

Editor Tribune:

Sir:

I have for many years made a special study of what may be termed for lack of some better designation, the mechanism of politics in a republic, that is the means by which the action of the individual voter may be made to express with the greatest certainty his individual will. While, unlike many who have given this subject some attention, I am fully convinced that the most important factor in securing this result is the regulation of party machinery by intelligent and efficient legislation, I do not question the desirability of farther regulation of the balloting process itself. Under these circumstances I have considered with great care the various propositions for balloting reform which are being submitted to the legislature at this time and must admit that all of them appear to me to have lost sight in some degree of the prime object of such reform. In their haste to adopt an imported idea, the authors of these projects seem to have forgotten the fact that the conditions to which it must be subjected here are very strikingly different from those in which it has been tested.

It should be remembered that the ballot, as an electoral agency, is an American device which was adopted in England and her colonies only after a long struggle and solely as a remedy for the evils of the viva voce system which openly exposed the voter to the vengeance of an irritated opposition. The so-called Australian system, which curiously enough is not Australian in its origin either as to its elements or as a whole, was applied to English parliamentary elections chiefly for the purpose of ^e removing a convenient cover for bri-

bbery of the suffragan, which has always been the great curse of English elections. The first step in this direction, was to require of each candidate a sworn statement of the expenses of his canvass. This statement was not itemized but the aggregate of certain classes of expenditure was required to be given. Among these were what purported to be expenses for printing and distributing ballots. This was so absurdly disproportionate in many instances, with the ~~known~~ cost of such services, that every one knew it was being made a cover for bribery and undue influence. So the government adopted the plan of supplying the ballots and ^{incidentally} regulating the method of voting. Now, while this system has resulted in cutting off one method of ~~indirect~~ ~~indirect~~ bribery, it does not by any means follow that it is capable of practical application to the conditions surrounding the electoral power in the United States, or that its advantages would counterbalance the perils and difficulties attending its adoption as a part of our system.

I do not mean to assert that it would necessarily prove a failure, but I doubt if any plans proposed could be safely adopted in any state of the Union, without great and vital modifications. Perhaps the study of the difficulties attending the exercise of electoral power during a residence of fifteen years at the South, where poverty and ignorance are especially exposed to the machinations of wealth and intelligence, has led me to scrutinize such projects of electoral reform from a standpoint somewhat different from that occupied by men who see elections only in a great city where intelligence and strength are more evenly divided, and even then ^{perhaps} only observe defects through ^{the} reports and opinions of paid employes.

Now, while the proposed system might save ~~men~~ ^{candidates} and parties from

being sold out by strikers" and "heelers", employed to circulate tickets for them, as Mr. Thorndike Rice claims to have been when he lately had Congressional aspirations, we should remember that this is an evil that is susceptible of a very complete and perfect remedy without appealing to special electoral machinery and introducing a system never tried under similar conditions and certainly open to grave objections. The attendance of respectable and earnest men, such as the members of the Young Men's Republican Club of Brooklyn or of Buffalo, at the polls ~~and their vicinity~~ during the entire day of election, as the active representatives of their respective parties and candidates, is the surest method of securing to every one an opportunity to vote the ticket he wishes. In all parts of the state, except a few great cities this is the rule and practice of all parties. The most respectable and reliable men of the ^{precinct} town are at the polls doing their duty as citizens in seeing that every man has a fair chance to vote as he chooses.

There is no doubt that even in the country precincts voters are bribed and sometimes deceived; but the system proposed would not interfere with the bribery of electors and in many cases, I fear, would prove a temptation rather than a safeguard against deception. The simplest remedy for the neglect or treachery of a ^{servant} is for the principal to attend to the business himself, and if the good men of a party will personally attend to the business of their party, the evils resulting from the "selling out" of substitutes and "strikers" will be reduced to a minimum. It is said in opposition to this idea that respectable and reliable men will not leave their business to attend the polls. Then they do not deserve to have good government and have no right to ask the state to invent a machine to prevent

the evil results of their own criminal negligence.

Probably the most effective answer to this excuse would be an Act providing two things:

1--That the failure of a qualified voter to vote should constitute a misdemeanor; requiring a list of all delinquents to be certified by the officers of election to a specified authority and requiring a fine ^{to be} imposed unless a sworn excuse be presented and adjudged sufficient within a specified time.

2--Closing all places of business except for certain necessary vocations; and making it unlawful to hire a voter on the day of election except in works of positive necessity. Provision should also be made to allow even such employes a reasonable opportunity to vote without loss of wages, whenever possible to do so.

The detail of such legislation would be neither complex nor difficult. It would deprive men of excuse for shirking, and subject them to punishment for ^{wilful} the neglect of the most important function of citizenship, as well as put an end to one of the most frequent forms of bribery--the hiring of an opposing voter to work ^{on election} that day at a distance from his polling-place.

The plan of furnishing tickets by the state and distributing them by ^{sworn} officers is no doubt a good one, if properly elaborated and too much is not attempted. ^{The project, even in its simplest form,} It is not however devoid of difficulty, ^{and the bill,} The projects that have thus far been presented are ^{especially} to my mind open to the following objections:

1--Each of them prohibits the use of any printed tickets except those furnished by authority. In case the official charged with this duty should fail to provide or deliver the tickets at any precinct or at all the precincts in any county no election could be

held except with written ballots. Unless a specific provision for a by pres election is added this would be a most dangerous power to entrust to one man. The misconduct of a single county clerk might be sufficient to change the result of an election in the state. *This* would result in the bribery of clerks rather than ^f party strikers.

2--A few men acting by preconcert could block the election in any precinct. At the best but a few ^{voters} men could be allowed in the room to ~~prepare~~ tickets at one time. This year there will be Electoral, Congressional, State, Legislative and County tickets to be voted. There will probably be four Electoral tickets containing thirty-six names each, from which each voter has an inalienable right to ~~pick~~ ^{pick} such as he chooses. Of course nearly all honest voters would be ready to accept one or the other; but the dishonest man has a right to ^{claim} a reasonable time to select and arrange ^{a ticket} to suit himself. Fifteen minutes might be none too long a time for an intelligent man to do this. Five minutes each to select and ^{verify} compare the state, county and legislative tickets would not be excessive, if there were a large number of competitors. Suppose fifty men should secure the first places in line at a polling-place and insist on such reasonable opportunity to select their candidates and arrange their ballots. If four were admitted at a time, instead of one as provided, they would occupy twelve hours. It may be said that that this is an extreme case. So it is, but a restrictive law is designed to prevent, not to facilitate the schemes of evil-doers. Under either of these projects one hundred voters would be all that could be safely assigned to a single precinct.

By prohibiting
3--~~Most of the projects~~ prohibit the use of any other printed tickets, than those furnished through the regular official channels

three projects

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This ~~would~~ require each candidate to be nominated by a recognized party convention or to be endorsed by one fiftieth of the voters within the district to which his candidacy extends, *and to deposit a specific sum to pay for printing the tickets* some thirty days before the election. This ^{provision} raises two important questions:

1--Is it not ^{the} a right of any citizen to be a candidate for any office and have his tickets accessible and available at every polling-place, whether one-fiftieth of his fellow-citizens choose to endorse his candidacy a month in advance or not? It is possible that the state has the right to restrict candidacy in that manner, but it is to say the least extremely doubtful under our constitution. In many instances it would be prohibitory and amount practically to a property qualification of eligibility. *In England where there is no such constitutional restriction it might be very different.*

2--The power to decide who were the proper and legal representatives of a party would have to be lodged somewhere ^{in order to make any of these projects operative} and the power to make such decision would be a most dangerous one. Suppose there should be a "split" in a party and each wing claim to be the genuine simon-pure. Who is to decide? The Governor? The County Clerk? Suppose that decision be deferred ^{till} the last day--then what?

The conduct of the ^{Police} election Commission of New York in seeking to avoid the force of express statutes recently, shows just what sort of questions would arise and how they might be avoided or decided by dishonest and tricky officials.

3--Added to these considerations is the multiplied opportunity for mistake and mischance which such a system offers. Every person at all familiar with the details of election methods, knows that the utmost zeal of interested parties is insufficient to prevent mistakes even in districts where the utmost fairness prevails. Names are misspelled or omitted; tickets wrongly headed; ballots placed in

the wrong box; and many other mishaps occur even where the purpose of the voter and his advisers are unmistakable. This is so well understood that very few men will trust themselves to select their own tickets after arrival at the polling-place. Probably four out of five of the voters of all parties either trust implicitly to some man in whom they have confidence, procure their tickets beforehand or go away and compare them with some printed form they have cut from a newspaper. No man would have any greater confidence in an election official than in a voluntary representative of his own party. He would ^{have} as a matter of ordinary prudence to compare the ticket he received, name by name, with the sample ^{held of the one he} he desired to vote. At an election such as we shall have this year I think I should myself require at least fifteen minutes to verify my ticket so as to make sure that it represented my will. I do not believe I am less expert than the average voter and certainly not more cautious than he ought to be. When only one or two places are to be filled and the number of candidates is very limited such a system as that proposed is no doubt very effective; but when from five to fifteen places are to be filled and there are from two to ten candidates for each, either the precincts must be ^{made} very small; the time of election extended to several days or some method not yet ^{indicated} ~~eliminated~~ must be devised for facilitating the work and preventing fraud and error, if ^{it} ~~it~~ is to be a success, ^{in a State of the American Union.}

No doubt in ^{great} the cities some farther regulation of the mechanism of elections may be necessary. In the country counties about all that is required is a law ^{impressing} enforcing upon the voter's mind the duty of using the power with which he is endowed. Every added complexity becomes here simply a cover and excuse for fraud. Even in the cities

it may be doubted if the best remedy for ballotorial ills is not a compulsory vote, the suspension of all ordinary business on election day, and the personal attendance of reputable citizens representing ^{ing} their ^{respective} parties without remuneration; just as the best safeguard to of peace and order anywhere, is the presence of peaceful, orderly and intelligent citizens who are awake and alive to the performance of a public duty. Just as long as "agents" are employed, "heelers" hired and "strikers" relied upon to do the work of parties at the polls at so much a day, just so long the good(?) men who stand off and look on and pay the money will have occasion to bewail the depravity and corruption that affect the exercise of electoral power. The fact is that a man who cannot afford to give one day out of three hundred and sixty-five to active efforts to promote the purity of the ballot does not deserve to live under a good government and ought not to be regarded as a reputable member of society.

Albion W. Tourgee.

Mayville, Chautauque Co., N. Y.
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