

days. Copies of the reasons and the answers shall be sent by the appointing power to the officially oldest judge of the highest court of record within the county wherein said Commission is located, who shall pass on the merits of the case, and is hereby required to subpoena such witnesses as the parties involved may designate, take testimony and make investigation. Said judge shall enter his decision in full upon the public records of his court, giving his reasons therefor. He shall then forward copies of the same to both the appointing authority and the Commissioner involved. Such decision by the said judge shall be made within sixty days after the filing of the reasons and the answers with him, but shall not limit or control the final power of removal by the appointing authority, who, upon receiving the decision of said judge, shall take such action as he deems proper. Vacancies in the membership of any Commission shall be filled in the manner provided for the original appointment of Commissioners by this Act."

I also dissent from that portion of Section 2 which requires the Commission to investigate, among other things, the "methods of administration" in the classified service. If I interpret this provision correctly, it constitutes the Civil Service Commission censor of administrative methods in the various departments. I cannot conceive a Civil Service Commission endowed with sufficient intellect and wisdom to go at will and at once into the Department of Public Works, the Department of Health, the Department of Law, the Treasury, the Comptroller's Office, the Police Department, the Fire Department, and all the other specialized branches of governmental service, with facilities not only to find weaknesses, but also the ability to point out the remedies. Surely this is crowning the Civil Service Commission with consummate skill and universal statesmanship. Have we reached the point where there are no longer to be had department heads and bureau chiefs capable of administering their own departments? Are we ready to concede that department heads must not only surrender to the

modern Civil Service Commission the right summarily to dismiss incompetent, disloyal and insubordinate employees, but must also acquiesce in continuous interference with their administrative methods? I am not ready to concede that the best Civil Service Commission, let alone the ordinary one, is at once better versed in administrative methods in the Departments of Health, Law, Police, Fire, etc., than the department head itself.

I also dissent from Section 7 of the majority report, relating to removals, for the following reason:—

(a) The majority report places the removal of all employees in the hands of a Commission, not responsible to any one for its decisions. It puts the appointing officer in a position of responsibility for the efficiency of his department without control over the tenure of his employees. No private business institution has ever been known to surrender the control of the discharging power to a wholly independent body. Under this provision the appointing officer must either condone and tolerate inefficiency, or take his chances in a tedious trial at the hands of a Commission. Is it possible that a Civil Service Commission with all its other legitimate duties would have better means of passing upon the fairness or unfairness of a dismissal than the appointing officer who daily observes the work of the employee, and who is directly responsible for the manner in which that work is done? How can a Civil Service Commission fairly pass upon the question of whether the services of, for example, technical or professional men have been properly rendered with more justice than the head of the department? What means is left to an appointing officer to enforce his authority and command the respect and loyalty of his employees? What assurance have we that under the method of appointment outlined in the proposed law the Civil Service Commission will be imbued with a desire to cooperate with department heads in carrying out their plans and enforcing their ideas of efficient and loyal service? Should a man be held responsible for the work of a great department without power to assure