
An Object Lesson in Referendums: A Personal Letter from Hermon F. Titus: Address to Comrades in the State of Washington and Elsewhere — A Funny Story Which is True.

by Hermon F. Titus

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Toledo, Ohio, May 4th, 1905.

To the members of the Socialist Party
in the state of Washington.

Comrades:—

You are called upon by your State Committee to vote upon a referendum involving me. That is my excuse for writing this letter.

I lived in Seattle for 13 years and was identified with the Socialist Party for the last 5 years. Since August 1900, I was the editor of *The Socialist*. I think it true to say that during that five years no man in the state has been more actively and publicly and constantly working for the cause of Socialism.

During all that five years no one ever brought a “charge” against me of any kind. Yet now, two days before I left the state to reestablish *The Socialist* in the East, when everybody had known for a month the very day I was to leave, official “charges” were presented to the City Central Committee of Local Seattle against the Branch of which I was a member and against myself.

I have no hesitation in saying that the object of these “charges” was to prejudice the comrades in the East against me in advance. “Charges” would sound big, even if they amounted to nothing in themselves. Comrades in the East, it was reasoned, would be sure to think there must be some fire where there was the smoke of “charges.”

I have some bitter personal enemies in the party in Seattle, some through jealousy of my prominence in

party affairs, some through exposure of their crookedness. As you know, *The Socialist* has always exposed schemers and fought every middle class tendency in the party.

These personal enemies, at least one of whom years ago took an oath to drive Titus out of the party, were furious at the prospect of my leaving Washington with honor and entering a wider field in the East.

Hence, these “charges” were brought out at the last minute, when it was known I could not be present to defend myself. In fact, I have never been served a copy of these charges to this day, nor notified in any way to be present or offer evidence in my own behalf, though I have been formally “tried” before two committees.

The Triviality of the Charges.

But it is of little consequence whether I could be present or not. The so-called charges are so utterly trivial and baseless that I am perfectly willing anyone anywhere should be the judge, provided he is not my personal enemy.

The State Committee, which has just sent the matter to you for a referendum vote, was composed of six members, three of whom are my personal enemies or their representatives. One of them drew up and signed the charges themselves, yet acted as one of the judges. You could hardly expect the very men who brought the charges to vote for their dismissal.

After a long trial before the City Central Committee of Seattle, the charges were dismissed by a vote

of 17 to 12, the whole twelve negative votes coming from Central Branch, which brought the charges. No fair minded jury could come to any other conclusion, and it is quite to my advantage that everyone who has heard rumors of these charges, should now have a chance to see for themselves what they amount to.

All Simmered Down to One.

The only "charge" that is now before you for vote is that of a "Fraudulent Ballot."

The other charges about Pike Street Branch opening referendum votes illegally, were too absurd to be pressed. Yet it is well enough to let you know just what they meant. You will see what technical and hairsplitting distinctions were lugged out as the basis of "charges."

Pike Street Branch has in its bylaws a provision requiring that each referendum ballot shall be sealed by the voter and not opened till the Branch in public meeting is ready to count it. I introduced this provision myself in order to prevent any committee from tampering with the ballots. It is a provision found almost nowhere else so far as I know.

Now Pike Street had two referendum votes out at the same time, one returnable earlier than the other. Some comrades, in order to save trouble and expense, sealed up their votes on both referendums in one envelope and sent them to the secretary. When the Branch met to count the first referendum sent out, they opened all the envelopes, not knowing that they contained two ballots. But they were so scrupulous that they voted not to look at the second enclosed ballots, but at once sealed them up in an envelope by themselves and they were neither seen nor counted till the time allotted for the second referendum.

Yet this very strictness of bylaws and this conscientious observance of their spirit, after an unwitting and unavoidable violation of a part of their letter, was made the basis of about half the "charges" presented against me and Pike Street Branch.

That "Fraudulent Ballot."

The words "Fraudulent Ballot" sound wicked. But I ask you to judge for yourselves how absolutely without foundation they are in this instance.

In order that all may see, I have had an exact copy made by photographic process. Also an exact copy of a circular sent out two days before the little slip was distributed.

The Exact Circumstances.

A referendum was being voted on by Local Seattle to introduce new bylaws. The chief object aimed at was to do away with the Branch system of organization in Seattle, and go back to one central body. I was strongly opposed to this change, and so was Pike Street Branch. We worked hard to defeat the proposed new bylaws. We sent out circulars to all members telling them why they should vote against them. The advocates of the new bylaws also sent out circulars. The whole Local was discussing the question, pro and con, as was proper.

We succeeded in convincing some comrades who had already sent in their ballots that they had voted wrong. They had voted too soon, before they had heard both sides. They had a perfect right to change their votes, as anyone has, before the time has expired for voting. We sent out our last circular on Monday, Jan. 9 [1905] as the vote closed on Saturday, the 14th. The facsimile of this circular is given herewith. In it you will see we urge comrades to get new ballots and change their votes.

This was on Monday. We suddenly discovered that no ballots could be found. The official ballots had been prepared by one man and distributed by him to the secretaries of the different branches. When these secretaries went to him for new ballots, they could not be had. No one knew where they were, though at least 150 surplus ballots had been printed and were afterwards found, when the voting was all over.

Under these circumstances, what was a comrade who wanted to change his vote to do? The only way was to write out his statement and send it in. This is considerable trouble and in order to make it easier and to get all the votes possible against the proposed new bylaws, I had printed exactly what such a comrade would naturally write — wanting to change his vote, or even to vote for the first time, and having no regular ballot. I distributed these to every comrade I thought likely to change his vote and gave him copies of our circulars at the same time.

That is All.

And that is all. That is all anybody claims that I did. I plead guilty. I should do it again under the same circumstances. I believe it to have been, not only no offense, but my duty under the circumstances, to provide comrades deprived of regular ballots by some-body's intention or blunder, with an opportunity to express their will on a referendum vote.

No Deception Practiced.

There was no possibility of any comrade being deceived by this little ballot. It says on its face, "I cannot get a regular ballot," and so certainly does not pretend to be a "regular ballot."

It tells exactly what it stands for. It says, "I wish to vote against the proposed new bylaws abolishing Branches."

That is more than the original ballot itself informed the voter. It was prepared by one man, who was strongly in favor of the change, and it was well calculated to mislead the voter. Several comrades, not residing in the city, wrote in before voting to know if the Local had already abolished Branches. The first principle of any motion, by referendum or in open meeting, is that every voter shall understand what he is voting about. This referendum ballot was so prepared that a voter could most easily misunderstand.

The little form which I sent out to be used in place of the missing regular ballots had nothing misleading about it. It stated exactly what it was for.

Three things were stated: **First.** It was a vote on a referendum of Local Seattle. **Second.** It was a vote against the proposed new bylaws abolishing Branches. **Third.** It was used because the voter could not get a regular ballot.

Is there anything "Fraudulent" about that? Was it not all open and above board and aimed to allow the voter to express his will on the pending referendum?

I submit I am astonished that my enemies have shown so little sense as to allow this issue to be sent broadcast as the worst they can find against me. They must have counted on the comrades at large having no sense at all.

Or it is possible that they count on your not voting because you don't think you understand the

case well enough to vote. They will hustle together all the votes of Central Branch in Seattle. My personal enemies will have some influence in two or three other places around the state. They may be counting on your indifference and failure to vote, possibly your disgust at having what appears a Seattle quarrel thrust upon you for decision.

I hope that you will disappoint them and vote. You will have sent you a copy of the original ballot, my slip of a ballot, the "charges," and the decision of the City Central Committee exonerating me. It will make quite a mass of stuff to go through. But this letter may help you to see what it all means and enable you to vote intelligently.

For the sake of the comrades in other states, I am publishing the documents named, except the original ballot, which I have no copy of and which is not important anyhow.

Referendums in General.

Before closing, I wish to add a few considerations on the taking of referendums, which constitute so large a part of Socialist procedure.

The same general rules hold as in the actual meeting, that is, the ordinary rules of parliamentary practice.

First. A motion must come from the audience, not from the chairman. In a referendum, a committee or a secretary occupies the position of chairman only. The chairman has no choice but to put the motion, if it is not unconstitutional.

Second. The chairman should be absolutely impartial, seeking only to give the assembly an opportunity to express its will. That is the sole end of all votes, to find out the deliberate will of the assembly.

A committee or secretary in conducting a referendum should be guided by the same rule. That is the reason no comment goes with the referendum.

Third. The motion should be clearly stated, so that every voter clearly understands what he is to vote on. So a referendum should be stated in such unmistakable language that no voter can misunderstand it. Any obscurity or hiding of its full intent violates the rule.

Fourth. Full discussion should be allowed to both sides. In a referendum this can only be accomplished by slow process, as in the party press or by

circulars or correspondence. Without such discussion, a referendum may be a very stupid affair, nobody really knowing enough of the subject to vote on it, yet being obliged to vote.

Fifth. Everyone entitled to vote should have his chance to vote and no technicality should debar him. If he is dumb, he can express his will by lifting his hand. The intent of the voter is always the guide. So in a referendum, it is not essential that any particular form of paper be used, provided the voter makes clear how he wants to vote on the exact question at issue.

Sixth. The vote should be counted as cast. To insure this, the same conditions should prevail, as far as practicable, as in the count of a public assembly. The chairman's count is subject to the inspection of the assembly itself.

So in a referendum, the counting should never be left to a small committee, especially if it is all on one side. Just as in the appointment of tellers to count the votes in an assembly, a chairman names one from both sides, so in a referendum count, representatives of both sides should take part in the count.

Democracy has a safeguard in the referendum only provided it is conducted in a fair manner. Otherwise, it is a farce and may become an instrument to defeat Democracy.

Socialists need to learn just how to take referendum votes, establishing the most scrupulous safeguards and precedents, in order to provide for the future of our party.

The main rule is: To find out the will of the majority, after full deliberation and discussion.

Fraternally yours,

Hermon F. Titus.

Charges Presented

**By Central Branch, Local Seattle,
to the City Central Committee,
Sunday, Feb. 19, 1905,
and Immediately Tabled.**

Whereas, Comrade H.F. Titus, on or about January 10th [1905], had a referendum ballot printed and circulated in direct violation of Art. 5, Secs. 1 and 4 of the Local Constitution of Seattle, which reads:

Sec. 1. The affairs of the Local shall be managed by the City Central Committee.

Sec. 4. That the City Central Committee shall submit all referendum votes and without comment when ordered to do so

and

Whereas, Comrade Titus did have printed on said ballot, "Referendum Local Seattle Socialist Party," thereby usurping the authority conferred on the City Central Committee by the membership of the party and in direct violation of the Local Constitution; and whereas the statements contained in said referendum were one-sided and misleading, thereby tending to confound the expression of the voters and disrupting the organization, and

Whereas, the said Comrade Titus, with the aid of the Pike Street Branch, of which he is a member, did knowingly violate Act 4 of the Constitution of said Branch, which reads as follows:

Referendum ballots shall be signed and sealed by the member voting, and not opened until they are counted at a regular meeting of the Branch, instructions covering these last points shall be placed on the ballot.

and

Whereas, two weeks prior to the final count of referendum submitted by Local Seattle, Dec. 4th, '04, made returnable Jan. 15th, '05, a part of the votes on the above referendum was broken open during a meeting of the Branch, and these same ballots were returned as official in the final count; and whereas the Pike Street Branch did pay for the printing of said referendum ballot after the statement made by Comrade Titus on the floor during a meeting of the Branch that he had caused the said Referendum Ballots to be printed without the authority of any kind but in the

allied intent of the Branch, and

Whereas, the said Pike Street Branch allowed the counting of said fraudulent ballot as official, thereby aiding and abetting said Comrade Titus in violation of both the Local and Branch Constitution, and usurping the authority conferred on the City Central Committee by the membership of Local Seattle, and

Whereas, Feb. 11th, 1905, at an adjourned meeting of Pike Street Branch, while counting state referendum on amendments to state constitution, two members were allowed to withdraw their votes when instructions on ballots stated that no votes should be counted that were cast after Feb. 8th, 1905, thereby causing a change in the result after the official time foreclosing the ballot had expired. Therefore be it

Resolved, That Central Branch Local Seattle, Socialist Party prefers charges against Comrade H.F. Titus and the members of Pike Street Branch on the counts herein specified.

C.M. Parsons, Rec. Sec.
M. Parsons, Chairman.

Verdict on Charges.

**Findings of City Central Committee,
Local Seattle, on Charges Against
H.F. Titus and Pike Street Branch
After Full Hearing of All Evidence,
Lasting Seven Hours,
Sunday, March 12, 1905.**

City Central committee, Local Seattle, after hearing evidence relating to charges preferred against H.F. Titus and Pike Street Branch by Central Branch, find the following to be the true facts of the case:

First. H.F. Titus did not submit referendum vote referred to in charges, but said vote was submitted by Local Seattle even according to the charges themselves, as follows:

“And whereas two weeks prior to the final count of the referendum submitted by Local Seattle, December 4, 1904,” etc.

We find that on account of the refusal of City Central Committee to provide sufficient number of ballots for Pike Street Branch for said referendum, H.F. Titus caused to be printed and furnished to some members of said branch who were not given ballots and a few members of Central Branch slips containing the following words: “Referendum, Local Seattle, SP.— I hereby vote against the proposed new bylaws abolishing branches. I cannot procure a regular ballot and this is my final vote.” Name. Address. Branch. Date. (Union Label).

We find that Pike Street Branch recognized these slips, four of which were signed and sent in, as the evident intention of those signing them to vote against the proposed bylaws and sent them with other returns to the City Central Committee.

In regard to the above we hereby hold that whenever officials of the party refuse to furnish ballots in a referendum vote it is not only the right but the duty of other members of the party to see that those deprived of ballots shall have some means of expressing their wishes in the matter voted upon.

Second. We find that the bylaws submitted at said referendum did abolish the Branches of Local Seattle and the statement to that effect on printed slips above mentioned was not misleading.

Third. We find that H.F. Titus did not refer to

these slips as “referendum ballots” and that he did not say that they “were printed in the allied intent of the Branch,” and also that the Branch did not pay for the printing.

In regard to the charge that Pike Street Branch broke open said referendum ballots before the proper time, we find that at the same time this Local referendum was out, Pike Street Branch had a referendum out calling for votes for officers of the Branch; that some of its members enclosed votes on Local referendum in same envelopes containing ballots for Branch officers, and when these ballots were opened the Local referendum votes were found inside; that in the presence of entire meeting said Local referendum ballots, without being unfolded or examined in any way, were securely sealed up and not examined until the proper date for such action had arrived.

We direct that in future all members of Local Seattle enclose votes on separate referendums in separate envelopes properly labeled on outside.

We also criticize Central Branch, which allowed a member not an official of the Branch to give out and collect ballots on same referendum, keeping them in a careless and insecure manner and refusing for some time to turn them over to Branch Secretary, whose duty it is to attend to all such work according to Article X, Section 1 of the Local Bylaws, which reads as follows: “Referendum votes shall be taken through Branch Secretaries and the ballots signed and sealed and sent to City Central Committee with returns.”

Fifth. [*sic.*] In regard to last charge of allowing members to withdraw votes we find that there is nothing in National, State, Local, or Branch constitution prohibiting members from withdrawing signed ballots before they are counted. The instructions of the state ballots according to the charges themselves simply prohibit the counting of any votes received after February 8, 1905.

J.P. Prentice,

Secretary CCC, Local Seattle.
Seattle, Wash., March 12, 1905.

Edited by Tim Davenport.

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