

INAUGURAL ADDRESS

OF

GEORGE F. FORT,

GOVERNOR OF NEW JERSEY.

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INAUGURAL ADDRESS.

Gentlemen of the Senate

and General Assembly:

Chosen by the free and voluntary suffrages of the people, to exercise the functions of Chief Magistrate of the state, I have appeared in your presence to-day, and taken the solemn obligations prescribed by law, preliminary to the due performance of my official duties.

Under ordinary circumstances, the position I occupy requires knowledge to appreciate, discretion to discharge, and assiduity to fulfil its important and responsible duties. These qualifications are in a higher degree essential in the present state of the country, which has but recently recovered from an agitation unparalleled in our history; to calm it, the wisdom and patriotism of our most eminent legislators and citizens have been required. It is to be fervently desired that the crisis has passed, yet the murmurs of discontent are still heard, and will claim the active energies of official incumbents, both state and national, to repress.

In addition to questions of a national aspect, the present period may be considered as the commencement of a new era in our state affairs. A variety of movements in the current of public opinion has been for some time tending in a direction to give force, effect and permanency to certain measures, which will demand attention during the present session of your respective Houses.

Deeply sensible, therefore, of the responsibilities of my position, and of the elevated character of the duties I shall be called upon to discharge, in assuming them, I can only promise my utmost efforts, aided by the blessing of God, to enable me to execute the trust which the people of the state have so generously confided to me.

To consummate the popular will, when clearly expressed, is the first duty of a faithful representative.

It may not be deemed inappropriate, if, in conformity to established usage, my own sense of duty, and the just expectations of my constituents, I avail myself of the opportunity presented, to make known my sentiments in a general manner, on such questions of state and national policy, as are of primary interest.

We live under a state constitution, the obvious design of which, in its main provisions, is to secure and perpetuate those rights and privileges naturally belonging to man in his individual character. The institutions of government should be provided alone by the people, either in their collective or representative capacity, for their own benefit, and be subject to alteration or improvement, according to the will of the political body. Among the essential rights of which no citizen can, or ought to be deprived, are—religious liberty—freedom in the expression of opinions—impartial justice, and personal liberty and security, when not infringing upon the rights of others.

Citizenship and certain privileges should be regulated by wise laws; but provisions of law should not exist inhibiting one class of citizens of privileges possessed by another class—or imposing unequal burdens in support of the common weal—or vesting power for selfish purposes in one or more citizens, while the same is denied to others, or releasing from liabilities and obligations a class of citizens and associations, while upon others they are imposed in full force.

These are fundamental principles, a departure from which is detrimental to the best interests of the people. Let us avoid a course of policy which tends to favor classes, and enact such laws as will be equal and beneficial in their operation.

Our beloved state, to which we feel so strongly attached, for

whose interests and advancement we would perform so much, though small in territory and population, in comparison with many others, is possessed of influence and power, which may be exerted for good, or for evil, in effecting the future destiny of our country.

With an immunity from debt, and abundant resources: with the various branches of industry, in the main, in a flourishing condition—our agriculture constantly improving, and the increasing fertility of our soil affording an amount of products beyond our immediate necessities—our manufacturing establishments, mining operations, the mechanic arts, and other industrial pursuits, yielding an adequate reward,—a condition of things is presented which constitute a sufficient guaranty that our abilities are equal to our wants, and that we may with safety embark in enterprises promotive of the happiness of the people and the prosperity of the state.

Among the measures to which your attention is particularly invited, *the cause of education* occupies the most prominent place. It is a subject upon which a variety of opinions has been advanced, prompted by motives which operate more or less strongly upon the human mind, and tending to divided action and consequent imperfection in our present educational plan.

We are deeply impressed with the sentiment, that virtue and intelligence are the main support of our free institutions. The diffusion of knowledge among the people tends to their stability and permanence, and being so essential to the welfare of the community, measures should be adopted by which its acquisition may be free.

Knowledge, put into active operation by a well trained mind, exerts a powerful influence on human destiny. To this we are indebted for the great improvements of the age. We must look to it for developments yet more astounding. Who shall set bounds to its achievements? Who shall fathom its depths? Who shall scan its heights? Who shall estimate its capacity? “Mind is power.” How important then to instruct it, that it may take a right direction—to give it nutriment, that it may grow and thrive and produce wholesome and abundant fruit.

That education should be universal, and its blessings and advantages so extended as to be attainable by children of every condition in life, is a proposition which we suppose none will venture to controvert. To reach this object it is necessary that we should establish a thorough and permanent system of **FREE SCHOOLS**. The measure is due to the wants of a hundred thousand children in our state, many of whom lack the means of education. It is due to the safety and the perpetuity of our institutions—to the peace and prosperity of the commonwealth—to our character as a state, and especially to the wishes of the people, which have been so decidedly expressed in its favor.

Such a system should be simple, yet certain; devoid of complexity and unnecessary details—a sure outline for the people to fill up, perfect and finish. It should effectually provide that common school instruction shall henceforth be *free*.

Though the establishment of free schools may operate onerously upon some individuals for a temporary period, they, with the whole community, must feel the benefit, eventually, in the decrease of crime and vagrancy, the improvement of public morals, and the general increase of industrious habits among the people.

Our present school fund now amounting to about *four hundred thousand dollars*, is the gradual accumulation of some thirty years. It has been derived from the moneys of this state, invested in the public stock of the United States, in banks and other corporations; with stated increments from taxes imposed upon their capital stock, and from miscellaneous sources. It is worthy of being noted that by “the act to create a fund for the support of free schools,” passed the twelfth day of February, eighteen hundred and seventeen it was provided, that “one-tenth part of all moneys hereafter to be raised by tax for the use of the state, shall be appropriated for the purpose of creating a fund for the support of free schools.” It will thus be perceived that the principle of imposing a tax for educational purposes was early introduced into our state legislation.

The legislature of that day anticipated the gradual augmentation of the school fund, until it attained an amount sufficient for universal education. The state has now the ability to realize

those proper anticipations, by diverting the chief portion of the revenue annually derivable from her public works to such purposes. If to this be added the present annual distribution, together with the interest accruing from the surplus revenue of the United States, which is distributed among the several townships, they would make a sum sufficient, when united with the amount which the townships are, or should be required by law to raise, to enable the trustees of each school district to keep open a school throughout the year. Or if deemed preferable, the trustees may be authorized to make a just and equitable assessment on the inhabitants of their respective districts, for the purpose of supplying any deficiency in the provisions made by the state.

It may be contended, that the revenue derived from our public works should constitute a sinking fund for their ultimate redemption. Should such a fund be created, and by the cumulations of fifteen years amount to a sum sufficient to induce the legislature to propose the purchase to the people, who can predict their verdict? Should it be adverse to the purchase, the state would hold a fund hoarded through a series of years, while the rising generation are growing up without due provision for their instruction, and destitute of that intelligence which would enable them properly to decide the important question then to be submitted to them in reference to these works. Let us rather employ the means at our disposal to qualify their minds to discharge the responsible duties which will shortly devolve upon them, than suffer them to grow up in ignorance, while accumulating a fund, subject to all the contingencies of waste, loss and mismanagement, and thereby prolong the period when education shall be freely and universally extended.

There is a necessary dependence between free schools and an elevated state of *agriculture*. The matter next in importance to the due training of the mind, would seem to be the cultivation and improvement of the soil.

That the latter will result from a proper attention to the former, we may justly infer. It is a subject which has occupied the best minds of our country. The recent application of chemical science to the elucidation of the best methods by which soils may

be redeemed and improved, has imparted an impetus to agricultural operations in some states, and led to the adoption of various means for their advancement. The institution of some judicious plan for the dissemination of knowledge among the farmers of this state, of such character as to excite them to an efficient application of their time and energies to promote an increase in amount and value of the products of the soil, is recommended as worthy of careful consideration.

The object of taxation is the support of government. That is necessary to public and personal security, the maintenance of good order and the advancement of society. To the attainment of such objects no citizen can justly complain, if he is called upon to contribute his fair quota in proportion to his means. If unfairly imposed, taxation becomes oppression, and he may properly demand redress of the grievance.

There is no subject which more urgently claims your faithful concern than the *equalization of taxes*. It has for some years engaged the public attention. That our present system of taxation is unequal in its operation, and imposes burdens upon landholders and others, from which the man of wealth and the capitalist are exempt, is indisputable.

In a country like ours, where the blessings and advantages of government are equally enjoyed by all—where persons and property are equally protected, it is just and equitable that each member of the community should contribute to its support, in proportion to the amount of his estate, whether it be real or personal. This principle of imposing taxes has been adopted by many states, and is imperatively demanded by every consideration of justice and equality. It would be a fit prelude to the institution of measures for the advancement of popular education.

Let me earnestly commend to your favorable consideration the *total abolition of property qualifications*. There is no just reason why the possessor of land should enjoy privileges of which his fellow citizen—his equal—perhaps his superior in all other respects, is deprived. The non-freeholder is ineligible to the honors and emoluments of many important offices which should be equally open to all. Neither can he sit upon a jury in any

case, even where the right to real property is not involved in the issue. Statutes which sanction these odious distinctions among freemen should be speedily abrogated. The progressive spirit of the age demands that they should be placed in the same category with those obsolete laws which have long since been repudiated by an enlightened public sentiment.

All applications for special privileges and monopolies should be discarded. *General Laws*, judiciously framed, embracing subjects of the same class, should be enacted, so as to enable all citizens under proper restrictions and guaranties, to avail themselves of the benefits they may confer.

When a member of the convention which framed the constitution of this state, I had the honor of voting in a minority upon a proposition asserting the principle of *personal liability of stockholders* in banks and other chartered companies. I still entertain a strong conviction of the justice, expediency and necessity of enactments establishing that principle. In the ordinary transactions of life, each individual is bound by law and honor, to discharge his just debts. In the relations of partnership, it is a general rule, that as well the individual as the firm is bound by the engagements of any one partner, acting with reference to the joint business. No considerations, promotive of the public good, require that chartered corporations should be exempted from the like sound regulations of law.

The application of this rule seems to be especially required in regard to banking institutions. Their bills circulate freely in proportion to the confidence entertained by the public in their probable redemption, and though essentially private paper, and the accepting of them in payments optional, they are practically and virtually a legal tender. The currency of the country consists in great part, of their notes, which are taken and used by citizens of every condition in life, many of whom are unable to form any estimate of their value, or genuineness, and are generally severe sufferers by the failure of banks. It therefore seems to be the duty of government to take measures to render their issues really and substantially good. It may be effected by compelling all issuers of bank notes to give ample security for their payment,

under judicious regulations, which shall be applicable to all existing banks, and to such as may be organized in conformity to the provisions of a general law.

A measure of this kind would effectually prevent those frequent fluctuations in the amount and value of the currency, which lead to sudden and destructive revulsions in trade.

I would suggest whether a similar mode of securing the public against losses occasioned by the failure of certain other chartered associations, might not be wisely adopted.

The laws in relation to debtor and creditor, until within a recent period, have been harsh and inhuman. Acting in accordance with the benign spirit of the age, the framers of our present constitution, with entire unanimity, abolished that cruel relic of barbarism—imprisonment for debt. By statute, a certain amount of property had already been exempted from execution, and at the date of its enactment, was generally considered wise and salutary.

An act of Exemption, more liberal and comprehensive in its scope, which shall secure to our citizens, without molestation, a sufficient amount of real and personal estate, to maintain them in possession of homes and firesides, and relieve them of the apprehension of poverty and want, would be dictated by sound policy, and a due regard for the well-being and happiness of man. Such legislative contributions as will aim to elevate our race to the highest attainable point of comfort and civilization, are demanded by an enlarged philanthropy, positive duty, and divine precept. "All things, whatever ye would that men should do to you, do ye even so to them."

In this connexion, permit me to recommend a statutory provision, which shall limit to ten, the hours of daily labour on public works, or in establishments chartered by law. Constant and unremitting toil prevents intellectual improvement, and leads to physical and moral debasement. The avoidance of it, when compatible with proper business operations, is emphatically demanded by considerations of humanity and justice.

Infant laborers in factories should also be protected from such excessive exactions as are calculated to destroy their physical and

mental capacity for health and usefulness. This is a notorious and acknowledged evil; especially in the manufacturing districts of Great Britain, France, and some other countries of Europe.

The close confinement, the severe and protracted toil to which laborers, adults and children, are there subjected, in connection with the low rate of wages, the consequent meagreness of fare, and uncomfortable condition of their homes, prostrates with sure celerity, all their powers of body and mind, and necessarily terminates in confirmed vagrancy and pauperism. It is our duty to guard against the occurrence of such evils within our jurisdiction.

Economy and retrenchment in the expenditure of public money, is earnestly recommended. Enterprises of doubtful policy should be avoided, and such only sanctioned as promise to make a certain return in benefits to the people.

The "*veto power*," as it is usually termed, is incorporated in our State Constitution. It confers upon the executive the privilege of returning, with his reasons therefor, such bills as may have passed the two Houses of the Legislature, for their reconsideration. The same bills may be repassed by the constitutional number of votes, and become laws without the executive sanction.

The exercise of the right may in some instances operate as a check to hasty legislation—arrest the passage of acts of an unconstitutional character, or such as encroach upon the just rights of other departments. Viewed as a means of awakening the attention of the people to the consideration of great public questions, where the Legislative and executive departments are at issue, its effect would promise to be highly beneficial. I shall not shrink from the duty of exercising the prerogative, should the exigency arise requiring it.

I have heretofore, in a public capacity, supported propositions to authorize the *election of Judges by the people*. All powers which the people can safely and conveniently exercise, should be retained by them. In *all the departments* of a free government, they should enjoy the privilege of electing their own officers. They are the safest and best appointing power, and will in all cases take the best care of their own interests. The proper functions of such agents as are now entrusted with the appointing

power, are inconsistent therewith, and must be exercised under all the embarrassments created by rivalry, friendly importunity, and partizan and sectional claims.

Believing that such a measure would operate as a check to favoritism and corruption, I have no hesitation in advising, that inceptive steps be taken, to restore to the people the unrestrained use of this, their rightful franchise.

The obligation we have taken to support the Constitution of the United States, should remind us of our relations and duties to the Federal Union.

It is not the province of a state to legislate on subjects of national policy; nor can it rightly oppose the laws of the general Government. By the provisions of the federative compact, each state is confined to its own appropriate sphere of action and duty, without any other restraint upon its rights of sovereignty, than such as have been yielded for the general advantage.

Though our state has no direct voice in the National Councils, she has the right, and it is her duty, "through the representatives here, to make known her wishes and opinions, to her representatives there," who, as her authorized agents, should faithfully conform to her will.

From our earliest history as a nation, to the present time, difficulties have occasionally beset our path. They have ever yielded to the prudence, intelligence and patriotism of the people.

The passage during the first session of the present Congress of the series of measures known as "the Compromise laws," was eminently conducive to the restoration of tranquility and fraternal feeling between the North and the South. Whatever difference of opinion may exist in regard to them, it is the duty of every citizen to sustain and carry out their enactments. They originated in the purest devotion to the spirit and provisions of our fundamental law. Emanating from an exalted love of country, worthy of the fathers of the republic, they are entitled to our unflinching support.

The doctrine of refraining from any interference with the domestic policy of our sister states we sacredly entertain. Should this just principle be maintained, any attempt to agitate the sub-

ject of slavery will find no encouragement in our midst. It is our plain duty to fulfil that stipulation of the constitution which requires that "No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due."

The recent act of Congress in relation to the rendition of "fugitives from labor," is intended to give force and practical effect to this provision of our organic law, and is valid and binding upon us. It is in accordance with the evident intention of the constitutional compact of these *United States*; the peace, stability and union of which cannot be preserved without it. Open resistance to its mandates would be rebellion against the government. A failure properly to support it on the part of public officers or citizens would be a violation of legal obligations. As a law of the land, its authority is supreme. We should suffer no sectional prejudice—no fanatical spirit—no metaphysical opinion—no false philanthropy—no misconception of public sentiment—no fear of personal consequences, to deter us from sustaining the law, and execution of the same, by all lawful means.

Our state enactments upon the subject should be conformable to the laws of Congress, and should they in any wise conflict therewith, it will be our duty to repeal them.

New Jersey has ever been loyal to the *Union*, and stood faithfully to the Constitution and its compromises. She still occupies that exalted position, and is ready to plight her faith to the *Union* now, and the *UNION* for ever.

Unaffected by exterior influences, in a devout spirit of patriotism, let us declare our unwavering attachment to the *Magna Charta* of our rights, liberty and independence—our determination to preserve it as an invaluable legacy bequeathed to us by our fathers, and to transmit it unimpaired to future generations.

On this sacred spot, hallowed by the memory of brilliant achievements, let us renew our pledges to the *Union*, and, on our part, firmly resolve, in the memorable language of an

American patriot—"OUR FEDERAL UNION—IT MUST AND SHALL BE PRESERVED."

We are deeply interested in a proper adjustment of the revenue laws. Duties should be laid upon imposts in sufficient amount to supply the wants of the treasury, adapted to an economical administration of the government. They should be so adjusted as to favorably affect domestic industry in its largest scope, embracing our commercial, agricultural, manufacturing, and other interests, in such manner as to aid no one interest, to the detriment of the rest.

The tariff act of 1846, in its main provisions, and the principles upon which it is based, is correct. It has not only yielded an abundant revenue, both for ordinary and extraordinary purposes, but has given greater satisfaction to the whole country than any similar act which has preceded it. It is believed, however, that in some of its provisions wholesome modifications may be made; especially in relation to the manufacture of *iron*, and some other interests, the further encouragement of which, without infringing the principle of the act, would be directly promotive of the prosperity of the state.

The land laws of the United States need essential alteration. Speculation in the public lands should be prohibited. Sales to individuals in large quantities should cease. The disposition of them should be so regulated that a *limited freehold*, or homestead, shall be permanently secured to actual settlers, not possessed of other lands, at a nominal price.

Such regulations would largely contribute to human advancement—equalize the possession of real property—prevent the monopoly of the soil by a privileged class, and supply our country with a bold and hardy yeomanry—her pride in peace—her defence in war.

I have thus, in a summary manner, presented my views in relation to a variety of topics of public concern. Upon most of them my opinions were openly avowed during the canvass preceding my election. In a representative capacity, I had evinced my position in regard to others. Chosen by the people, with a

full knowledge that I entertained them, I shall not hesitate to aid in giving them effect.

If adopted they will rectify many antiquated wrongs—restore to the people those rights and privileges of which they have been long deprived—ameliorate their condition in all the relations of life—impart a new and salutary impetus to the progressive tendencies of the age—equalize the burthens as well as the advantages of government—elevate the character and moral power of our state, and give peace and concord to our glorious Union.

The people have demanded that they should be established on a legal and permanent basis. Let us obey their high behests, reflect their clearly expressed will, and inscribe upon our statute book our faithfulness, as it will be our truth and our honor.

In conclusion, I avail myself of the occasion to express my profound obligations and unfeigned gratitude to the people for the distinguished favor they have conferred upon me. My constant aim, under all circumstances, will be to deserve it, by employing my best efforts "to promote the peace and prosperity, and maintain the lawful rights" of the state.

In aid of which, I solicit the co-operation of all good citizens, and of each department of the government.

And I do especially invoke, upon your labors and mine, the assistance and blessing of Him, whose watchful eye is over all his works—who ruleth in the Heavens and upon the earth—in whose sight a nation, by righteousness, is exalted, and a people, by sin, is reproached—that he would vouchsafe unto us His continued favor, and enable us in wisdom, justice and truth, to discharge our every official duty.

GEO. F. FORT.

TRENTON, January 21, 1851.