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if the office is not salaried, by reference to the returns of official fees for the last preceding fiscal year.

The examination hereinbefore provided for shall be by a Board of three persons designated by the Secretary of State who shall also prescribe the subjects to which such examinations shall relate and the general mode of conducting the same by the Board.

A vacancy in a consulate will be filled at discretion only when a suitable appointment can not be made in any of the modes indicated in the second paragraph of this order.

THEODORE ROOSEVELT.

THE WHITE HOUSE,
November 10th, 1905.

REGULATIONS GOVERNING CONSULAR APPOINTMENTS AND PROMOTIONS.

WHEREAS, The Congress, by Section 1753 of the Revised Statutes of the United States has provided as follows:—

“The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties, and establish regulations for the conduct of persons who may receive appointments in the civil service.”

AND, WHEREAS, the Congress has classified and graded the consuls-general and consuls of the United States by the act entitled “An act to provide for the reorganization of the consular service of the United States,” approved April 5, 1906, and has thereby made it practicable to extend to that branch of the civil service the aforesaid provisions of the Revised Statutes and the principles embodied in the Civil Service Act of January 16, 1883.

Now, therefore, in the exercise of the powers conferred upon him by the Constitution and laws of the United States, the President makes the following regulations to govern the selection of consuls general and consuls in the civil service of the United States, subject always to the advice and consent of the Senate:—

1. Vacancies in the office of consul-general and in the office of consul

above class 8 shall be filled by promotion from the lower grades of the consular service, based upon ability and efficiency as shown in the service.

2. Vacancies in the office of consul of class 8 and of consul of class 9 shall be filled:

(a) By promotion on the basis of ability and efficiency as shown in the service, of consular clerks, and of vice consuls, deputy consuls, and consular agents who shall have been appointed to such offices upon examination.

(b) By new appointments of candidates who have passed a satisfactory examination for appointment as consul as hereafter provided.

3. Persons in the service of the Department of State with salaries of two thousand dollars or upwards shall be eligible for promotion, on the basis of ability and efficiency as shown in the service, to any grade of the consular service above class 8 of consuls.

4. The Secretary of State, or such officer of the Department of State as the President shall designate, the Chief of the Consular Bureau, and the Chief Examiner of the Civil Service Commission, or some person whom said Commission shall designate, shall constitute a Board of Examiners for admission to the consular service.

5. It shall be the duty of the Board of Examiners to formulate rules for and hold examinations of applicants for admission to the consular service.

6. The scope and method of the examinations shall be determined by the Board of Examiners, but among the subjects shall be included at least one modern language other than English; the natural, industrial and commercial resources and the commerce of the United States, especially with reference to the possibilities of increasing and extending the trade of the United States with foreign countries; political economy; elements of international, commercial and maritime law.

7. Examination papers shall be rated on a scale of 100, and no person rated at less than 80 shall be eligible for certification.

8. No one shall be examined who is under twenty-one or over fifty years of age, or who is not a citizen of the United States, or who is not of good character and habits and physically and mentally qualified for the proper performance of consular work, or who has not been specially designated by the President for appointment to the consular service subject to examination.

9. Whenever a vacancy shall occur in the eighth or ninth class of consuls which the President may deem it expedient to fill, the Secretary of State shall inform the Board of Examiners, who shall certify to him the

list of those persons eligible for appointment, accompanying the certificate with a detailed report showing the qualifications, as revealed by examination, of the persons so certified. If it be desired to fill a vacancy in a consulate in a country in which the United States exercises extra-territorial jurisdiction, the Secretary of State shall so inform the Board of Examiners, who shall include in the list of names certified by it only such persons as have passed the examination provided for in this order, and who also have passed an examination in the fundamental principles of the common law, the rules of evidence and the trial of civil and criminal cases. The list of names which the Board of Examiners shall certify shall be sent to the President for his information.

10. No promotion shall be made except for efficiency, as shown by the work that the officer has accomplished, the ability, promptness and diligence displayed by him in the performance of all his official duties, his conduct and his fitness for the consular service.

11. It shall be the duty of the Board of Examiners to formulate rules for and hold examinations of persons designated for appointment as consular clerk, and of such persons designated for appointment as vice consul, deputy consul and consular agent, as shall desire to become eligible for promotion. The scope and method of such examination shall be determined by the Board of Examiners, but it shall include the same subjects hereinbefore prescribed for the examination of consuls. Any vice consul, deputy consul or consular agent now in the service, upon passing such an examination shall become eligible for promotion, as if appointed upon such examination.

12. In designations for appointment subject to examination and in appointments after examination, due regard will be had to the rule, that as between candidates of equal merit, appointments should be so made as to secure proportional representation of all the States and Territories in the consular service; and neither in the designation for examination or certification or appointment will the political affiliations of the candidate be considered.

THEODORE ROOSEVELT.

THE WHITE HOUSE,
June 27th, 1906.