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THE BALLOT-REFORM VETO

GOV. HILDS OBJECTIONS TO THE BILL.

HE SAYS IT IS FULL OF UNCONSTI-TUTIONAL PROVISIONS AND DISFRAN-CHISES ILLITERATE VOTERS.

ALBANY, March 31.—Gov. Hill transmitted to the Legislature to-night the following veto of the Saxton bill:

STATE OF NEW-YORK, EXECUTIVE CHAMBER, ALBANY, March 31, 1890. To the Senate :

the Saxton bill:

State of New-York, Executive Chamber, Aleany, March 31, 1890.

To the Senate:

Senate bill No. 117, entitled "An act to promote the independence of voters at public elections, entorce the secrecy of the beliot, and provide for the printing and distribution of ballots at public expense," is herewith returned without approval.

The Legislature has refused to co-operate with the effort of the Executive to obtain an immediate practical determination of the constitutionality of this bill. Such determination was desired by the Executive in order that the bill might become a law, if declared to be in harmony with the Constitution of this State, or that certain features thereof inight, if declared unconstitutional in bloomer occupy the time and attention of the lawmaking powers. The same provisions which the Executive has for the past two years declared to be, in his judement, unconstitutional magnetic that the properties of the past two years declared to be, in his judement, unconstitutional modification. The situation demonstrates that upon the vital point of constitutionality, there exists an irreconcilable difference of judgment between the Legislature and the Executive, which no argument and nothing short of an authoritative opinion can remove. If the bill should be allowed to go upon the statute books and then be declared unconstitutional, all elections held thereunder would be vitiated, the title of every elected officer would be void or uncertain, and confusion, amounting possibly to anarchy, would take the place of orderly government. To test the constitutionality of such a measure by actual experiment and subsequent litigation would be coastly at best, and if resulting adversely to the bill's constitutionality would be fatal to the peace and order of the State.

The Attorney General chosen by the people as the legal adviser of State officers in such demergencies—the only official diversely to the present constitutional. Eminent lawyers of both political parties have expressed to me the same its place among the statutes of the State it would be veid at best, and would throw the whole electoral machinery of the State into contunion. I would be false to my official duty if I should knowingly consent to what I believe would bring such calamities upon the The attitude of the Legislature has left me no

other alternative than to decline to approve the meature. Upon the Lexislature must rest the responsibility of failure to secure a fair and henorable solution of the problem of electoral OPPOSED TO THE OFFICAL BALLOT.

My objections to one feature of this measure

are well known. They have been reiterated in two annual messages, as well as in two special veto messages of similar measures, and in many public utterances. Every member of the Legislature is familiar with them. The majority, when it passed this bill in its present shape, well knew that it would not and could not consistently be approved. There was no effort made to modify its provisions so as to conform them in any material respect to the views of the Executive repeatedly expressed. Every proposition or compromise suggestion tending in that direction was unceremoniously voted down, and Executive disapproval could not have been rendered more certain had it been deliberately invited or destred. It is not intended in this communication to repeat at any length the arguments heretofore presented upon this subject. A brief refereace to them must suffice. I am opposed to the exclusively official ballot provided for in this bill. By the term "exclusively official ballot" is meant a bailor upon which the names of all candidates of every party, faction, or combination are required to be printed together thereon, which is printed solely by the State and is obtainable at the polls a few moments before voting, and bowhere else and at no other time, which it is compulsory upon the voter to use and any other than which he is prohibited from voting.

which it is computed, apon and any other than which he is prohibited from voting.

I believe that every voter should have the right to prepare his ballot at his own home or wherever he pleases, and to bring it with him to the polls and vote it in secret. I depy the constitutional right of the Legislature to compil an elector to accept a ballot containing the names of candidates other than his own—candidates in whose nomination he has had no part and for whom he does not intend to vote—and impose upon him the burden of erasing all such names under penalty of disfranchisement, and require him, if he votes at all, to write or paste the names of his candidates upon such a hotch-potch document. The Constitution guarantees to the people a continuance of the right to vote "by ballot," which they enjoyed at the time of its adoption. (article IL, Section 5.) The kind of ballot proposed by this bill is not the kind of ballot then in use nor that which the Constitution contemplated.

The fact the species of conglomerated ballot

ballot then in use nor that which the Constitution contemplated.

In fact, the species of conglomerated ballot
now sought to be adopted has only been invented a low years, and was wholly unknown when
our present Constitution went into effect.

A paper ficket containing the names written
or printed, or partly written and partly printed, of the candidates and of those only for
whom an elector intends to vote, and containng the names of the offices which they are to
fill, is the ballot which was in existence when
our Constitution was adopted, and was so defined by statute. That species of ballot cannot
be changed without an amendment of the Constitution. The Lexislature has no power to
alter it. Every elector under our Constitution has a

Every elector under our Constitution has a right to prepare his own written or printed ballot, and to bring it with him to the polls. The Legislature may regulate its form and shape, it was dosignate the kind and quality of paper to be used, it may require a uniform style of caption or indersement, it may prescribe separate tickets for different offices, but it cannot change the essential characteristics of a ballot as it existed when the Constitution was tramed. The provisions for an exclusively official ballot, as contained in this bill, are unconstitutional, among others, for the following reasons which are stated without elaboration or extended argument:

**Irst—They unreasonably binder and impede the exercise of the elective tranchise and dis-

reacons which are stated without elaboration or extended argument:

First—They unreasonably hinder and impede the exercise of the elective franchise and distriminate against the individual elector. Individual electors are not permitted to print a halist of their own containing their own candinates, but must content themselves with writing or pasting another baliot foisted upon them against their will. Pointieal parties and combinations of fifty individuals may have the names of their candidates printed, and thus obtain for them recognition on an official baliot, but a single elector is deprived of any such right. The proposed statute lacks, in these and many other respects, the elements of reasonableness, aniformity, and impartiality.

Second—They impose upon the elector a baliot not anthorized or contemplated by the Contilution. It was demonstrated in my last annual message, by arguments never yet refuted, that the Constitution and the statutes in existence when it was adopted, when construct together, virtually define and declare what shall be termed a lawful ballot. Its essential element as hereinbefore described can not be added to or diminished otherwise than by a ponstitutional amendment. By the terms of this bill the ballot which the elector is compelled to accept is one which contains the names of those or whom he does not desire to vote, but this rivilege does not relieve the constitutional lifficulty. An unecessary burden has been claced upon the elector. He must scrutinize all the names. He must be are that he erases he right ones. He must be sere that he reases he right ones. He must be sere that he reases he right ones. He must be sere that he erases he right ones. He must be sere that he reases he right ones. He must be accounted to him.

merificous rames. He is forbidden to have a plean printed ballot of his own. He must prepare his ballot at the poils and within the few minutes allotted him.

It is no answer to this proposition to say that after the elector has prepared his ballot by erasures, pasting, and writing, that then it conforms to the requirements of a constitutional ballot because it contains the names of those only for whom he desires to vote. He has been derived to accept, in the first instance, a ballet which he did not seek, desire, or intend to vote. He has been denied the privilege of printing his own ballot. Names who semebody else has nominated have been printed upon it against his will, and unless he assumes the task of correcting it, he votes whatever names are upon it, and his vote is thereby wholly nullified. As well might he be required to accept a city directory and to mark out all the hames therein except those for whom, he intends to vote, and then call such a directory a "ballot" within the meaning of the Constitution. The word "ballot" at the time of the adoption of the Constitution had a well-defined and popularly-understood skulligation. The vote, as to the meaning, it to form, or ins conignitication. dispute as to its meaning, its form, or its con-tence. Any substantial departure from its well-recognized characteristics violates the fundamental law.

ILLITERACY MUST BE PROTECTED. ?hird-The provisions for an exclusively official ballot prevent an illiterate elector from voting a secret ballot. They absolutely compel him not only to publicly confess his illit eracy, but also to disclose the contents of his ballot to two election officers. (See Section 28.) Suc hyrovisions are plainly in violation of the Constitution.

The Constitution (Article IL, Section 1) prescribes the qualifications of electors. The Legislature cannot add to such qualifications. It has no power to prescribe any educational tests whatever or to discriminate against illiterates. An illiterate berson has equal rights with any other elector, and no regulations can lawfully be imposed which will prevent him, although illiterate, from freely easting secret ballot of his own selection. a secret ballot of his own selection. The provisions requiring him to receive an exclusively official ballot, and preventing him from having any other, and compeling him to select from all the names already printed upon such ballots the names of those for whom he desires to vote, or else to write or paste the names of others thereon, when he can neither read nor write, and hence cannot comply with such provisions, operate as a practical distranchisement of an illiterate elector. A statute regulating suffrage cannot annex an educational qualification in express terms nor indirectly by prescribing tests which the elector cannot meet by reason of his being illiterate.

It is clear that a provision would be uncon-It is clear that a provision would be uncon-

It is clear that a provision would be unconstitutional which required an elector himself to write the name of his candidate upon the ballot given him at the polls, and prevented his voting any other ballot or in any other manner. Such a provision would virtually establish an educational qualification. Yet such is the practical effect of the provisions under consideration. They prevent an illiterate elector from having his builot prepared in advance by some friend or member of his family, and prevent his bringing a prepared or printed ballot with him to the polis, but compel him to accept at the voting place a ballot already printed and impose upon him the impossible task of reading he names thereon, or of pasting or writing otther names thereon, under penalty of actual distranchisement or a disclosure of his political preferences to the ballot clerks—strangers to him.

other names thereon, under penalty of actual distranchisement or a disclosure of his political preferences to the ballot clerks—strangers to him.

It is no answer to say that no additional hardship or unfair hurden is imposed upon him, because, as is claimed, an illiterate elector must necessarily consult some one in the preparation of his ballot, and he might as well inform the sworn ballot clerks as to his choice as to inform others. In the first place, he is not necessarily bound to inform any one. If he is not necessarily bound to inform any one. If he is not deprived of his privilege of selecting his ballot away from the polls he may accept without question his ballot from a friend or partisan in whom he has implicit confidence, and may vote it without examination or disclosure of its contents. It is no one's business but his own. But to deprive him of that option, and further to prevent his consulting a friend or a member of his family in the preparation of his ballot, and to compel him to disclose his preferences to two election officers, neither of whom may belong to his own political party, must be regarded as an infringement of his constitutional rights.

The Constitution gives an ulliterate person the same right to vote as an educated one. It makes no distinctions. It recornizes no differences. The Legislaure has power to require an elector to write out his own ballot. It cannot compel him to read it. It cannot lawfully ennet any provisions which practically prevent an illiterate elector from voting a secret ballot. Hence it cannot require such an elector to accept an exclusively official ballot and virtually distranchise him unless he can read it or can write thereon, or unless he discloses his choice of candidates to two officials. Such provisions impose conditions which currail and obstruct his pointical rights conferred upon him unqualifiedly by the Constitution, and as he cannot write his own ballot nor read a ballot handed him for inspection, then, if the Constitution algrant of the right of su

it is an utter impossibility for him to do so; and it is equally absurd to compel him to accept the assistance of officials to whom he must disclose his ballot and at the same time to assert that he is casting a secret ballot. A citizen is always permitted, under all systems, to voluntarily disclose his choice of candidates. The right to cast a secret ballot is a privilege conferred upon an elector. He and he alone may voluntarily waive it. But a ballot is not secret which is compulsorily disclosed. Provisions which compet such disclosure violate the secrecy of the ballot. The Constitution (Article II., Section 5) requires that our elections shall be by ballot. I contend that this provision requires entire secrecy in voting. Voting by ball t means voting secretly. It means a vote exempt from compulsory edservation or disclosure. GOV. HILL'S IDEA OF SECRECY.

There are numerous legal authorities which amply sustain this position, but it is unneces-

sary to cite them here. The point is abundantly settled beyond question or cavil. Unless secrecy is implied in the term "by ballot," there is nothing to prevent the Legislature from passing a law requiring every elector to vote an open ticket. The extent of the disfranchisement under this bill cannot well be estimated. Thousands of honest citizens would be unable to vote. Thousands of others would refrain from going to the polls. It will be observed that an illiterate, in order to be entitled to the assistance of the election officers, must swear that he is wholly unable to read or write. (See Section 28.) I does not say that he must be unable to read ort write the English language. A German, unable to read and write the English language, but still able to read and write the German language, could not conscientiously take the required oath, and hence would not be entitled to assistance and could not vote. Besides, an illiterate elector is not given the privilege accorded to an elector suffering under "physical disability" to bring with him into the booth "a person of his own selection," (Section 28,) but he is compelled to accept the assistance

of the two election officers or go without assist-

The whole question may be summed up in a few words: An illiterate person, if required to accept an exclusively official ballot upon which is printed the names or divers sets of candidates, is unable to designate his choice among so many names because he cannot read or write, and hence cannot vote. He is denied the originate of preparing his ballot beforehand. dates, is unable to designate alls choice among so many names because he cannot read or write, and hence cannot vote. He is denied the privilege of preparing his ballot beforehand. He cannot bring it with him to the polls. He cannot have the assistance of a friend either at the polls or elsewhere. In order to vote he is required to do an impossible thing, to wit: Select his candidates from numerous printed names or else submit to a compulsory disclosure of his choice to the election officers. If he submits to the latter alternative, the secrecy of his ballot is destroyed, and a mere premise of secrecy on the part of the election officers is substituted for secrecy itself. It is submitted that all such provisions are in derogation of the constitutional rights of illiterate electors.

The Massachusetts Ballot act is not obnoxious to this objection, because in that State the Constitution itself requires every elector to be able to read and write the English language.

There is another constitutional question which arises under this bill. It is submitted that the provision contained in Section 22 relating to the election of two ballot clerks, (where ballot clerks are to be elected, which is in about four-fifths of the State,) and problints each political party from nominating more than one candidate, and prevents any elector from voting for more than one ballot clerk. This provision is directly in conflict with Article II., Section 1 of the Constitution, which guarantees to every elector the right to vote "for all officers that now are or heretofore may be elective by the people." If two ballot clerks are to be elected by the people, then it follows that each elected is entitled to vote for two.

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two bailot cierks are to be elected by the people, then it follows that each elector is entitled to yote for two.

There is no escape from this conclusion. The question is an important one. It affects a vital part of the bill. It is conceded that unusual and extfaordinary powers are conferred upon the two bailot clerks. The whole theory of the exclusively official bailot is based upon the assumption that the two bailot clerks, who are to have sole charge of all bailots, are to be legally elected on different tickets and are to belong to different political parties. It that foundation is undermined the whole structure falls. It is not proposed in this message to enter into an elaborate argument to prove that the point here raised is well taken. There is absolutely no answer to it. It is sufficient to state that the same question has lately arisen in reference to a proposed new charter for Buffalo, wherein it was sought to be provided that eight Aldermen at Large might be elected by the whole city, no elector, however, to be permitted to vote for more than four. I am advised by the Attorney General that at his request ex-Judge George F. Danforth of Rochester, late Judge of the Court of Appeals, has just examined this question, and he has furnished an opinion to the Attorney General' holding that the provision in question in the proposed Buffalo charter is unconstitutional, upon the ground that as eight Aldermen are to be elected each elector is entitled to vote for the whole eight, and his rights cannot be abridged in the manner proposed. That opinion is exactly in point here. There is not a lawyer in the Legislature who will, upon examination, seriously question

its soundness. It completely demonstrates the unconstitutionality of the foundation upon which react the support and integrity or the exclusively-official ballot provided for in this bill. which rest the support and integrity of the exclusively-official ballot provided for in this bill. The feature of an exclusively official ballot, derived from the Australian system, is one not adapted to the political system of our State. It does not harmonize with our free institutions. Under the Australian system proper an elector caunot write or paste the name of his candidate upon his ballot, but he is only permitted to vote for a candidate thereon who has been duly nominated. That feature was contained in the original Saxton bill of two years ago, but it was rejected with great unanimity as inappropriate to our system. The provisions for an exclusively official ballot are equally repugnant to our political institutions, and they should be as promptly repudiated.

It has been demonstrated over and over again that an exclusively official ballot are equally repudiated for the promotion of secrecy or the prevention of corruption. It is difficult to resist the conclusion that nothing but mere pride of authorship prevents the friends of this measure from accepting a modification of its terms and eliminating the exclusive features pertaining to the proposed ballot.

THE GOVERNOR'S IDEA OF REFORM.

THE GOVERNOR'S IDEA OF REFORM.

The Legislature has seen fit thus far to insist upon the retention of an exclusively-official ballot, and manifested a disposition to accept that and nothing else. It has chosen to imperil the success of every effort to reform our elections by an adherence to this single provicion. Believing that the kind of ballot which the Legislature persists in adopting, to the exclusion of every other, is in violation of the Constitution. I have been unable to approve the measures heretofore proposed on this subject. There has never been any serious doubt among thoughtful jurists in regard to the unconstitutionality of each of the three measures upon this subject presented to me for my action. No lawyer in the State, of any considerable standing or reputation in his profession, has ever ventured an opinion affirming their constitutionality. From a legal point of view they have been wholly undefended and utterly indefensible. The people of the State, while substantially unanimous in favor of electoral reform, profoundly revere and respect their Constitution and desire no measure which shall violate its provisions. They want ballot reform—but they want it agreeably to the Constitution. They will sanction no evasion, they will tolerate no violation, they will countenance no subversion of its provisions. Even when prepased mider the alluring visions, even when proposed under the alluring name of "reform."

It seems needless to indicate in this commu-

nication, what has been so often outlined here-tofore, the essential features of an electoral re-form measure which I would cheerfully ap-prove. They may, however, be again sum-marize! as follows:

Pirst—Provisions for a general registration of electors throughout the whole State.

Second—The act to extend to all elections of public officers by ballot.

public officers by ballot.

Third—The secret booth or private compartment plan. Eagh voter to be gnaranteed absolute privacy in examining or preparing his ballot, and compelled to remain an appreciable length of time in the booth; and secrecy in voting made compulsory.

Fourth—The privilege of nominating candidates by properly-certified petitions, as well as by party conventions.

Fifth—Each distinct set of nominations to be printed on separate ballots.

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**sith—No electioneering permitted within a reasonable distance of the poils.

**seenth—Official and unofficial ballots to be used. They shall be exactly alike, the official ballots being printed and furnished at public expense and delivered to the voter at the polls only by the election officers, and unofficial ballots to be furnished by parties or candidates, and obtainable at the polls or elsewhere, and may be prepared at home and brought to the and obtainable at the poils or elsewhere, and may be prepared at home and brought to the poils and voted.

ighth—All ballots when voted to be inclosed in exclusively official envelopes furnished only by election officers at the poils.

It is unnecessary to specify any other particulars or minor provisions which may be regarded as essential or appropriate to reader

arded as essential or appropriate to render effectual the foregoing provisions to accomplish the great objects desired, to wit: Absolute secrecy and the prevention of bribery, corruption, and intimidation. They were quite fully pointed out in my last annual message, to which the attention of the Legislature is again referred. I frankly state that I would not be unduly the attention of the Legislature is again referred. I frankly state that I would not be unduly tenacious in regard to mere matters of detail, provided vital principles are not infringed upon. I would not object to the substantial features of the Connecticut reform system whereby the State furnishes all the ballots, namely: Uniform blank official bailots, duly stamped, upon which according to directions prescribed by the Secretary of State political committees and individuals may print the names committees and individuals may print the names of candidates and the names of the offices to be of candidates and the names of the offices to be tilled—such ballots to be voted in exclusively official envelopes. If it should be provided that an official ballot may be distributed to the voters before the election at their homes or elsewhere, as is contemplated in the proposed New-Jersey reform measure, there would be no serious objection to such a ballot, although inaccurately called an "exclusively" official ballot, assuming of course that no one ballot should contain more than one distinct set of nominations, and that no extraneous matters should be permitted to be engrafted upon it. OTHER OBJECTIONS TO THE BILL.

presented herein for the withholding of my approval of this measure are based upon constitutional objections. It should not be inferred from this that the measure is otherwise regarded as satisfactory. There are many defective and incongruous provisions, which, however, may be easily obviated. One of the most glaring of its improper provisions appears in section 12. It confers an authority which has not been contained in previous bills. It declares that "on the ballot [the exclusively official ballot | may be printed such words as will aid the voter in the preparation of his ballot for voting." This is clearly in violation of the intent of the Constitution, that the ballot to be used should only contain the names of the candidates and the offices to be voted for. Besides. It is a mischievous and dangerous authority.

It will be observed that the principal reasons

Who is to determine what shall be printed upon the ballot under this provision? Who is to decide what words "will aid the voter in the preparation of his ballot for voting"? It might fairly he assumed by the officer who had the preparation of the ballots that every voter would desire to vote for principles and not for men, and hence that it would materially "sid him in the preparation of his ballot for voting" if there were printed on each ticket a résumé of the principles or platforms, as he understands them, of the different parties or candidates representing them. Thus some cunning, unscrupulous, and overzeslous County Clerk might over one column cause to be printed, "These candidates favor high wages for American workmen," over another column, "These candidates favor free trade," over a third, "These candidates favor free trade," over a third, "These candidates favor conspiracies and Socialiem," and so on. Parties and candidates might thus be placed in a false and embarrassing position to their great detriment. The power to do these mischievons things is expressly conferred, and there is no restraint or limitation impused upon its exercise. It all depends upon the discretion and disposition of a single official, and for its abuse there is absolutely no remedy. It seems needless to suggest that no such provision should be permitted to be enacted into law. The contents of ballots, if not protected by the Constitution, should at least be specifically prescribed by statute, and nothing should be left to the discretion or caprice of a single official. It is hoped that the Legislature wilf not finally adjourn before perfecting a practical and efficient measure of electoral reform which shall be free from the constitutional and other proper objections here urged. Public sentiment demands an honest effort to harmonize existing differences, and is not committed to any particular measure. No man or set of men possesses a copyright man ballot reform. What the people to decide what words "will aid the voter in the preparation of his ballot for voting"? It might

an honest effort to harmonize existing differences, and is not committed to any particular measure. No man or set of men possesses a copyright upon ballot reform. What the people wants not a system poculiarly suited to foreign lands, but an American system, adapted to our own free institutions—a system which encreaches upon no just privileges and which offers a practical, not a theoretical, solution of the evils that confront us. GOV. HILL MORALIZES. No man realizes more thoroughly than do I the necessity for guarding the purity and se-

crecy of our election system. No man can appreciate more vividly than do I the dangers to our institutions in the improper use of money at the polls. When men are able to obtain high places in Government, not by virtue of their titness, but by reason of their immense wealth, our country has begun a reign of plutocracy, and republican institu-When our elecare threatened. systems permit bribery and intimidation to flourish unchecked, depraying and debasing the poor and the unintelligent, then democracy begins to be a failure and government by the people is a sham. We have come to see our polling places turned into anction rooms and our offices sold to the highest bidders. We have seen our country disgraced by the spectacle even of a national Administration assuming power as the reward of wholesale bribery and intimidation with funds supplied by the enriched recipients of legislative layers. To belittle such evils or consciously

to obstruct their removal would be to record one's self a public chemy, deserving only the condemnation of his fellow-citizens.

Yet it is unfortunate that this great popular movement which has been inaugurated for electoral reform has been delayed by men who seek to use it for the purpose of limiting and restricting suffrage, and it is a discouraging commentary upon the testingstiff and hyporlay of

mentary upon the insincerity and hypocrisy of

many professed reformers that some of those who are now loudest in their advocaoy of a change in election methods have been heretofore most active in debasing suffrage. Quiek to discern the advantage which the adoption of the Australian system proper would give them in attaining their ends, and not content to accept merely those provisions which are designed to prevent bribery, fraud, intimidation, and the improper use of money, and which all sincere and intelligent reformers agree upon they are attempting to engrafe which are designed to prevent bribery, fraud, intimidation, and the improper use of money, and which are designed to prevent bribery, fraud, intimidation, and the improper use of money, and which all sincere and intelligent reformers agree upon, they are attempting to engraft upon our statute books those other features of the system which are properly applicable only in those states and countries whose Constitutions and laws impose an educational qualification for suffrage. The Australian system in its entirety cannot exist where there is manhood suffrage without disfranchising those who cannot read or write. But, felgining to remove this objection to the adoption of the entire system in this country, these disguised enemies of popular suffrage have introduced a provision for assistance to illiterates at the polls—eitner by friends of the illiterates, who may be taken into the voting booth, or by sworn election officers. Either form of assistance would destroy the secrecy of the ballot and open the way to fraud, intimidation, and corruption; but, more than this, it would practically disfranchise thousands of voters. That will inevitably be the result—differing only in degree—whether the wirele Australian system be adopted or this particular modification has been introduced in the House of Representatives, and seems to find general support among the leaders of the party now in control of the National Government, whereby Federal elections are sought to be brought under the application of this dangerous innovation upon our methods. Its practical effect, if enacted, would be to deny fair expression of their choice to hundreds of thousands of electors now enjoying the right of franchise. It would impose upon partisan election officers, appointed by Federal Judges whose tonure of office is for life, a power such as never should be given to individuals under a democratic form of government and which would be sufficient, reimproperly used, to make our elections the triumph of an unsecrupulous minority. In the Southern

many professed reformers that some of those

URGING KAPID TRANSIT.

A MEMORIAL FROM THE REAL ESTATE EXCHANGE.

The Real Estate Exchange took vigorous hold of the rapid-transit question yesterday at a meeting that was both large and earnest. A memorial to the Legislature and several resolutions in harmony with it were adopted without a dissenting voice. The matter promises to be pushed further by the visit to Albany within a few days of 100 members of the Exchange representing or owning property in all parts of the city.

President Scott opened the meeting. The progress of the city was seriously hampered, he said, by existing conditions, and the natural increase of values was checked, preventing a large addition of taxable values in this State. and consequent reduction of the burdens to existing taxpayers. The legislative committee of the Exchange, finding that the matter had come practically to a dead-lock at Albany, had de-termined to try to end the difficulty by de-cisive action. Mr. Scott introduced Mr. Charles Coudert, who had prepared a memorial to the

Legislature.

Before offering it Mr. Coudert made an address, which stirred up a good deal of enthusi-He referred to the days of Tweed, which

dress, which stirred up a good deal of enthusiasm. He referred to the days of Tweed, which were now in danker of returning through official malfessance and corruption. The only reason he could see for official neglect of rapid transit was in the fact that men who thrived off so-called politics, and who, in or out of the Legislature, fattened on spoils, say in the construction of a system of rapid transit opportunity for plunder, and until plunder could be secured or other assurance given of perpetuating their authority or influence they means to let the people wait.

Mr. Coudert submitted a memorial to the Assembly. It sets forth that the memorialists represent among the members of this Exchange an ownership of property equal to one-third of the taxpayers of the city of New-York; that this city is in urgent need of further facilities for rapid transit; that the comfort and convenience of the present inhabitants are greatly hampered thereby, and that the values of real estate are prevented from making their normal growth, and the influx of population is driven to other towns and States for lack of necessary legislation to accomplish this result. It goes on:

"That your memorialists are wholly independent

"That your memorialists are wholly independent of any of the opposing bills now under considera-tion, but they contend; on behalf of the taxpayers of the city of New-York, that a grievous injustice of the city of New York, that a grievous injustice will be done to the interests of this city if the question of rapid transit remain unselved during the present session. Difficulties far greater than those which have to be met in this city have been undertaken and overcome in other cities, where the problem has been efficiently met, and this Exchange appeals to the Legislature to regard this subject simply in the light of its vital importance to the city and State of New York."

Before a vote was taken on the

Before a vote was taken on the memorial, the Rapid-Transit Committee, consisting of R. V. Harnett, Sinclair Myers, George De F. Barton, hand A. Disbecker, obtained unanimous consent to affix to it their report, of which the following is the essential portion:

Resolved. That the Real Estate Exchange of the city of New-York earnestly and respectfully arges the Legislature to act promptly upon the rapid-transit question by passing an act which shall confer the power to select some method which shall give the desired relief.

The memorial and report were then unanimously adopted. Mr. Disbecker offered a resolution, which was passed, deploring the invasion of politics into the subject. It was voted that the President appoint a committee of 100 to go to Albany in behalf of rapid-transit legislation, and Messrs. Coudert, Myers, Ounmins, Lespinasse, Deering, and Deeves were designated a special committee to serve in an executive capacity for the committee of one hundred. FLAGS FOR THE NORMAL COLLEGE.

Two beautiful American flags and three fine

steel engravings representing Washington. Lincoln, and the Declaration of Independence, were yesterday formally presented to the training department of the Normal Cellege by Mr. and Mrs. Theodore Moss through Col. D. Mr. and Mrs. Theodore Moss through Col. D. W. C. Ward. Miss Ethel Anderson responded to the presentation address and President Simmons of the Board of Education delivered the address of acceptance. The pleasant and patriotic episode was preceded and followed by appropriate exercises of a musical and literary character, chiefly by pupils. Incidentally there were addresses by Commissioner Samuel M. Purdy, Chairman of the Normal College, Mrs. Clara M. Williams, and Hoses Perkins. The scene of the patriotic demonstration was the second floor of the training school, and it was crowded with children, their parents, and school officials. TO-DAY'S ELECTION IN NEW-UTRECHT. A lively election is expected at New-Utrecht to-day. The citizens who have been fighting

the ring will make a strong effort for victory for the candidates they nominated last week and they believe they have a good prospect of and they believe they have a good prospect of success. These candidates are: For Justice of the Peace—James Dean; for Auditors—Andrew Hegeman, Otto Heinighke, and C. Mehl. The ring have nominated W. Bennet Wardell for Justice and Holmes van Brunt for Auditor. Who their other candidates for Auditor will be wasn't known yesterday. They sought to induce Jere Lott to run, but Mr. Lott declined to have snything to do with them.

The report of the Investigating and Auxiliary Committee of the Bay Ridge and Fort Hamilton and Bath Beach Citizens' Associations, which includes the presentment of the Grand Jury arraigning the ringeters for gross frauds, has been extensively circulated as a campaign document.

SEVENTEEN "SANE LUNATIOS." Col. Rogers brought seventeen of his alleged

"sane" lunatics into the Supreme Court, Cham-

bers, yesterday, on writs of babeas corpus. The Colonel made his usual speech in behalf of the unfortunates, and added that the District Attorney should take up the crusade he is now carrying on, as it was his duty to get these people released if they are improperly confined. The Colonel said that he was going to see Gov. Hill and ask him to send down a legislative committee to look into the Ward's Island Asylum. He said the work he has already done cost him \$1,100. Five hundred persons were now confined in the asylum who should be re-leased. The Colonel was allowed to take his seven-ten protests into an empty court room and privately examine them. At the convenience of the court the cases will be given jury trials.

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who will, upon examination, seriously question