

THE STAR, And North Carolina Gazette. PUBLISHED WEEKLY, BY LAWRENCE & TEMAY.

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EXECUTIVE PATRONAGE.

SENATE OF THE UNITED STATES, FEBRUARY 2, 1835.

Mr. CALHOUN made the following report:

The Select Committee appointed to inquire into the extent of the Executive patronage; the circumstances which have contributed to its great increase of late; the expediency and practicability of reducing the same; the means of such reduction, are, in relation to the subjects into which they were directed to inquire, and elaborate attention, which they have bestowed upon, and submit, as the result of their investigation, the following Report, in part:

To ascertain the extent of Executive patronage, the first subject to which the resolution directs the attention of the committee, it becomes necessary to ascertain previously the amount of the revenue and the expenditures, and the number of officers, agents, and persons in the employ of the Government, or who receive money from the public treasury; all of which, taken collectively, constitute the elements of which patronage is mainly composed.

As the returns of the revenue, and expenditures, for the year 1834 are not yet completed, your committee have selected the year 1833, as being the last of which complete and certain returns can be obtained.

The result of their investigation on all these points will be found in a table herewith annexed, which contains a statement of the gross amount of the revenue, under the various heads of Customs, Lands, Post Office and Miscellaneous, for the year 1833; the expenditures for the same period, arranged under the various heads of Appropriations; the number of officers, agents, contractors, and persons in the employ of the Government, or who receive money from the public treasury. From this table it appears that the aggregate amount of the revenue for the year was 335,298,426; and of the disbursements 22,713,755 dollars; that the number of officers, agents and persons in the employ of the Government is 60,294, of which there belongs to the civil list, including persons in civil employ, attached to the Army and Navy, 12,144; to the Military and Indian Department 9,643; to the Navy, including marine corps, 6,499; to the Post Office, 51,917; all of whom hold their places, directly or indirectly, from the Executive, and with the exception of the judicial officers, are liable to be dismissed at his pleasure. If to the above, there be added 39,540 pensioners, we shall have a grand total of 100,079 persons, who are in the employ of the Government, or dependent directly on the public treasury.

But, as great as is this number, it gives a very imperfect conception of the sum total of those who, as furnishing supplies, or otherwise, are connected with, and more or less dependent on the Government, and of course, liable to be influenced by its patronage: the number of whom, with their dependants, cannot even be conjectured. If to these be added the almost countless host of expectants, who are seeking to displace those in office, or to occupy their places, as they become vacant, all of whom must look to the Executive for the gratification of their wishes, some conception may be formed of the immense number subject to the influence of Executive patronage.

But to ascertain the full extent of this influence, and the prodigious control which it exerts over public opinion, and the movements of the Government, we must, in addition to the amount of revenue and expenditure, and the number of persons dependent upon the Government, or in its employ, take into the estimate a variety of circumstances which contribute to add to the force and regular course of the investigation, would next claim the attention of your Committee; but as all, or at least a far greater part of them, are recent origin, they will properly fall next to the next head, to which the resolution directs the attention of your Committee, and which they will now proceed to investigate.

Among the circumstances which have contributed to the great increase of Executive patronage of late, the most prominent, doubtless, are the great increase of the expenditure of Government, which, within the last eight years, (from '25 to '33) has risen from 11,490,460 dollars to \$22,713,755, not including payments on account of the public debt; a corresponding increase of officers, agents, contractors and others, dependent on the Government; the vast quantity of land to which the Indian title has, in the same period, been suddenly thrown into the market, accompanied with the patronage incident to holding Indian treaties, and removing the Indians to the west of the Mississippi, and also a great increase of the number and influence of surveyors, receivers, registers, and others employed in the branch of the administration connected with the public lands; all of which have greatly increased the influence of Executive patronage over an extensive region, and that the most growing and flourishing portions of the Union. In this connection, the recent practice of the Government must be taken into estimate, of reserving to individual Indians a large portion of the best land of the country, to which the title of the nation is extinguished, to be disposed of under the sanction of the Executive, on the recommendations of agents appointed solely by him, and which has prevailed to so great an extent of late, especially in the south-western section of the Union.

It is difficult to imagine a device better calculated to augment the patronage of the Executive, and, with it, to give rise to speculations calculated to deprave and corrupt the community, without benefit to the Indians. But as greatly as these causes have added to the force of patronage of late, there are others of a different nature, which have contributed to give it a far greater and more dangerous influence. At the head of these should be placed, the practice, so greatly extended, but not for the first time introduced, of removing from office persons well qualified, and who had faithfully performed their duty, in order to fill their places with those who are recommended on the ground that they belong to the party in power.

Your committee feel that they are touching ground which may be considered of a party character, and which, were it possible, consistently with the discharge of their duty, they would wholly avoid, as their object is to inquire into facts only, as contributing to increase the patronage of the Executive, without looking into the intention, or desiring to cast censure on those in power; but while they would cautiously avoid any remark of a party character, as inconsistent with the gravity of the subject, and incompatible with the intention of the Senate in directing the inquiry, they trust that they are incapable of shrinking from the performance of the important and solemn duty confided to them, of thoroughly investigating to the bottom a subject involving, as they believe, the late of our political institutions and the liberty of the country, by declining to investigate fully and freely, as regards its character and consequence, every measure or practice of the Government connected with the inquiry, whether it has or has not been a subject of party controversy.

In speaking of the practice of removing from office on party ground, as of recent date, and, of course, comprehended under the causes which have of late contributed to the increase of Executive patronage, your committee are aware that cases of such removals may be found in the early stages of the Government, but they are so few, and exercised so little influence, that they may be said to constitute instances rather than forming a practice. It is only within the last few years, that removals from office have been introduced, as a system, and for the first time an opportunity has been afforded of testing the tendency of the practice, and witnessing the mighty increase which it has given to the force of Executive patronage, and the entire and fearful change, in conjunction with other causes, it is affecting in the character of our political system. Nor will it require much reflection to perceive, in what manner it contributes to increase so vastly the extent of Executive patronage.

So long as officers were considered as public trusts to be conferred on the honest, the faithful, and capable, for the common good, and not for the benefit or gain of the incumbent, or his party, and so long as it was the practice of the Government to continue in office those who faithfully performed their duties, its patronage, in point of fact, was limited to the mere power of nominating to accidental vacancies, or to newly created offices, and could, of course, exercise but a moderate influence, if they over the body of the community, or of the office holders themselves.

But when this practice was reversed, when offices, instead of being considered as public trusts to be conferred on the deserving, were regarded as the spoils of victory, to be bestowed as rewards for partizan services, without respect to merit; when it became to be understood, that all who hold office, hold by the tenure of partizan zeal and party service, it is easy to see that the certain, direct, and inevitable tendency, is to convert the entire body of those in office into corrupt and supple instruments of power, and to raise up a host of hungry, greedy, and sordid partisans, ready for every service, however base and corrupt.

Were a premium offered for the best means of extending to the utmost the power of patronage; to destroy the love of country, and to substitute a spirit of subserviency and man-worship; to encourage vice and discourage virtue; and, in a word, to prepare for the subversion of liberty, and the establishment of despotism, no scheme more perfect could be devised; and such must be the tendency of the practice, with whatever intention adopted, or to whatever extent pursued.

As connected with this portion of the inquiry, your committee cannot avoid alluding to the practice, similar in its character and tendency, growing out of the Act of the 15th May, 1820, which provides, among other things, that, from and after its passage, all District Attorneys, Collectors, and other disbursing officers therein mentioned, to be appointed under the laws of the United States, shall be appointed for the term of four years.

The object of Congress in passing this act, was, doubtless, to enforce a more faithful performance of duty on the part of the disbursing officers, by withholding reappointments from those who had not faithfully discharged their duty, without intending to reject those who had. At first the practice conformed to the intention of the law, and thereby the good intended was accomplished, without materially increasing the patronage of the Executive; but a very great change has followed, which has, in the opinion of your committee, defeated the object of the act, and at the same time added greatly to the influence of patronage. Faithful performance of duty no longer ensures a renewal of appointment. The consequence is inevitable—a feeling of dependence on the Executive, on the part of the incumbent, increasing as his term approaches its end, with a great increase of the number of those who desire his place, followed by an active competition between the applicants and those who seek his place, followed by all those acts of compliance and subserviency, by which power is conciliated; and of course with a corresponding increase of the number of those influenced by the Executive will.

In enumerating the causes which have of late increased Executive patronage, your committee cannot, without a dereliction of duty, pass over one of very recent origin, although they are aware that it is almost impossible to allude to it in the most delicate manner, without exciting feeling of a party character, which they are sincerely anxious to avoid. They refer to the increased power which late events have given to the Executive, over the public funds, and with it the currency of the country.

In considering this part of the subject of their inquiry, it is the intention of the committee to confine themselves, exclusively, to the tendency of the events to which they refer, as increasing Executive patronage; avoiding all allusion to motives, or to the legality of the acts in question.

Whatever diversity of opinion may exist as to the expediency or legality of removing the deposits, there can, it is supposed, be none as to the fact, that the removal has, as things now stand, increased the power and patronage of the Executive, in reference to the public funds. They

are now, in point of fact, under his sole and unlimited control; and may, at his pleasure, be withdrawn from the banks where he has ordered them to be deposited, be placed in other banks, or in the custody of whomsoever he may choose to select, without limitation or restriction; and must continue subject to his sole will, (ill placed by an act of Congress under the custody of the laws. Whether any provision can be devised, which would place them as much beyond the control of the Executive in their present as they were in their former place of deposit, and which at the same time would not endanger their safety, are points on which your committee do not deem it necessary to venture an opinion. What addition this unlimited control over the public funds, from the time of their collection till that of their expenditure, makes to the patronage of the Executive, is difficult to estimate. According to the report and statement of the Secretary of the Treasury, the amount of the public funds in deposit, on the 1st January, 1834, was 11,702,005 dollars, and their estimated amount, on the 31st December last, was 8,695,934 dollars; making an average amount for the year of 10,199,440 dollars, the use of which, considering the permanency of the deposits, may be estimated as not of less value, to the banks in which they were deposited, than four per cent, making at that rate on the average amount in deposit the sum of \$407,972 per annum. This immense gain to these powerful and influential monopolies depends upon the will and pleasure of the Executive, and must give him a corresponding control over them. But this of itself affords a very imperfect view of the extent of his patronage dependent on his control over the public deposits. To ascertain its full extent, the advantages which these banks have, in consequence of the deposits, in circulating their notes and in dealing in exchanges, and the competition which it must excite among the banks generally to supplant each other in these advantages, and of course in Executive favor, on which they depend, and which must tend to create, on their part, a universal spirit of dependence and subserviency; the means which the deposits necessarily afford to raise or depress at pleasure the value of the stock of this or that bank; and the wide field which is consequently opened to the initiation of partisans of power for the accumulation of fortunes, by speculations in bank stock; the facilities which all these causes combined must give to political favorites, in obtaining bank accommodations; and finally, the control which the accompanying power of designating the notes of what banks may, and what may not, be received in the public dues, gives to the Executive, over these institutions, must be taken into the estimate to form a correct opinion of the full force of this tremendous engine of power and influence, wielded, as things now stand, by the will of a single individual.

Your committee have now enumerated the principal causes, which have of late contributed to increase so greatly the patronage of the Executive. There are others still remaining to be noticed, which have greatly contributed to this increase, and which claim the most serious consideration; but as they are of an incidental character, it is proposed to consider them in their proper connection, in a subsequent part of this report.

Having completed, under its proper head, the inquiry as to the extent of Executive patronage, and the cause of its recent increase, your committee will now proceed to investigate the deeply interesting questions of the expediency and practicability of its reduction.

In considering the question of the expediency of its reduction, your committee do not deem it necessary to enter into an elaborate argument to prove that patronage, at best, is but a necessary evil; that its tendency, where it is not effectually checked and regulated, is to debase and corrupt the community; and that it is, of course, a fundamental maxim in all States, having free and popular institutions, that no more should be tolerated than is necessary to maintain the proper efficacy of Government. How little this principle, so essential to the preservation of liberty in popular governments, has been respected under ours, the view which has already been presented, of the vast extent to which patronage has already attained, under this Government, and its rapid growth, but too clearly demonstrated. But, as great and as rapid as

has been its growth, it may be

thought by some, who have not duly reflected upon the subject, that it is not more than sufficient to maintain the Government in its proper efficiency, and that it cannot be diminished without exposing our institutions to the danger of weakness and anarchy. To demonstrate the utter fallacy of such a position, it is only necessary to compare the present to the past, in reference to the point under consideration.

No one, capable of judging, will venture to assert that the patronage of the Executive branch of this Government, in any stage of its existence from the time it went fairly into operation, has ever proved deficient in proper influence and control; yet, if the present be compared with any past period of our history, excluding, of course, that of the late war, the patronage now under the control of the Executive will be found greatly to exceed that of any former period. To illustrate the truth of this remark, your committee will select, for comparison, the years 1825 and 1833, the former because it was thought, even then, by many of the most experienced and reflecting of our citizens, that Executive patronage had attained a dangerous extent; and the latter, because it was the latest period of which we have the requisite materials, with which to make the comparison. What, then, is the comparative extent of Executive patronage, respectively, with the short interval of but eight years between them? What, at those respective periods, was the amount of the revenue and expenditure? What the number of persons in the employ of the Government, or dependent on its bounty; and what the extent to which, according to the practice of the respective periods, the patronage of the Government was brought to exert over those subject to its control? A short comparative statement will show.

The income of the Government, in all its branches, including the Post Office, was, in 1825, 23,147,383 dollars, and in 1833, 36,657,374 dollars. The gross expenditure, including the public debt, in 1825, was 34,814,847 dollars; in 1833, 27,229,599 dollars. Excluding the public debt, it was, in 1825, 12,719,503 dollars; in 1833, 25,685,846 dollars. The number of persons employed and living on the bounty of the Government, in 1825, was 55,777; in 1833, 100,079.

Measuring the extent of the patronage, at those respective periods, by these elements combined, without taking into consideration the circumstances which, as already shown, have, in this short period, given such increased force to executive patronage, the result of the whole, in 1825, compared to 1833, is as 69 to 89, making an increase of upwards of 36 per cent. If the comparative rapidity of this great increase be examined, it will be found, that it has had a progressive acceleration throughout the period. If we divide the period into equal parts of four years each, the increase in the first four years will be found much less than in the last four. The increase, for instance, of the revenue, during the first four years, was 4,517,294 dollars; and during the last four years, 4,906,026 dollars; of the expenditures during the first four years, 12,075,344 dollars; and during the last four, 9,513,340 dollars.

It may be said that this increase of patronage, great as it is, does not materially exceed the growth and population of the country, with which it is, assumed, that it ought to keep pace. This view overlooks entirely the increase of patronage from those circumstances which have so much increased it during the period in question, as has already been shown. If these be taken into consideration, if, to the increase of revenue and expenditure, and the number dependent on Government, we add the vast increase of Executive patronage from the immense public domain recently thrown into the market; the great extent of Indian reservations; the control which the practice of removing from office those in office; and the great addition to Executive power over the public funds, and, through this, over the bank institutions of the country, it cannot be doubted, that, instead of increasing only 36 per cent, it has more than doubled in the period in question; while the growth and population of the country have probably not exceeded twenty-four per cent.

But your committee cannot agree, that there is any substantial reason why Executive patronage should increase in the same proportion with the growth and population of the country. With the exception of the Post Office establishment, there is

no necessary connexion between the increasing growth and population of the country, and the increasing patronage of the Government. On the contrary, many of the public establishments are, or ought to be, stationary; others on the decrease; others, though necessarily increasing, increase at a rate far less than our population; and yet, we find that, for the last eight years, there has been a progressive increase of patronage far greater than the growth and population of the country.

But the assumption that Executive patronage and influence should increase in the same ratio with the growth and population of the country, is not less dangerous than it is erroneous. If this assumption be carried out in practice, it must finally prove fatal to our institutions and liberty. The same amount of patronage and influence, in proportion to the extent and population of a country which, in a small State, moderately populous, would be perfectly safe, might prove fatal in an extensive and populous community, just as a much smaller military force, in proportion, would hold under subjection the latter, than the former. The principle is the same in both cases—the great advantage which an organized body, such as a Government, or an army, has over an unorganized mass, an advantage increasing with the increased difficulty of concert and co-operation, and this again increasing with the number and dispersion of those on whose concert and co-operation resistance depends; and hence, from their combined action, both as applied to the civil and military, the great advantage which power has over liberty in large and populous countries—an advantage so great that it is utterly impossible, in such countries, to defend the latter against the former, unless aided by a highly artificial political organization, such as ours, based on local and geographical interests. If to this difficulty, resulting from numbers and extent only, there be added others of a most formidable character, the greater capacity, in proportion, on the part of the Government, in large communities, to seize on and corrupt all the organs of public opinion, and thus delude and impose on the people; the greater tendency in such communities to the formation of parties, on local and separate interests, resting on opposing and conflicting principles, with separate and rival leaders at the head of each, and the great difficulty of combining such parties in any system of resistance against the common danger from the Government; some conception may be formed of the vast superiority which that organized and central party, consisting of office holders and office seekers, with their dependants, forming one compact disciplined corps, wielded by a single individual, without conflict of opinion within, either as to policy or principle, and aiming at the single object of retaining and perpetuating power in their own ranks, must have in such a country as ours, over the people, a superiority so decisive that, whenever the patronage and influence of the Government are sufficiently strong to form such a party, liberty, without a speedy reform, must inevitably be lost. When we add, that this great advantage of the Government over the people—of power over liberty—must increase proportionally with the growth and population of our country, it must be apparent how fatal would be the assumption, if acted on, that patronage and influence should increase in the same proportions and how infinitely dangerous has been the tendency of our affairs of late, when, as has been shown, instead of increasing simply in the same proportion, they have advanced with a rapidity more than double. So far as the assumption from being true, if we regard the duration of our institutions and the preservation of our liberty, we must hold it as a fundamental maxim, that the action of the Government should, with our growth, gradually become more moderate instead of more intense—a maxim resting on principles deep and irreverable, and which cannot be violated without inevitable destruction. Moderation in the action of this Government, the great central power of our system, is, in fact, the condition on which our political existence depends. In complying with this condition, we but conform to the principle which Divine wisdom has impressed upon the beautiful and sublime system of which our globe is a part, and in

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