





THE AUSTRALIAN BALLOT LAW.

In our issue of Dec. 19 (last) we commented on the legislation of the last session of our legislature, and among those comments we used the following language:

And so every caucus and convention can now act officially, and every voter can cast an "official ballot," and shall have five minutes in silence and alone to prepare his (?) vote, giving a town of 200 voters 10 hours and 40 minutes (if there is an election on the first ballot, say for town representative, and if not, what then?) and a nice little squad of officials, including a presiding officer who has duties to perform in some instances before he is designated.

If there was not an election of town representative on the first ballot "What then?"

We have been wondering "What then?" ever since. At last Col. Mansur has awakened a discussion of the subject and one of our contemporaries seems to say something ought to be done but does not point out any particular defects nor suggest any remedy. Another says there is probably a bad piece of legislation on our hands, but suggests a remedy other than has already been prescribed, and still another maintains that the act of the last session is all right, and among other things refers to certain sections of the act as though they had been overlooked by these faultfinders. And in case there was no election the first ballot we suppose he would have the town proceed under the old law, thus imposing on towns run by men not supposed to be learned in the law the duty of comparing previous enactments with this act and deciding how much of the old statutes were repealed or superseded by this last act. Like the school law the Superintendent of Education led off by putting a construction on it and was quickly followed by some dozen or more and they all disagreed, and soon found, as any one who meddles with this Australian ballot legislation will find, that it is much easier to tell what our last legislature did not do than what it did do.

The legislature muddled, and whenever any one has attempted to build on their work they will find that the law with any suggested improvements has not been made more complete in itself nor harmonious with previous legislation. Such a law should create an independent system of voting, or else it should be framed with reference to and in harmony with previous legislation. But keep on gentlemen with your patch work if it is any personal satisfaction; but at the risk of being classed with "grumblers" and "faultfinders" we shall continue as we started, until somebody has replied to our question "What then?" more satisfactorily than has yet been done.

Unless this act is speedily got out of the way and one passed that common people can understand and lawyers and judges agree on, you will see more confusion in our elections than Vermont ever witnessed or ever will desire to again.

We don't believe in convening that legislature in special session, but perhaps it may be best to assemble the judges of the Supreme Court to supply needed legislation, and we suggest that they have authority to supply "All needed legislation in respect to any law of the State," and then as soon as may be, amend the Constitution so that it shall read "Every bill which shall have passed the Senate and House of Representatives shall, before it becomes a law, be presented to the governor and the judges of the Supreme Court, and if they approve they shall sign it and if not they shall return it with their objections in writing," etc.

From this confusion and muddle, as thou hast done in times past, good judges, deliver us, for the efforts of the tribunes are unavailing.

All this discussion has only confirmed our opinion that the law was defective in these particulars which we called attention to soon after the session, and has made it certain that the law is defective. Even if its provisions are not vicious the intention of the legislature is so ambiguous and so inartistically expressed that none of those who undertake to patch it up agree with the provisions of the law are, or as to what remedies should be adopted.

A carpenter by the name of M. S. Powers, fell from the roof of a house in East Des Moines, Iowa, and sustained a painful and serious sprain of the wrist, which he cured with one bottle of Chamberlain's Pain Balm. He says it is worth \$5 a bottle. It cost him 50 cents. For sale by J. C. Hutchins, North Stratford and C. S. Raymond, Cokbrook.

On The Australian Ballot Law. To the Editor of the Free Press: Allow me to call your attention to what seems to me to be a serious defect

in the Australian ballot law passed by our last Legislature. That is it makes no provision for a second ballot for town representative, if there is no choice on the first ballot, and no one can know whether a town representative has been elected or not until after free men's meeting has been adjourned as all officers are voted for on one ballot and the box cannot be opened until sundown. The town must go unrepresented as there is no provision for holding a second election, neither is there any provision for furnishing the voters tickets for a second ballot on the same day if they could take such a ballot. Under the law it requires a majority to elect.

My purpose in calling your attention to this is that you may notice it in the Free Press so that it may be discussed in the State press and if so defective it should be remedied at the coming extra session of the Legislature.

A law that a plurality should elect would fix it.

Z. M. Mansur.

Island Pond, July 6, 1891.

A REPLY.

To the Editor of the Free Press: The Australian ballot law is made the subject of discussion to some extent throughout the State by the so-called "glaring defects" pointed out in a recent communication from Col. Z. M. Mansur and commented upon editorially by the Free Press and other papers as fatal errors in a piece of legislation that is of the most vital importance to us all.

One enterprising journal, with an eagerness to do injury to the beneficent measure worthy of a better cause, proclaims that we must "struggle along for 10 years under the law with all its baneful shortcomings, or the law must 'give way' and a return be made to the old system. This wish was father to the thought. It would indeed, be a serious condition of affairs if the situation were exactly as Col. Mansur points out. But fortunately an inspection of the act does not reveal any one of the defects to which he calls attention. Nor is it a "discovery" in any sense. Those very questions were raised and discussed in open session at the same objections made and overcome by Mr. Marshall, the able representative from Brattleboro. Col. Mansur asserts that the law "makes no provision for a second ballot," that all officers "are voted for on one ballot," and that there is no "provision for furnishing the voter's ticket for a second ballot."

Section 20 of the law provides for a second ballot, or more if necessary, and every provision is made for the furnishing of tickets until an election is had. Said section is as follows:

Section 20. There shall be printed and furnished for each polling place at which an election is to be held, 100 ballots for every voter or fraction thereof, who voted at the last preceding election, excepting in case of officers to be elected in towns, cities and villages, representatives to the General Assembly, when there shall be provided 300 ballots for each 50 voters, or fraction thereof. In case more ballots are required, the presiding officer shall cause to be furnished a sufficient supply until there is no election.

Col. Mansur also claims that "no one can know whether a town representative has been elected or not until after free men's meeting has been adjourned as all officers are voted for on one ballot and the box cannot be turned until sundown." The idea that all officers are voted for on one ballot is erroneous and the law contains no provision, so far as I am able to discover, that the box cannot be turned until sundown. The turning of the box is governed entirely by the old law which provides that the box is to be turned at 3 o'clock. The meeting should not be adjourned until after the ballots are counted and the fact of an election is ascertained. If no candidate has received a majority of the votes legally cast a new ballot can then be had. Finally, let us have the new law, and with it—peace.

F. C. Smith.

St. Albans, Vt., July 10, 1891.

State Press Comments on the Voting.

Col. Z. M. Mansur calls attention to a serious defect in the new ballot law passed by the last Legislature resulting from the lack of provision for a second ballot for town representative whenever there is no election on the first ballot. As a remedy, Col. Mansur suggests the amendment of the law providing for additional ballots, or the adoption of a provision that a plurality shall elect instead of a majority as is required by law at present. The first named suggestion is undoubtedly the better of the two, considering the possibility that in some instances all the candidates might have the same number of votes. But should it occur there would be no alternative except to take a second, and possibly a third and fourth ballot. It is an excellent idea to call attention to defects in various laws during the off year when there is ample time for discussion of the matter, as well as for the suggestion of remedies. An ounce of discussion often saves a pound of bad legislation, and it is not nearly so expensive.—Free Press.

These points seem well taken, and Col. Mansur's suggestion seems to be a good one, that the necessary amendments be made at next month's extra session of the legislature.—Republican.

The St. Albans Messenger, after quoting Col. Mansur's letter, says that it has "maintained all along that the Australian ballot law was adapted to the plurality system, so far as it relates to the election of town officers and representatives to the legislature. More than once this paper has made the suggestion that the state constitution should be first amended in this respect. Col. Mansur says that 'a law that a plurality should elect' would fit it—that is, would fit the case. But as no such law can be effectual until after the constitution shall have been amended, it will be seen that we must stagger along as best we can for the next ten years at least. The law, meantime, may be so amended as to permit of a second ballot, but even that would be cumbersome. It is a plan in harmony with our Vermont system of town elections, and either the one or the other must give way, or the old time freedom of the ballot be curtailed, or the number of town representatives be reduced. The state constitution should be amended so that a plurality should elect instead of a majority as is required by law at present. This means a somewhat more lengthy session than had been contemplated, but if the defects are as apparent as Mr. Mansur points out, and there is no remedy to be found in the supreme court, then it would become the duty of the legislature to make amendments as best it can, no matter what the expense may be. The readiest way to surmount the difficulty until the constitution can be amended would seem to be to divorce the election of town officers and town representatives from the Australian ballot system and return to the good old fashioned way, wherein everybody, and all candidates, would have a chance."

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On The Australian Ballot Law. To the Editor of the Free Press: Allow me to call your attention to what seems to me to be a serious defect

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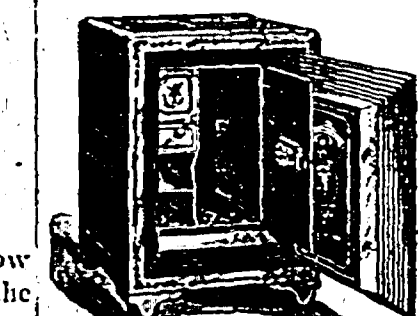
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Christian Advocate.

THE HOME CORNER

ENCOURAGING. I'd poured the sweetest effort of my life— A poem I wrote, about the vasty deep. I took it then, and read it to my wife. And when I'd done, behold, she was asleep! —Harper's.

THE TRIAL OF THE ROSE.

In the garden of the hospital, where flutters in the sun the winged snow of the butterflies, the young lunatic wanders alone. He is pale with an air of softness. And what sadness in his vague eyes! He stops before a sweet brier; calls a brier-rose; stops between two rose bushes, culls from one a tea-rose, from the other a moss-rose.

On a wooden bench at the turn of the path he places the three flowers he has culled. He says to the brier-rose:

"Brier-rose answer! You are accused of having abandoned without pity, when you were a young girl, a poor and sorrowful child who adored you, in favor of an old man who was rich. What have you to say in your defence?"

He awaits the answer. He continues: "The cause is heard. I condemn you."

He says to the tea-rose: "Tea-rose, answer! You are accused of having, when you were a worldly young woman, driven to despair, and tortured by the infamous play of your deceitful smiles and of your retracted consents, a miserable young man whose heart alas! beats only for you ardently. What have you to say in your defence?"

He awaits the answer. He continues: "The cause is heard. I condemn you."

He says to the moss-rose: "Moss-rose answer! Thou art accused of having, when thou wert a fair girl, ruined an unfortunate man who sought in thy love the oblivion of his ancient despair. What hast thou to say in thy defence?"

He awaits the answer. He continues: "The cause is heard. I condemn thee."

Having pronounced these sentences, he pulls from his pocket a pretty, complicated instrument made of aromatic woods and shining steel; it is a little guillotine, which he has fashioned while dreaming during his hours of leisure.

One after the other, upon the tiny bascule, he places the eglantine, the tea-rose, the moss-rose. One after the other, beneath the blade that slides and cuts, the flowers, separated from their stems, fall in the gravel of the path.

He picks them up and gazes at them long.

He walks towards the shadowy part of the garden, where nobody passes, digs with his fingers a little grave in the earth, lays in it together the three executed flowers, covers them with gravel and acacia-leaves.

Then he kneels down and weeps till evening over the grave of the guilty ones.

CALENDAR JULY 25-31.

FROM MILL ON THE FLOSS. Saturday 25.—It makes the mind very free when we give up wishing.

Sunday 26.—Losing the simplicity of life by admitting a ground of concealment.

Monday 27.—He is not a youth of whom you would prophesy failure in anything he had thoroughly wished.

Tuesday 28.—When a man's got brains, there's no knowing where they'll run to.

Wednesday 29.—Love gives insight: insight foreboding.

Thursday 30.—Stupefaction is not resignation.

Friday 31.—It's foolish work, tearing things to pieces to sew 'em together again.







