, that no superior who sustains the care of the service fails to recognize the injury to the public interests of his loss. . . . The postal service is prominent among the agencies which the common government can better wield for the common good than any private or corporate hands. Yet its efficiency demands so vast a body of public servants, responsive to the will of the central authority, that no branch is more within the just apprehension of lodging excessive power in the Federal government. . . . Yet no counteracting force can more effectively modify the danger and deliver the agency of government from the chains of that wise fear to a greater public usefulness than such a course of appointment, and such a tenure in appointees, as will render them dependent only on excellence in public service and fidelity to the common interest.

But the enthusiasm with which senators and representatives of the dominant party will tell you that there is not a Republican postmaster left in their district, or that the last Republican railway mail clerk has been dismissed in their part of their state, justifies the fear that the gentlemen through whom the postmaster-general is obliged to act are not always so high-minded as Mr. Vilas, or so ready to make the common good take precedence of a petty local political interest.

In the departments, as I have already said, the Civil Service law has been enforced and its scope somewhat extended. As to the disposition of places in the departments not covered by the Civil Service law, I can do no better than to quote from an article of mine in *The Chicago Times* of June 11:

The secretary of state has only a small body of clerks under him. Mr. Bayard is very far removed from being a spoilsman; and while circumstances that he could not control have forced a change of every foreign minister but one, and of two-thirds of the consuls whose places amount to anything, in his own department the secretary has made as few changes as possible. He has appointed only two division chiefs, one of whom had the advantage of having been secretary of legation at Berlin. (He succeeded a man who resigned.) The other man, though not in the service previously, had given evidence of special fitness for the place he was appointed to, and he succeeded a man who was retained as his successor's assistant. The War department employs a large number of clerks; but the military tone of the department has long tended toward conservatism in appointments and removals, and for many years the spoils system has never had free range in the department. Secretary Endicott is of all members of this administration the most of a civil service reformer, and no appointments and removals have been made in the department for political reasons. The Post-office and Navy departments and the department of Justice employ comparatively few clerks. Messrs. Vilas, Whitney and Garland have made very few changes in their subordinates, and most of these have been made for causes other than politics.

The two departments of the government that employ large numbers of clerks, and that are not under the influence of a permanent service like that of the army, are the Treasury and the Interior. In the Treasury department there are 79 chief clerks and chiefs of division; of these 54 were changed between March 4, 1885 and June 15, 1886; since then 12 more changes have been made, making in all 66 out of 79. In half a dozen cases the chief appointed by this administration was a promoted clerk; in one case he was a reduced deputy auditor; but in nearly all the cases the chief clerks and chiefs of divisions are new men. Every deputy auditor and deputy comptroller and the deputy commissioner of internal revenue has been charged. In order to make room for the new men, 23 chiefs of division, up to a year ago, were reduced in grade, and four were dismissed. In the Interior department there are 48 chief clerks and chiefs of division. Of these, 21 were changed, up to a year ago, and 14 have been changed since, making 35 out of 48. In his

own office; Secretary Lamar retained five chiefs of division and changed two. The commissioner of Indian affairs has retained three chiefs of division, and appointed one chief clerk (since appointed deputy commissioner also) and two chiefs of division. In the Patent-office the law clerk and three chiefs of division have been changed, and the chief clerk and two chiefs of division have been retained. (The chief clerk has since been changed.) In the bureau of Education the chief clerk has very recently been changed. The two great bureaus in this department are the General Land office and the Pension office. Commissioner Sparks has changed one of his two law clerks, both his law examiners, every one of his 12 chiefs of division and 79 out of 83 special agents of all kinds. But most of the chiefs of division whom he found in office he has retained as assistant chiefs. General Black has changed his chief clerk and assistant chief clerk, his medical referee and assistant medical referee, retaining the chiefs of the boards of review and re-review and three assistants to the latter. He changed nine and retained 19 principal examiners on the boards of review, appointed two qualified surgeons in the medical division, and 11 out of 18 medical examiners. The principal examiner in the law division was in the office under the previous administration. Every one of the 12 chiefs of division has been changed, but in several cases the old chief has been retained as the assistant of the new chief.

So much is said by defenders of the patronage system about the necessity of having subordinates of the same political party as the chiefs that it is worth while to notice how many of the old officials and employes who might have been removed have been retained. In the Post-office department the third assistant postmaster-general, whose economy and efficiency have been commended in the House of Representatives by a political opponent in charge of the post-office appropriation bill, and the general superintendent of the railway mail service, were retained a couple of years, and the two appointment clerks who have immediate charge of the machinery for changing postmasters have been in their present positions for several years. One of them left the service when this administration came in, but was brought back because he was needed. The secretary of state retained the chief clerk he found in the department till a few months ago, when his place was needed for a gentleman who could hardly be asked to remain at Vienna as secretary of

legation (after the appointment of a minister) when he had been *chargé d'affaires* there for two years. The secretary of the navy still retains the chief clerk of his predecessors, and he retained the private secretary of his predecessors till a few months ago, and the gentleman is still in the department. The secretary of war has never changed the chief clerk he found in office, and he retained Mr. Lincoln's private secretary till the latter resigned to accept a good offer in private business. The attorney-general has not changed the chief clerk of his department, and several other members of the old staff of the department of justice remain. Secretary Lamar retained for nearly two years the chief clerk he found in the department; and this clerk's subsequent resignation was not due to a desire on the secretary's part to make a change; in fact Secretary Lamar never filled the vacancy. He also retained, in a confidential position near him and with a desk in his own room, the private secretary of several of his predecessors. The late commissioner of the General Land office, though not tinged in the least degree by the ideas of the civil service reformers, refused to allow the discharge of the law clerk whom he found in office and who, he declared, was absolutely indispensable to him. Indeed, Mr. Sparks required assistant chiefs of division, the old Republican officials, to put their initials on letters prepared for his signature before the new chiefs put their initials on.

To go outside the departments, the postmaster and district attorney in Washington, who were appointed by President Arthur, retained their offices till President Cleveland's administration was nearly three years old. These officials would surely have been removed had their political opinions made it impracticable for them to act efficiently under the present administration.

The late Secretary Manning entered the cabinet with the reputation of being a practical politician, with all the practical politician's detestation for any effort to demonetize the commodity in which political debts are commonly paid. For this reason, Mr. Manning's course in the Treasury department is particularly interesting. He retained the solicitor of the inter-

nal revenue office, the supervising surgeon general of the marine hospital service, the assistant treasurer, the supervising inspector general of steam vessels, and the general superintendent of the life-saving service — all of whom are still in office. He retained one assistant secretary until this official expressed satisfaction in a public way at the defeat of the Democratic party in Ohio and the hope that the party would be defeated in New York. There is some reason to believe that he would have retained the treasurer of the United States and the fifth auditor, had they not, in anticipation of a change of administration, made arrangements to go into private business. He promoted one of the Republican officials he found in the department to the well-paid and responsible post of superintendent of the bureau of engraving and printing, and this appointee still holds his place. When he removed the chief of the division of customs he promoted the assistant chief to succeed him. He retained the comptroller of the currency until that officer resigned to go into a New York bank. He retained the commissioner of navigation, the chief of the secret service, the deputy commissioner of internal revenue and three of the six deputy auditors — who have since been dismissed by Mr. Fairchild.

The only available information¹ regarding appointments and removals in the Federal offices outside of Washington is to be found in dispatches to *The New York Times* of September 5, 1887, which are summarized as follows. In many of these offices the Civil Service law does not apply. When there is no explanation coupled with the number of places with which the changes are compared, places exempted by the law itself are meant.

Albany post office, 6 changes out of 9 places; internal revenue office, 11 changes out of 13 places; surveyor of customs office, 5

¹ Senator Hale has not (May 16) reported the results of his committee's investigation of the administration of the Civil Service law. The Senate has adopted the resolutions offered by Senators Hale, Spooner and Manderson calling for detailed information regarding appointments and removals in the New York custom house, the Baltimore custom house and post office, and the Interior department, and for a statement of all certifications made by the Civil Service commission and of appointments, probationary and permanent, made thereunder. The replies have not yet been made.

changes out of 6 places. Rochester post office, vacancies filled by Democrats, but no removals. Utica post office, the Republican postmaster removed 7 persons and appointed Democrats or Cleveland Republicans after the election, and the Democratic postmaster made 5 changes. Newark post office, 7 clerks and 24 carriers changed. Trenton post office, 6 changes in 30 places. Wilmington (Delaware) post office, 24 changes in 30 places. Baltimore custom house, 40 out of 48; surveyor of customs office, all; inspectors of steam vessels, both; post office, 249 out of 260 (5 of the other 11 are Democrats); internal revenue office, all but 2 or 3 out of 120; sub-treasury, 10 out of 15. New Haven post office, 5 out of 5; custom house, 11 out of 14. Springfield (Massachusetts) post office, 11 out of 14. Hartford post office, 11 out of 24. Worcester post office, 9 out of 41. Newport (Rhode Island) post office, only one removal. Providence custom house, 7 out of 9; post office, no changes. Portland custom house, 23 changes among 50 employes of all kinds; post office, 24 changes in 45 employes of all kinds. Concord (New Hampshire) post office, 7 out of 11. Reading (Pennsylvania) post office, 20 out of 23, and the three are said to have contributed to the Democratic campaign fund. Pittsburg post office, 7 removals in the more important places. Chicago post office, almost a clean sweep of places exempted by the law; custom house, information refused. Springfield (Illinois) post office, 16 out of 20. Detroit custom house, 42 out of 68 employes of all kinds; post office, information refused. Minneapolis post office, 12 out of 39. St. Louis surveyor's office, 20 out of 29; post office, pretty much all of the 50 exempted places; internal revenue office, 40 out of 60. Cleveland custom house, 13 out of 14; post office, 5 out of 21 (the moderation here is partly accounted for by the fact that the Republican postmaster retained his office a good while after the present administration came in and after the election had changed most of the 21 himself and was changing the carriers when he was succeeded); internal revenue office, 21 out of 22; steamboat inspectors, both; 3 pension examiners, all. Columbus (Ohio) post office, 44 out of 47. Cincinnati post office, 11 out of 28. Indianapolis post office, 46 out of 69 (including all classes of employes; no place not covered by the law was left untouched). Omaha post office, 11 out of 49. Milwaukee custom house, 13 out of 14; post office, 18 out of 26; internal revenue office, 18 out of 24. Madison post office, 9 out of 12. Philadelphia post office, 23 out of 31, besides 24 out of 28 changes at sub-stations and 14 new offices. Harrisburg post office, 24 out of 26. Erie post office, 10 out of 18. Boston post office, 10 out of 33. Des Moines post office, 8 changes inside the office, and 20 out of 23 carriers changed. During the first eleven months of 1887 there were in the New York custom house 10

deaths, 50 resignations, 133 removals and 292 appointments. *The New York Sun* says: "Most if not all the new appointees are Democrats. Some of the resignations were forced." There is abundant evidence, however, that Collector Magone kept well within the law. Another item in *The Sun* informs us that "Postmaster Johnson of Patterson, when appointed found every attaché a Republican. He has replaced all but two with good Democrats, and the two remaining Republicans have been notified that they will be laid off on February 1." The Democratic state convention of Massachusetts in 1887 complained that this administration had changed only 17 per cent of the citizens of Massachusetts in Federal employment; but in this calculation all the clerks in the classified service were included.

III.

The Civil Service law, it is clear, does not go very far towards eliminating the virus of the spoils system from our politics, since it effects only about ten per cent of the officers of the government; but not much more can be accomplished by statute. The law might, however, include chiefs of division and possibly chief clerks.

Whether division chiefs ought to be changed by each administration is a serious question. The affirmative is taken by some men who combine experience in the departments with friendship for the law as applied at present. Such opinions are entitled to great weight; but they were not shared by the late secretary of the interior, or applied in his personal office; nor have they been adopted in the Indian office, though fifty-one out of fifty-nine Indian agents and nine out of ten inspectors and special Indian agents were changed in two years. But in the Pension and General Land offices every chief clerk and chief of division was changed. In the Treasury department sixty-six out of seventy-nine chief clerks and chiefs of division were changed in two years; but the comptroller of the currency, the treasurer and the commissioner of internal revenue have not found it necessary that all their chiefs of division should be of their party. The chief of division receives the letters sent to the bureau that pertain to his division, directs clerks what replies to write, reads the letters, puts his initials on them and sends

them to the commissioner, who, seeing that they bear the initials of the chief of division, signs them without reading; he could not possibly read half the papers he has to sign. But the common representation of the chief of division as a man of deep political schemes who, if he gets a chance, will injure the administration whose party label he does not bear, is absurd. A division chief is an inoffensive citizen, trying to support a family and save a little money on a salary of from \$1800 to \$2500 a year, and anxious to keep his place. He knows he can be discharged at any time, with or without reason. He has abundant opportunities to confer with the commissioner, and he will take good care to find out what sort of policy the commissioner wants to pursue. He is not going to put his neck in a noose for nothing. That the commissioner and his chiefs of division and chief clerk and private secretary should be in accord is eminently desirable; but their being of the same party does not accomplish this, nor does their adherence to different parties prevent it. The subordinates in a public office, like those in a business house, have no policy except to do what the head of the concern wants.

One result of the inclusion of classified clerks under the law of 1883 and the exclusion of chiefs of division is that the chiefs of division are ceasing to be persons of departmental experience, promoted for efficiency from the grade of fourth-class clerks, and are becoming a body of professional politicians. The head of the department saves the experience of the former chief of division by making him, in many cases, an assistant to the new man, and in at least one large bureau requires the assistant as well as the division chief to initial letters prepared in the division for the commissioner's signature; but as the lower grades have to be filled under the law, the places of chiefs of division have to be saved for political workers, and the room of the chief is the headquarters for people of his party from his section of the country. Precisely because the politicians can not fill the ordinary clerkships at their own will, they are under a very strong temptation to make the most of the excepted places. I know of the son of a governor and ex-senator who

was appointed a chief of division in the Interior department and at once assigned to the work of a low grade clerk in another branch of the office. Probably a twelve or fourteen hundred dollar clerkship would have been given him but for the Civil Service law. I know of another equally interesting case. The position of chief of division, after the present administration came in, was sought by a man who had been in the department several years, though unquestionably a Democrat, and who was an efficient clerk. From his own party he thought he should have little difficulty in getting his promotion. But the assistant secretary explained the matter to him thus: "We can appoint a man from outside to this place of chief of division; but if we promote you to that place we cannot fill your place; that will have to be filled under the Civil Service law. I don't think you are likely to get your promotion." He hasn't got it yet.

Of course attorneys and marshals and collectors and postmasters cannot be selected by means of competitive examinations. If an appointment is to be made, the President should have an unrestricted right of selection. The reformers do not wish to narrow the President's choice, but to prevent removals or enforced resignations when the public service is not to be bettered thereby and the place is desired only as a present for a personal or party friend.

If not much more can be done by law, is there any cure for the spoils system? The only remedy entirely adequate to deal with the disease is the education of public sentiment to the point where the use of public offices for private and party purposes will provoke a revolt at the polls. Patronage would be dropped quickly enough if its use made a man unpopular enough to affect his political career.

But there is one other remedy of great importance which has been prescribed by two such eminent political practitioners that I am glad to present it as the conclusion of this article. Patronage flows from the President. The pressure from the outside, brought to bear by office-seekers and their political friends, is more than an ordinary human being should be expected to resist unless sustained by a strong public sentiment. When this outside pressure is reinforced by a pressure from within,

by that ambition without which a man would be unworthy of a high public office, resistance is morally impossible. Every President has the power to abstain from making partisan removals and appointments, but he might say, like the Roman citizen in *Coriolanus*: "We have the power in ourselves to do it, but it is a power that we have no power to do." The remedy I refer to consists in removing from the President the internal pressure, by making it impossible for him to advance his own interests by a use of patronage. In his letter accepting the Democratic nomination for the presidency in 1876, Mr. Samuel J. Tilden said:

The other evil is the organization of the official class into a body of political mercenaries governing the caucuses and dictating the nominations of their own party, and attempting to carry the elections of the people by undue influence and by immense corruption funds systematically collected from the salaries or fees of office-holders. The official class in other countries, sometimes by its own weight, and sometimes in alliance with the army, has been able to rule the unorganized masses, even under universal suffrage. Here it has already grown into a gigantic power, capable of stifling the inspirations of a sound public opinion and of resisting an easy change of administration, until misgovernment becomes intolerable and public spirit has been stung to the pitch of a civic revolution. . . . It might encourage delusive expectations if I withheld here the expression of my conviction that no reform of the civil service in this country will be complete and permanent until its chief magistrate is constitutionally disqualified for re-election, experience having repeatedly exposed the futility of self-imposed restrictions by candidates or incumbents. Through this solemnity only can he be effectually delivered from his greatest temptation to misuse the power and patronage with which the executive is necessarily charged.

In his letter accepting the presidential nomination in 1884, Mr. Cleveland said:

When we consider the patronage of this great office, the allurements of power, the temptation to retain public places once gained, and more than all, the availability a party finds in an incumbent whom a horde of office-holders, with a zeal born of benefits received and fostered by the hope of favors yet to come, stand ready to aid with money and trained political service, we recognize in the eligibility of the President for re-election a most serious danger to that calm, deliberate and intelligent public action which must characterize a government by the people.

FRED. PERRY POWERS.

THE STATE AND THE POOR.

I.

THERE is no lack of theories with regard to the nature and justification of public relief; neither is there any lack of works on the various practical problems that come up in connection with the fruitful topic of pauperism. Professor Adams's *Notes on the Literature of Charities* covers alone nearly fifty pages, and does not pretend to be a complete bibliography of the subject.

There seems to be, however, a breach between the theoretical reasons given for the intervention of the state and the practical measures and proposals of positive legislation. It is rare that, as in the case of the French revolution, the law carries out consistently and logically a preconceived theory. In general, legislation has been tentative and experimental. It has dealt with one problem after another as it has arisen, but has not anticipated difficulties. The publicists, on the other hand, have been apt to base their theories either upon abstract principles which have little connection with positive law, or else upon isolated practical considerations of limited application.

Thus a not uncommon reason given for public poor relief is that it is necessary as a means of securing public safety that the state should guarantee the poor against starvation; otherwise it could not consistently prohibit theft. This view is advocated by Mrs. Lowell in her excellent work on *Public Relief and Private Charity*.¹ The difficulty with this justification is that it only covers a limited number of cases. It does not show any reason for giving relief to the aged or to children or to the sick or, in general, to those who have not the physical or the mental vigor to steal. It is open as a theory to another serious

¹ See also Münsterberg, *Die deutsche Armengesetzgebung*, S. 73.