

## A MASSACHUSETTS BALLOT ACT.

Messrs. Richard H. Dana and Morrill Wyman, jr., have prepared for the Committee on Election Laws of the Massachusetts Legislature a ballot bill which is, in many respects, the best measure of the kind that we have yet seen. It is a more perfect application of the best principles of the English and Australian laws than has been made in any other of the many bills which have been prepared in various States for legislative consideration. The authors of the bill have given careful consideration to all the most worthy of the pending bills, and have adopted whatever has seemed to them most commendable in any or all of them. They have drawn most freely from the bill prepared by a committee of the Commonwealth Club in this city, now at Albany, taking its title for theirs, copying many of its sections almost literally, and adopting the ideas in others. At the same time, they have gone beyond any measure prepared here or in other States, in the extent to which they have applied the principles of the foreign election acts.

Their bill opens with a provision that all ballots shall be printed and distributed at public expense. Upon that point there is no longer any division of opinion, everybody conceding the wisdom of taking from the political organizations the dangerous and corrupting control of the ballots which has been so long in their hands. In regard to nominations, the bill follows closely the provisions of the Commonwealth Club bill, adopting its phraseology in reference to individual or independent nominations by stating that a nomination paper or certificate may consist of "a writing or writings," thus allowing petitions for nominations to be signed in duplicate. The number of signatures required "shall not be less than 400 for any office to be filled by the voters of the State at large, and for any other office not less than one for every 100 voters who voted at the last election in such political division or district, provided the number is not less than 10 or greater than 100."

In reference to the printing of the ballots, the Massachusetts bill differs materially from all others yet proposed in this country. It provides that each ballot "shall contain the name, residence [with street and number in city elections], and party or political appellation of every candidate whose nomination for any office to be specified in the ballot has been duly made," the names to be arranged in alphabetical order, except that Presidential electors are to be arranged in a separate group. Blank space is to be left at the end of each list of candidates large enough to contain as many written names and residences as there are offices to be filled. The novel part of these provisions is the requirement of the residence, street, and number of each candidate. This is exacted by the English law, together with the designation of the candidate's occupation. While they are about it, the Massachusetts reformers would do well to require the occupation to be included. Taken altogether, name, residence, occupation, and politics, the bal-

lots would be in all city elections an invaluable guide to voters. In the country, where every man knows his neighbor's business, such information is unnecessary.

The Massachusetts bill has also a novel and it seems to us valuable provision in regard to the official marking of the ballots. It requires that before distribution the ballots shall be folded, and on the back and outside, when folded, shall be printed, "Official Ballot for," followed by the designation of the polling place for which the ballot is prepared, and the date of the election, with a facsimile of the signature of the Secretary of the Commonwealth, or City Clerk, who has caused the ballot to be printed. There shall also be printed on tinted paper, without the facsimile signature, ten or more copies of the ballots for each polling place, which shall be called specimen ballots. Full instructions for voting shall also be printed on cards in large, clear type to be posted in the polling places. The provision for distributing the ballots to the election officers at the polls is so specific, and so interesting as an effective means for preventing forgery of the official ballots, that we give it in full:

"Section 14. The Secretary of the Commonwealth shall send the proper ballots, specimen ballots, and cards of instruction printed by him, as above provided, to the several city and town clerks, so as to be received, one set at least forty-eight hours before the day of election, the other set sent separately so as to be received at least twenty-four hours before the day of election. These ballots, specimen ballots, and cards shall be sent in separate sealed packages clearly marked on the outside for the polling place for which they are intended, and the number of ballots enclosed. The ballots, specimen ballots, and cards of instruction printed by the city clerks shall each set be packed in separate sealed packages clearly marked on the outside for the polling precincts for which they are intended. The city and town clerks shall send to the several officers of each precinct or to the selectmen of the town before the opening of the polls on election day, in the manner in which the ballot-boxes are required to be sent, one full set of the packages of ballots, specimen ballots and cards intended for that polling place, keeping a record of the number of ballots sent to each polling place. The second set shall be retained until they are needed for the purposes of voting. At the opening of the polls in each polling place, the seals of the packages shall be publicly broken and the packages opened and the books of ballots handed to the ballot officers, hereinafter provided for, by the precinct officer or the selectmen of the town, presiding at such polling place. The cards of instruction shall be posted in each place provided for the marking of the ballots, hereinafter provided for, and not less than three such cards, and also not less than five specimen ballots, posted in and about the polling place outside the guard rails, before any ballot is delivered to any voter."

When the voter receives his ballot, after he has shown that he is entitled to vote, he must go alone into a compartment and check with a cross in the margin of the ballot the names of the candidates for whom he wishes to vote. Then he must fold his ballot so that the official endorsement on the back will be visible, and, coming from the compartment, deposit it in the ballot-box. No ballot without the official endorsement can be received by the officers in charge of the ballot-boxes, and if any such should get in, it must be thrown out in the counting. Any voter who allows his ballot to be

seen by any person with the apparent intention of letting it be known how he has voted or intends to vote, or any person who interferes or attempts to interfere with any voter while marking his ballot, or who attempts to ascertain in any way how he has voted, shall be punished by a fine of not less than \$5 or more than \$100.

These are the provisions of the act which are most interesting because of their originality. In other respects the bill is much like those drawn elsewhere, and seems to be lacking in none of the important requirements which the others contain. In one respect the Massachusetts drafters have an advantage over the others, for it has been the custom in that State to vote long tickets, that is, to group their candidates for national, State, and county officers upon one ballot, and those for municipal officers upon another. In this State, on the contrary, we are accustomed to a large number of short tickets. Still, the principles of the proposed reform can be applied equally well without regard to the number of ballots.

## GRANT—BADEAU.

THE publication of a correspondence between Col. Adam Badeau and Gen. Grant, which took place a few months before the death of the latter, recalls one of the saddest chapters in the country's history. We presume that nobody has read this correspondence without thinking, first of all, that the conclusions announced by the General as his final summing up of Badeau's demerits ought to have been reached long years before, and that Badeau was only one of a long procession of his confidential friends and intimates whose summing up in any just sense would have been of the like tenor and effect. Nothing could be more crushing than the statement of the General's belief that an agreement to pay Badeau \$1,000 per month for literary work on the Memoirs after his (Grant's) death would never come to an end. The whole letter is an arraignment more terrible to a sensitive, high-minded man than any order of battle that the author of it ever drew up. How Badeau could bring an action at law against the widow or the estate of the General, knowing that these letters must come out as a consequence of the action and a necessary part of the defence, is a mystery, and the only mystery, perhaps, in the case. We do not wish to prejudice the jury or court who may have to try the issues raised, but we take leave to express a literary judgment suggested by the correspondence. Badeau says in his letter to the General of May 5, 1885, speaking of the Memoirs, and contrasting them with his own military History:

"Yours is not and will not be the work of a literary man, but the simple story of a man of affairs and a great General. Proper for you, but not such as would add to my credit at all. With your concurrence I have striven to make it such. But your book has assumed an importance which neither you nor I anticipated last summer. It is to have a circulation of hundreds of thousands, and the larger its circulation, the larger its importance, the more com-

pletely it will supplant and stamp out mine. The better I help you to make it, the more effectually I destroy what I have spent my life in building up—my reputation as your historian. And this nobody but me can do. No literary man has the military knowledge; no military man has the literary experience; no literary or military man living, not one of your old staff even, has one tithe of my knowledge and experience on this subject, the result of twenty years' study and devotion and labor."

Military men will judge of the relative stations of Grant and Badeau as captains. Our judgment is that Grant's literary work is as much superior to Badeau's as his military services were more important than Badeau's in the war of the rebellion. The present correspondence only serves to heighten the contrast.

But the value of this correspondence arises from the fact that Gen. Grant's eyes were opened at last, and before they were closed for ever, to one of that series of mistakes of judgment which made his two terms of the Presidency a burning shame to his country. It is not an agreeable task to recall these things. Perhaps we had best let Senator Hoar of Massachusetts do the summing up under this head. In his speech on the Belknap impeachment case, May 6, 1876, Mr. Hoar said:

"My own public life has been a very brief and insignificant one, extending little beyond the duration of a single term of Senatorial office, but in that brief period I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration. I have heard the taunt, from friendliest lips, that when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life, the only product of her institutions in which she surpassed all others beyond question was her corruption. I have seen in the State in the Union foremost in power and wealth five judges of her courts impeached for corruption, and the political administration of her chief city become a disgrace and a byword throughout the world. I have seen the Chairman of the Committee on Military Affairs in the House, now a distinguished member of this court, rise in his place and demand the expulsion of four of his associates for making sale of their official privilege of selecting the youths to be educated at our great military school. When the greatest railroad of the world, binding together the continent and uniting the two seas that wash our shores, was finished, I have seen our national triumph and exultation turned to bitterness and shame by the unanimous reports of three committees of Congress, two of the House and one here, that every step of that mighty enterprise had been taken in fraud. I have heard in highest places the shameless doctrine avowed by men grown old in public office, that the true way by which power should be gained in the Republic is to bribe the people with the offices created for their service, and the true end for which it should be used when gained is the promotion of selfish ambition and the gratification of personal revenge. I have heard that suspicion haunts the footsteps of the trusted companions of the President. These things have passed into history. The Hallam, or the Tacitus, or the Simondi, or the Macaulay who writes the annals of our time will record them with his inexorable pen; and now, when a high Cabinet officer, the constitutional adviser of the Executive, flees from office before charges of corruption, shall the historian add that the Senate treated the demand of the people for its judgment of condemnation as a farce, and laid down its high functions before the sophistries and jeers of the criminal lawyer?"

The picture drawn by Mr. Hoar was less than the truth, much less. He made no reference to the Leet & Stocking scandal, the then pending Babcock scandal, the San Domingo embassy, the Cramer embassy, the Black Friday gold speculations, or to the long train of "mind-poisoning" which led the General

to treat every man as his personal enemy who ventured to protest against any of the rascalities that were going on under the protection of his shield and buckler. The revolt of 1872, although unsuccessful and covered with ridicule, was one of the most respectable events in all our political history, and would easily have carried the country if Adams or Trumbull or any man of that stamp had been nominated instead of the erratic Greeley. It was an honest, manly protest against the things that Senator Hoar at a later day opened his lips to condemn, and was only prevented from being successful by one of those ironical accidents which so often bring defeat and humiliation to the better cause.

We have always maintained, however, and we now repeat, that the Republican party rather than Gen. Grant was to blame for those misfortunes and scandals. By taking a simple and inexperienced soldier, honest and faithful, but whose training had been wholly in the tented field, and whose mind knew only the one rule of obedience to those above him and obedience from those below him, the party became responsible for whatever flowed naturally from such premises. While the occasion seems to call for some reference to these things, nobody can read the General's letter to Badeau, written in his pain and weakness, and almost in the presence of death, without infinite pity, and renewed admiration for the really great qualities of the man.

#### BOULANGER AGAIN.

At the recent elections in France, Gen. Boulanger was found to have been a candidate in various constituencies, and to have received heavy votes, and he was suspected, with more or less foundation, of having actively promoted his own candidacy. This brought him once more to the surface as the idol of the Parisian Radicals, who began to prepare demonstrations, or, as they call them, "manifestations," in his honor, and leave of absence to visit the capital was, therefore, refused him. He appears, however, to have got the political bee in his bonnet to such a degree that he disregarded the refusal, and came to Paris three times, twice in disguise. This extraordinary performance on the part of a general officer in high command has led to his being deprived of his command. There was nothing else to be done with him. As a soldier, he appears to have been ruined by politics, and into politics he will probably now go, head and ears, and perhaps start an Anti-Poverty Society.

His career furnishes a striking illustration of the great difficulty of working Republican institutions in the presence of a large standing army—and of glorifying the soldier's trade on all public occasions, as French statesmen are obliged to do—without creating or fostering the popular demand for a military hero. It is much easier now for soldiers to dabble in politics than it was at the time of the *Coup d'État*, because now almost the whole male popula-

tion is either put into the army or brought into the closest connection with it. The old Napoleonic army, small in size and largely composed of substitutes and old soldiers, is a thing of the past. Every able-bodied man in France is now either in the regular force, or in the reserves, or in the "territorial." Consequently, in a certain sense, the army is the nation, and the nation is the army. In most French newspapers there is as much space given to military news and gossip as ours give to Washington correspondence or theatrical news. Therefore a general who wants to cut a figure in politics has only to make himself popular with the troops by displays of an easy, indulgent temper, or of great concern about their physical comfort, in order to make himself available as a candidate for some sort of political honor. The worst of it is, too, that when a soldier gets into politics in France, he is rarely fit to deal with any but military affairs, and has to maintain himself by the display of zeal for the efficiency of the army. To do this, he is obliged on all occasions to magnify the dangers to which France is exposed at the hands of foreign enemies, and to dwell on the necessity of being constantly ready for a terrible conflict, or, in other words, to fan the flame of hostility to or jealousy of some foreign Power, which has so long been the curse of France, and in 1870 came near being her ruin.

Moreover, the necessity of having a soldier always for the Ministry of War gives the military demagogue a pedestal, as it has done in the case of Boulanger. It would mortally offend the army in France, as, indeed, in every country of the European Continent, to put a civilian at the head of the War Department. The tradition which makes any commissioned officer the moral, if not the social, superior of all civilians, or "pékings," as they are called in French military slang, is not as strong in France as in Germany, but it is very strong. The spectacle of a man in a black coat giving orders on military matters to a man in uniform runs counter to all French notions of propriety. Consequently, the Minister of War has always to be a general. If he be a modest, quiet man without ambition, and with a proper respect for the civil power, and no disposition to magnify the army, his office brings him little fame or profit. He passes unnoticed from the stage with the crowd of Ministers whom the French Chambers employ and dismiss every year with so little respect or compunction. If, on the other hand, he determines to make it a stepping-stone to something else, he does as Boulanger has done—"organizes" with feverish activity, and pretends that Bismarck is coming, and that the future is uncertain, and that France needs some sort of redemption, and that the friends of peace are in the pay of the foreigner.

The decision and energy which the Ministry have shown in dealing with Boulanger is very commendable, but then it must be admitted that he has delivered himself into their hands by playing the mountebank. Whether they would be equally successful in disposing of a shrewder and more cautious military schemer, remains to be seen.