

THE POPE AND THE FUTURE OF THE PAPACY.

THE late conflict arising from the French pilgrims' insult to the memory of Victor Emmanuel, followed by the indignant protest* of the Italian population, has drawn attention afresh to the state of the Papal question. It was certainly a very hazardous enterprise of Leo XIII. to invite masses of French pilgrims to Rome at the time when the anniversary of the annexation of the present Capital was celebrated by the people. The Pope's principal allocutions were indeed moderate, but the physical and mental overstrain of the aged Pontiff caused by the constant exertions of receptions and ceremonies provoked an irritability to which he gave vent in his address to the union of the Catholic youth; and it sounded rather as a cry for combat when he said that those who maintained that the Pope was free falsified the idea of liberty. It is true that he asked his hearers not to overstep the limits of legality, but if once the passions of young men are inflamed such admonitions are easily set aside; and it is not astonishing that the ardent French youths tried to give practical expression of their feelings. The incident is not yet closed; for, if the Italian Government with laudable promptness has punished those authorities who did not protect the pilgrims on their journey homeward against the insults of the populace, and if the French Ambassador at Rome has expressed to the Italian Minister of Foreign Affairs the regret of his Government on account of the excesses committed by his compatriots, if furthermore the French Minister of Finance has uttered words of sympathy towards Italy at the inauguration of the Garibaldi monument at Nice, and his colleague for Foreign Affairs, M. Ribot, has spoken in the same strain in the Chamber, denying any

* We may quote here the text of the Royal answer to the telegram forwarded to the King by the *Sindaco* (Mayor) of Rome in the name of the Roman population, which was at first withheld from publicity by the Government: "*Commosso come figlio, fiero come Italiano, mi unisco con tutto il cuore alla grande e nobile protesta del popolo Romano, il mio popolo! Consigliate ora i Romani a rientrare nella calma; la calma è dei forti!*—*Umberto*. [Moved as a son, proud as an Italian, I join with all my heart in the great and noble protest of the Roman people, my own people! Counsel the Romans now to be calm; calmness is a virtue of the strong!—*Humbert*.]

intention on the part of France of restoring the temporal power of the Pope,—the conflict has nevertheless embittered the international relations of Italy and France.

Moreover it appears destined to have domestic consequences in France, for most of the bishops have answered the invitation of the Minister of Justice to stop those pilgrimages, by a flat refusal couched in very uncourteous terms, so that some of them will be brought before the courts on account of disrespect to the Government; and this may lead to an alienation of the Conservative party from the present Ministry. We do not, however, pretend to launch into speculations about these consequences, but we revert to the questions of the reciprocal position of the Papacy and Italy, in which lies the origin of the recent conflict—the more so since Leo XIII. is a very aged man who showed signs of great weakness during the late ceremonies and may be carried off any day.

The Pope invariably maintains that he is not free, and cannot become so again unless his temporal dominion is restored. The question is whether this be true and if so, whether there be any prospect of his demand being fulfilled.

I.

The origin and the growth of the former Papal dominion are as worldly as of any other State. Until the middle of the eighth century the Popes were subjects of the Roman Emperor. They acquired large estates by donations and inheritance over which with the decline of the Empire they gradually exercised rights of government. But even when Pepin and Charlemagne endowed the Roman See with possessions torn from the Langobards, these were not considered as its property but as a great episcopal fief, such as existed in the Germanic countries of that time. With Gregory VII. the great struggle between the Papacy and the Empire began and it was Innocent III. who first established an independent government in the estate of the Church. The most energetic representatives of that tendency were Alexander VI. and Julius II. who enlarged their dominion by force and cunning. Sixtus V. and Pius V. reorganized the administration of the Ecclesiastical State and thus definitely founded the Papal Monarchy.

But during this historical development appears already the double character of this Papal State in consequence of the Papacy's being at once a worldly power and the highest spiritual power. On the one

side it was a source of great revenue for the general government of the Church; on the other side the Popes were Italian princes and as such were drawn into all the conflicts of political strife. The other Governments after the victory of the Papacy over the Empire did not contest in principle the sovereignty of the Pope, but this did not prevent them from making war upon him and occupying Rome or other Papal provinces, just as the Popes on their side made leagues with foreign Governments, such as the famous Treaty of Cambray against Venice in 1508. It is evident that by this twofold character of the Papal dominion the highest spiritual office of Christianity was degraded and placed in the service of ever-changing worldly interests; and this evil was increased by the nature of a priestly government, which lacked the intrinsic force to maintain the independence at which it aimed. There was a constant disproportion between the universal spiritual authority of the Pope and his very limited territorial possessions, which even the most astute diplomacy of the Curia and the support of political purposes by spiritual means could not efface. Other powers constantly availed themselves of the worldly position of the Pope as a means to force him to take steps, on which he would never have ventured as the Head of the Church. At Avignon the Popes were the obedient servants of the French kings and under the pressure of Philip IV. Clement V. committed the great judicial murder of the destruction of the Templars. Clement VII. supported the Protestant League of Schmalkalden against Charles V. the defender of the Catholic faith, but after the sack of Rome by that monarch he was obliged to crown him at Bologna. Urban VIII. favored Gustavus Adolphus, the chief of the Protestants; Innocent XI. favored William III. of England against Louis XIV., and Clement XIII. was forced in 1774 by the Bourbon Courts to suppress the Jesuits. This disproportion was increased by the internal weakness of the Papal administration, forming a strange contradiction to the firm rules of the ecclesiastical government. It was absolute, yet without any traditions and constantly changing, and the result was a misgovernment and fleecing of the people with scarcely a parallel in the civilized world.*

This nuisance still increased when, after the interval of the Napoleonic era, the temporal power was re-established. It accepted the

* Compare the despatches of the French ambassadors since 1667 communicated in "Le gouvernement temporel des Papes, jugé par la diplomatie française."

French suppression of the mediæval privileges of the formerly somewhat independent cities, but abolished all the administrative ameliorations introduced by Napoleon and delivered the country over to the good pleasure of the prelate. The delegates of the Pope were quite as arbitrary as the French prefects but much less able. It was in fact a theocracy modified by anarchy. The consequence was constant insurrections put down by Austrian arms. The reforms recommended by the Great Powers in 1832 came to nothing; and, when at last Pius IX. tried to inaugurate a new era by reforms, the attempt broke down in its beginning. This was but natural, for the chief of a Church who legislates in the highest spiritual affairs for 200,000,000 souls cannot submit to the demand that his State shall no longer be governed in the interest of the hierarchy. The conflict with the representative assembly convoked in 1848 was, therefore, unavoidable. Pius IX. fled to Gaeta, and was re-established by Napoleon III. in Rome whilst the Austrians again occupied the Legations, and the old misgovernment remained till the Italian question was roused by Napoleon III. and Cavour in 1859.*

Undoubtedly the French Emperor had no intention of creating a united Italian State, still less of touching the temporal dominion of the Pope, but he was outwitted by the masterly and unscrupulous state-craft of Cavour supported by the disciplined will of the Italian people. All his endeavors to find a *mezzo-terme* were rendered fruitless by the hardy action of the Italian statesman as well as by the stubborn refusal of the Curia to make any concessions, and the end was that the Pope found himself deprived of his worldly dominion except what was called the "*Patrimonium Petri*," about a third of his former possessions garrisoned by the French. Cavour indeed did not renounce the annexation of this remaining third, but in his celebrated speeches of March 25 and 27, 1861, in which he proclaimed Rome as the capital of Italy, he admitted that this annexation could not be carried out against the will of France and that it ought to be achieved without extending the political authority on the ecclesiastical domain. This latter condition he hoped to obtain by negotiation with the Curia and to conclude a religious peace on the Capitol, which might be of far greater consequences than that of Westphalia.† This proved an

* They are related in all detail in the interesting book by Thouvenel: "Le secret de l'Empereur, Correspondance confidentielle et inédite entre M. Thouvenel, le Duc de Gramont et le général Comte de Flahaut." 1860-63. Paris, 2 vols., 1889.

† Artom et Blanc: "Œuvre parlementaire du Comte de Cavour," P. 24. Paris, 1862.

illusion. We are now in possession of all the documents of this negotiation * and know that a considerable part of the Cardinals were of opinion that the large concessions which Cavour offered to the Papacy might be accepted; moreover that Pius IX. himself was wavering, but by the resistance of Antonelli the whole affair fell to the ground. Cavour died, and the attempts of Garibaldi to settle the question by the sword had as little success as the Convention between Italy and France of September, 1864, trying to establish a *modus vivendi*, and it was only after the great defeat of the French in 1870 that Italy found the courage to occupy Rome, and the rest of the former possessions of the Church.

That this forcible annexation, although ratified by a vote of the population, did not square with the international obligations which Italy had entered into, cannot be contested; for by the September Convention of 1864 the Government had promised not to attack the Papal territory nor to suffer any aggression upon it and, when (August 2, 1870) the French Ambassador announced the withdrawal of the French garrison from Rome, the Minister of Foreign Affairs replied (August 4) by a despatch, stating that the Government would continue to observe strictly the obligations entered upon in 1864. If nevertheless the same Ministry several weeks afterwards forcibly entered Rome, it can only be said that it acted under the irresistible pressure of the people, who were resolved to profit by the favorable circumstances in order to put an end to the struggle carried on from Rome by the Curia and the dispossessed Italian princes against the new Kingdom, and that the misgovernment of this priest-State, which was most detested by the Romans themselves and could be kept up only by foreign troops, was an anachronism destined to disappear sooner or later. It is true that the annexation of Rome in no wise involved the necessity of making it the capital of Italy. Cavour had given this cry only on the condition of coming to an understanding with the Pope; and, when this attempt failed, excellent and intelligent patriots such as Azeglio, Gino Capponi, Menabrea, Jacini, and Alfieri, were strongly opposed to establishing the centre of the government at Rome, because it vastly increased the difficulties of the situation; for it placed on the same spot, front to front, two hostile powers, one of which had daily to feel what it had lost by its forcible dispossession; and so the antagonism was pushed to a culminating

* Diomede Pantaleoni: "L'Idea Italiana nella soppressione del potere temporale dei Papi, con documenti inediti." Torino—Roma, 1884.

point. Nevertheless the popular pressure was so powerful in favor of the "*Roma Capitale*," which had entered as an axiom into the national creed, that the Government did not feel strong enough to resist. Given this fact and seeing that the Curia refused any negotiations—even a tacit renunciation which Cavour had hoped to obtain—but protested against the occupation of Rome as "a work of destruction of Catholicism and the negation of the supreme authority of the Pope and the liberty of the Church, which rendered impossible all conciliation" (Circular Despatch of Cardinal Antonelli of November, 1870), nothing was left to the Government but to prove on its side that the loss of the temporal power would in no wise infringe upon the free exercise of the spiritual authority of the Pope. In this sense the Minister of Foreign Affairs, Visconti Venosta, in order to soothe the susceptibilities of the Catholics abroad, shortly after the occupation of Rome gave in a circular despatch of October 18 the most positive assurances that the spiritual independence of the Holy Father should receive every desirable guarantee; and in order to realize this promise the law of guarantees of May 13, 1871, was passed.

It cannot be denied that this act shows certain deficiencies; for instance, Cavour in his negotiations had offered to the Pope landed estates (*tale massa di beni stabili*) the revenue of which would be sufficient for the expenses of the Curia and the maintenance of its dignity. This might have been tacitly accepted by the Pope without his explicit consent and would not have formed a danger to the State. But the law of 1871 simply constituted a permanent donation of 3,225,000 francs in the Italian budget for the Holy See, which the Pope could not accept without becoming the pensioner of the State, a position incompatible with his dignity. Further, it cannot be denied that the law of guarantees was not always faithfully executed by the Government, as was shown by the insults of the populace at the funeral of Pius IX., and by several judgments of the Italian courts, for instance, in the case of Theodoli-Martinucci, and in the question of the estates of the Propaganda, in which the Government upon a very doubtful title compelled that establishment to exchange the landed property of that corporation for Italian *rentes*.

But for the rest, the law has worked well and it may be said that the exercise of the spiritual authority of the Pope was never more free than under its reign. It cannot indeed be maintained that he is a sovereign, for the essential conditions of sovereignty are a territory and subjects. The miniature Republic of San Marino has both, but

the Vatican and Lateran left to the free use of the Pope cannot be considered as a territory, nor can the Pope's small band of soldiers and servants be treated as subjects. He has indeed the right of legation and can send ministers to those Governments which choose to receive them; but he is not able to grant the necessary diplomatic privileges to the ambassadors accredited to him except by the connivance of the Italian Government, which has promised to do so in the law of guarantees.

The truth is, that if the Pope is no longer a sovereign he is treated as a sovereign in important respects. His person is inviolable. Any offence or attempt against it is to be punished as those committed against the King, nor can any functionary of the State enter his residence without his permission. The consequence is that the Pope has become more independent and more irresponsible than ever before. He has not to fear any attack on his person either by revolution or by a foreign Power. If a sovereign State offends another Government by action or word, the latter is entitled to demand satisfaction, and, if it is refused, to declare war. The Pope is free of such reprisals. A State offended by him, can only break off its diplomatic relations with the Curia. It cannot make him personally responsible. Having guaranteed his inviolability, Italy cannot allow a foreign Government to proceed against the Pope on Italian soil nor do so herself.

We have had an instance of this in the ecclesiastical conflict between Prussia and the Curia (*Kulturkampf*). Prince Bismarck was highly incensed against Pius IX. on account of the offensive speeches of the Supreme Pontiff against the modern Attila; and, if the former temporal power had still existed, the German Chancellor would probably have sent a man-of-war to occupy Ancona or Civita-Vecchia. But, when he applied to the Italian Government to stop that abuse of speech, it was compelled to answer that it could do nothing, the law of guarantees having sanctioned the inviolability of the Pope and of his residence. Pius IX., therefore, continued his invectives and the end was that Bismarck's successor felt obliged to make an ignominious peace with the Curia, by which he surrendered the Falk laws, formerly praised as a bulwark of the State. The Pope therefore can declare laws of a Government null and void, for this is merely an exercise of his spiritual power, as he did with respect to the Prussian May-laws and the Austrian school-laws; and the respective Governments can only punish their bishops and priests who proclaim his decisions and thus provoke disobedience to the laws of their country.

Nay more, the position of the Pope in Italy is in certain regards more favorable than that of the King. A creditor of the latter may bring forward an action against the civil list, which may be condemned to pay; for, although the King cannot personally be sued, no article of the Constitution exempts the royal residence from the acts of judicial authority. But as to the Pope, according to article VII. of the law of guarantees, no civil judgment can be executed against him, his functionaries residing in his palaces, or his fortune; for no officer of the State is allowed to enter his residence against his will. And this immunity extends over the whole of the Kingdom. Wherever the Pope goes he not only has the privilege of personal inviolability, but his residence remains inaccessible to the interference of any official of the State. This inviolability applies also to the Conclave during the vacancy of the Holy See, and to an ecumenical council, the Government having promised to protect both against every disturbance and having promised especially that, during the vacancy, the personal liberty of the Cardinals shall be in no wise restrained. In fact, the Conclave by which Leo XIII. was elected passed off as regularly and as quietly possible.

We may thus say that, notwithstanding the above-mentioned short-comings of the law of guarantees, it has in the main secured the spiritual independence of the Pope, and that, if perhaps the Government should have prevented some slanderous attacks of the Radical press against the Supreme Pontiff, it has shown great forbearance towards the constant abuse of the Clerical journals, which do not enjoy the same immunity as the Pope and his officials.

We conclude, therefore, that the complaints of Leo XIII. of being deprived of the liberty necessary for his office are unfounded; the more so as, with the exception of the civil list stipulated by the law of 1871, he avails himself of all the privileges which that act confers upon the Papacy. His complaints are derived solely from the grievance that Rome no longer belongs to him, although he should take to heart the word of Him whose successor he claims to be,—“My Kingdom is not of this world.” He never wearies of his lamentations that the See of the Apostles is infested by unbelief, Protestant churches, schools and book-shops; and, if the French pilgrims give unlawful expression to their feelings, it must be said that they have essentially only repeated what the Pope and the Clerical journals themselves say every day.

II.

The second question is, Is there a remedy for this anomalous situation? I have admitted that the establishment of Rome as the Capital of Italy was a matter of doubtful policy, but it is a fact which has lasted for twenty years and cannot now be annulled. Modern Rome is not the city of 1870. Many independent interests have sprung up which prevent the re-establishment of the temporal power. Above all, Rome has become the definite centre of the Italian Government. Notwithstanding the inconveniences which the co-dwelling of Kingdom and Papacy provokes, no Italian King could abandon Rome as his Capital. Such an act would not only jeopard Italian unity, but it would not even lead to the recession of Rome to the Papacy. It would deliver up the Capital to revolution. Besides, the greatest difficulty would not be the re-establishment of the temporal power but the maintaining of it, which could be done only by foreign arms. One must have been at Rome to understand the intense hatred of the Roman population, good Catholics as they are in religion, against the former state of things; and no government could undertake now to garrison Rome and to keep down the national aspirations for the sake of satisfying the Pope's demands.

On the other hand it is very unlikely, notwithstanding his complaints, that the Pope will leave Rome. He might do so if he were personally outraged, but the Italian Government will take good care to prevent such an event, which would prove a source of embarrassment to itself. Apart from such a case, the threats of Leo XIII. should not be taken literally. If he declares that his situation is insupportable, he means that it is unsafe and exposed to many vicissitudes. But hitherto he has not followed the advice of the *Zelanti* and French intriguers who try to persuade him that his departure would provoke a general crisis and confusion. We now know by Crispi's revelations in "The Contemporary Review," that when French instigations pressed the Pope hard to leave Rome, the Italian Government confidentially informed him that he was quite free to leave but not to return; but that, on the contrary, immediately after his departure, his palaces would be occupied. And in what other country would he find the privileges of the law of guarantees? Nowhere; not even in Malta, where he would be respectfully received but would be considered as an unwelcome and embarrassing guest.

Certainly, too, the departure of the Pope would be a considerable

material loss to the city of Rome. The expenses of the Curia amount to about 10,000,000 francs annually, and the income derived from the contributions of all Catholic countries is far larger; but it cannot be believed that according to the maxim *ubi papa, ibi ecclesia*, the Pope would be able to carry off the Eternal City in the folds of his robes. A new capital of the Catholic Church is not to be improvised; the Papacy is too old a tree to be transplanted; all its historical origins and actual interests are rooted in the Roman soil; and the whole Papal bureaucracy would feel exiled in any foreign country. It is therefore most unlikely, unless an extreme case should arise, either that the Pope will voluntarily leave Rome or that Italy will compel him to do so. The late incident with the French pilgrims has provoked an agitation of the Radical party for abolishing the law of guarantees as contradictory to the national dignity, alleging besides that it has never been accepted by the Clericals. But we do not believe that the attempt will be successful, for the difficulty is otherwise to regulate the position of the Pope; and there exists no project which would be accepted by all parties, as securing the Papal spiritual independence which has been guaranteed to the Catholic world by Italy, and not trespassing upon the national dignity. Nor do we think that a change in the person of the Pope would facilitate the solution of the problem.

The historian of the last Conclave, Raffaele de Cesare, has just published in the "*Nuova Antologia*" an essay on the future Pope, reviewing the candidates who, according to his views, have the best chance to ascend the Papal throne. As the first, he names Cardinal Monaco Valletta, the chief of the moderate Intransigents, quite as stubborn as Leo XIII. in the revindication of the temporal power, but peaceful and a friend of Austria. The second is Cardinal Parocchi, a blind tool of France, and Cardinal Lavigerie, capable of strong resolutions but also of great follies. The third is Cardinal Battaglini of Bologna, a mild priest who seldom appears at the Vatican and confines himself peacefully to governing his diocese. The complicated mode of election in the Conclave makes prophecies very difficult. But this much may be said, that the majority will not be inclined to push to a crisis, and that under Leo's successor things will go on very much as they go on now.

There is another illusion to be dispelled, namely, that a decisive change could be wrought by a religious reformation. This was perfectly possible in the sixteenth century, when the movement inaugu-

rated by Luther had spread over a large part of Italy. Even the sonnets of Michael Angelo breathe a spirit akin to Protestantism. But that movement was stamped out by the brute force of the Inquisition under Paul IV., and there is scarcely left a trace of it.* Religious liberty now reigns in the Kingdom of Italy, and Protestant churches and schools are to be found in Rome, Florence, Naples, Palermo, Genoa, and other cities, but these congregations are small and make little progress. A friend of mine urged a Roman editor to have my work on the relations of Church and State translated into Italian. The man shrugged his shoulders and answered: "Who would read such a book in Italy?" He was right. Apart from an Ultramontane minority, the Italians are indifferent in religious matters; they submit to performing the rites of the Church on account of their wives and because they do not want to quarrel with the priests, but they do not care for such questions. Still less possible is a reform of the Catholic Church, as has been proved by the abortive attempts of Count Campello and others. The centralization of the hierarchy has been pushed to a degree which renders fruitless all exertions for a dogmatic change; for the Catholic Church is above all a constitutional one. You are not a member of it by adhering to certain dogmas, but by submitting to the divinely established hierarchy which shuns all change. It is perfectly possible that Leo XIII. should never have proclaimed the papal infallibility, but he cannot retrace his steps; nay, he strained this dogma to the utmost by interfering in the struggle of Prince Bismarck and the opposition about the military septennate in Germany, alleging that a vote in favor of it would tend to strengthen the chances of peace. He has not been successful in this attempt, the German Catholics refusing to obey him in a purely secular matter, just as the Irish bishops declined to follow his advice in the strife with the British Government, and just as he was obliged to revise his judgment concerning the American Knights of Labor at the instance of Cardinal Gibbons. But the fact that he has interfered in such questions shows how far he extends the range of moral questions in which, according to the decree of Papal infallibility, he is entitled to interfere. The plea that in these affairs he was not speaking *ex cathedra*, i.e. as the supreme arbiter of questions of faith and morals, is purely illusory, since he himself decides whether he is speaking *ex*

* Cf. Ranke's "Ecclesiastical and Political History of the Popes of Rome during the 16th and 17th Centuries," translated by Sarah Austin. 3 vols., London, 1840.

cathedra,—a term wholly unknown to the old Church.* An authority which defines its own competence is omnipotent.

The hesitating attempts of ecclesiastical dignitaries to bring about an understanding with Italy, such as Padre Curci and Monsignor Bonomelli, bishop of Cremona (*Roma e la realtà delle Cose*), have been unsuccessful. Both have been compelled to recant their writings, nor would a Catholic party in the Italian Parliament, even if the Curia resolved to abandon its principle, *Né elettori né eletti*, succeed in assuaging the enmity between the Papacy and the Kingdom, for each member is bound to swear allegiance to the King and his successors, which would imply the acknowledgment of the national unity and a renunciation to the re-establishment of the temporal power.

We come to the conclusion that a normal solution of the Papal question is impossible. Notwithstanding all inconveniences the Papacy and Italian Kingship are condemned to live on the same spot and a change in the person of the Supreme Pontiff will alter nothing. All that is possible, so far as can be foreseen, is to maintain the *modus vivendi* established by the law of guarantees and to avoid as much as possible any infringement upon it, so that the latent antagonism of the two hostile powers may not become acute. That seems the task which the future puts to the wisdom of both rivals, and upon its fulfillment will depend the ultimate international position of the Papacy.

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* This escapes modern Catholic writers such as Toscanelli: "Religione e patria osteggiate dal Papa," Florence, 1890, who argues that in the famous case of Pope Honorius condemned by an ecumenical council and his successors the words "*ex cathedra*" were not used.

THE SECRET BALLOT IN THIRTY-THREE STATES.

THE record of the progress of ballot reform in this country ought to give new faith and courage to even the most despondent reformer, no matter how often it has happened to him to be "in at the death" with other good causes. It is barely five years since the agitation of the reform began, yet the reform itself is to-day an accomplished fact. Three-fourths of all the States of the Union have adopted the new system in one form or another and will vote under its provisions in the next Presidential election. The remaining States are certain to fall into line within a very short period. The Australian system, which in 1872, fourteen years after its birth, became by adoption the English system, and a few years later the Canadian system, becomes now, with some modifications, the American system. The period of agitation in England was about the same in duration as it was here, beginning in 1868 and ending in the enactment of a law in 1872. Systematic agitation in this country began in the winter of 1887 in the discussions of the Commonwealth Club in New York City, though a bill embodying in crude form some of the principles of the Australian system was under consideration in the Michigan legislature in the winter of 1885. None of the participants in the Commonwealth Club's discussions was so sanguine as to hope for success within five years. They all looked forward to a long and arduous campaign of education, and would have entered upon it joyfully could they have been assured of final success within ten years. The rapidity with which the reform was advanced is, in fact, without parallel in the history of reform movements in this country.

The chief reason for this rapid progress is to be found in the chaotic condition of our election laws at the outset of the agitation. There could not be said to be at that time anything like an American system of voting. In all our election laws there was a lapsus at a critical point which put our elections completely in the control of the political organizations. Those laws provided for the form of the ballots and the methods of printing them in various States, and provided also for counting the results and declaring the same; but they were dumb