

MESSAGE

OF THE

GOVERNOR OF NEW JERSEY,

TO THE

SENATE AND HOUSE OF ASSEMBLY,

AT THE

COMMENCEMENT OF THE SESSION.

.....
Read January 9, 1850, and ordered to be printed.
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TRENTON:

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1850.

MESSAGE.

*Gentlemen of the Senate
and House of Assembly :*

In the discharge of the constitutional duty of communicating by message to the legislature, at the opening of each session, the condition of the state, permit me to direct your attention first to its finances.

By reference to the annual report of the Treasurer, you will perceive that they are in a healthful state; that the revenues have been nearly equal to all our wants, notwithstanding the liberal appropriations made by the legislature, for the public grounds and buildings, and other purposes; and that according to the estimates for the current year, there will be at its close an excess of funds, after paying all the ordinary expenses of the government, and the present deficit, without the necessity of resorting to a direct tax.

The balance in the treasury on the 1st of January, 1849, was - - - - - \$10,823.13

There has been received during the year, ending December 31, 1849 :

From ordinary sources, viz :

Transit duties, - - - - -	\$66,298.55½
Dividends on stock, - - - - -	24,000.00
Pedlers' licenses, - - - - -	479.00
Tax on capital stock, - - - - -	6,500.00
	97,277.55½
Amount carried forward, - - - - -	\$108,100.68½

Amount brought forward, - - -	\$108,100.68½
<i>From extraordinary sources, viz :</i>	
Interest account, - - -	\$1,458.78
Surplus earnings of the State Prison,	4,750.00
Sale of old arms at the Arsenal, -	61.98
Special loan, - - -	22,000.00
Forfeited recognizance, - - -	142.50
	<u>28,413.26½</u>
Making the total funds of the year,	<u>\$136,513.95</u>

DISBURSEMENTS.

There has been disbursed during the same time for ordinary expenses, - - -	\$75,295.31
<i>For other expenses, viz :</i>	
To Commissioners for building the Lunatic Asylum, - - -	\$306.50
To Managers of the Lunatic Asylum, appropriation of the last session of the legislature, - - -	31,000.00
To State Prison, for repairs, and on account of new heating apparatus, -	4,584.59
To Commissioners to investigate charges against Camden and Amboy and Delaware and Raritan Canal Companies, - - -	1,300.00
Paid on special loan, - - -	7,000.00
For real estate and improvements, -	4,652.50
Swords for New Jersey officers, -	700.00
Revolutionary correspondence, -	968.75
Commissioners to view lands under water at Jersey City, - - -	445.00
A. Vattmare, agent for international literary exchanges, - - -	300.00
	<u>51,257.34</u>
Total expenditure, - - -	\$126,552.75
Balance in the treasury, \$9,961.20.	

Estimated condition of the Treasury on 1st January, 1850 :

Cash on deposit in sundry banks, - - -	\$9,961.20
Bonds and mortgages, - - -	5,397.53
Joint Companies' bonds, and interest thereon, -	17,510.00
Transit duties due (supposed), - - -	15,381.17
Dividends on stock (supposed), - - -	18,000.00
Tax on capital stock, viz :	
New Jersey Railroad and Transportation Company, and Paterson Railroad, - - -	6,500.00
Amount available, - - -	<u>\$72,749.90</u>
From which deduct :	
Amount due School Fund, - - -	\$25,595.82
Interest thereon to 1st January, 1850, -	7,567.80
Special loan prior to 1847, - - -	37,000.00
Balance of loan of 1849, - - -	15,000.00
	<u>85,163.62</u>
Leaving a deficit of - - -	<u>\$12,413.72</u>
The ordinary annual receipts may be fairly estimated at - - -	
	\$95,000.00
The ordinary expenses at - - -	75,000.00
Leaving at the end of the year, to meet the present deficit and contingencies, - - -	<u>\$20,000.00</u>
The amount of the School Fund is - - -	\$390,580.67
By deducting the amount of it on the 1st of January, 1849, - - -	380,448.33
We have its increase during the year, over all disbursements, - - -	<u>\$10,132.34</u>

By a joint resolution of February 28th, 1849, the Treasurer of the state was authorized to pay the sum of ten thousand dollars to the Trustees of the School Fund, to be appropriated for the use of the schools. By reason of the supposed ambiguity of the resolution, it was, by a majority of the Board of Trustees, deem-

ed inexpedient to receive and appropriate the said money, and consequently it has not been drawn from the treasury.

By the report of the State Superintendent, yet to be submitted, it will appear that the cause of education is steadily advancing; that the schools are better regulated; more children taught, and more instruction given than heretofore; that the money appropriated by the townships for the purposes of education, has generally been to the full amount allowed by law; and that more would have been applied, had not the townships been limited to double the sum received from the state fund.

The experiments made under special acts of the legislature, of establishing free schools in several parts of the state, have proved eminently successful, not only in extending the advantages of instruction to all the children within their several districts, but also in raising the standard of education, and of intellectual and moral attainments.

Such is the appreciation of some of these institutions, that citizens of other districts desire to participate in their advantages, and seek residences within their territorial limits; thus actually increasing the value of property therein.

The public mind seems to be awakened to the importance and the duty of providing the means of suitable instruction for every child in the state, and is evidently looking to a system of free schools as the best and perhaps the only means of accomplishing that desirable end. The results in our own and in other states show beyond a question that it is not only the least expensive, but the most effectual mode of providing for the proper culture of our youth; and that by it the true interests, even of those who have no children to educate, is promoted in the additional value and security of their property, and in the increased order, happiness, and prosperity of the community.

Application will probably be made to you at your present session, for further acts of incorporation of districts, with authority to establish such schools. With a view to avoid as far as practicable the evils of special and partial legislation, and also to prepare the way for a general system, I respectfully recommend the passage of a public act, authorizing the inhabitants of any one, or of several school districts united, to establish free schools

therein, and under proper regulations and restrictions, to raise money by assessment for that purpose.

Some amendments are required in the existing law establishing public schools, and particularly in that section which limits the amount of money to be raised by the townships. It is believed that authority to raise four times the amount appropriated by the state to each township, would meet the wishes of our constituents.

There are at the institutions of New York and Philadelphia, seventeen deaf and dumb, and eleven blind pupils, beneficiaries of the state, who are all properly supplied and instructed. It is gratifying to know that the provision made by the state for these unfortunate classes, is sufficient for all who have applied for its benefits, and that none on that account have ever been rejected.

The report of the Keeper of the State Prison shows that institution to be in a very flourishing condition. Its discipline has been well maintained. The cleanliness and due comfort of the prisoners have been objects of peculiar care, and as a consequence their health has been secured to an unusual degree. The net earnings have been made to exceed those of any former year.

The new heating apparatus erected pursuant to the directions of the joint resolution of February 24, 1849, in the north wing of the prison, is believed to answer all the purposes designed, in supplying sufficient heat, and affording all necessary ventilation, and in preventing communications between the prisoners, so unfavorable to discipline, and subversive of one of the objects of separate confinement. The propriety of supplying the other wing with a similar arrangement is recommended to your consideration.

The labors of the Moral Instructor have been very successful, and their great value to the institution is manifest in the improvement of the minds, and so far as we can judge, of the morals of its inmates, in their more subdued and orderly manner, and in their increased industry and attention to their duties. This plan of instruction, having been in operation for nearly two years, commends itself to your favorable notice as a most liberal and benevolent means of reformation, and as relieving the system of separate confinement from the imputation of producing mental imbecility. It may, I think, be confidently affirmed that, with such instruction and the use of books, the moral and intellectual

faculties are strengthened and improved; and that many of the convicts leave the prison better men than they entered it. The report of the Moral Instructor herewith transmitted, furnishes a more detailed account of his operations, and cannot fail to interest all who may read it.

In connection with the subject of reformation, I invite your attention to the condition of the county prisons. For want of suitable arrangements in some of them, there is no means of separating the various classes of persons there confined. The convicted criminal, and he who is detained upon mere suspicion, the hardened villain, and the juvenile delinquent, are consequently kept in the same apartment; and it is to be feared that other associations of a more direct immoral tendency, are sometimes allowed. Without labor to employ the hands, or books to occupy the mind, it is manifest that here are to be found the highest order of schools for vice, whose youngest pupils may become the ripest scholars and most finished rogues. And it may be readily supposed that our courts are sometimes embarrassed to determine what disposition to make of children arraigned for crime, and of persons convicted of petty offences, and whether they should not direct an acquittal, or commit such to the State Prison, and thus put a stain upon the character that may be as lasting as their lives, rather than expose them to the polluting influence of the county jail.

In a neighboring state, workshops have been established under the patronage of the legislature in the county prisons, the results of which are highly satisfactory. If similar arrangements could be made in this state, with the means of requiring labor of the convict, and of affording useful employment to those detained for trial, and with separate apartments, and wholesome preventive discipline for the young, a great advance would be made in the cause of reforming offenders. Some provision of the kind, or the establishment of a House of Refuge for juvenile offenders, or both, seems to be required. The whole subject is confidently committed to your wisdom and enlightened philanthropy.

By the reports of the Managers of the Lunatic Asylum, and of its Superintendent and Treasurer, herewith submitted, the condition of that institution is fully presented. The number of pa-

tients at the commencement of the last year was eighty-three; the present number is one hundred and ten; showing an increase of about thirty-three per cent. The whole number of patients treated is one hundred and eighty-two, of whom fifty-seven were paupers, seventy indigent, and fifty-five private or pay patients. Forty-four have been discharged recovered, and two improved; showing very great success in treatment, and strongly commending the institution to the fostering care of the legislature. Aside from the considerations of benevolence, and the obligations imposed by humanity, the true interest of the state is found in promoting the physical and mental health of all its citizens, and thereby as far as practicable relieving the community from the charge of the afflicted, and those dependent upon them. The patient who to-day is maintained at the expense of his township, may, upon restoration to health, add to its wealth by his productive labor.

By the report of the Managers you will perceive, that with the most rigid economy consistent with the grade and character of the asylum, the cost of keeping a patient, when the number does not exceed one hundred, is three dollars and nine cents per week, each, being one dollar and nine cents more than the sum to which they were limited in charging paupers and indigent patients by the act of March 1st, 1849, and making upon seventy-five patients, the average number since the passage of that act, a loss of three thousand five hundred and fifteen dollars and twenty-five cents.

When it is remembered that the patients are necessarily furnished with boarding, lodging, washing, medicines, and an attendant for every seven, the cost of keeping must be regarded as very low. A reduction of the expenses can be made, but it can only be by relinquishing some of the comforts and appliances which are indispensable to the success of a curative hospital. With an increase of numbers, however, there will be a proportionate diminution of expense for each. It is estimated that the average expense of keeping one hundred and fifty patients is two dollars and seventy-five cents per week, each; and of two hundred patients, two dollars and fifty cents per week, each. Upon the reasonable supposition that the number for the current year will not exceed one hundred and fifty, there will be a deficit of

seventy-five cents per week on each patient, equal for the year to three thousand nine hundred dollars, chargeable upon the state, and to be provided for by appropriation, should there be no change in the law limiting the price to be paid by the counties.

After a fair trial for a period of ten months, the question properly arises as to the policy to be pursued in relation to these charges. Shall the entire expenses be borne by the counties and towns, or will the state continue to bear a portion of it? The course to be pursued is, in my judgment, that which will secure to this unfortunate class of citizens the benefits of the institution and the hope of restored health.

From the most accurate information that can be gathered through persons best qualified to know, it is estimated that we have about one insane person to every eight hundred of inhabitants, or about five hundred in the state, many, perhaps most of whom, are fit subjects for treatment; yet but one hundred and eighty-two have been permitted to receive it. I am slow to believe that a spirit of false economy has induced any of the town or county officers to deny to any person the privileges which our law has humanely provided for him; and I feel confident that when the subject is viewed in its true light, every officer will be prompt and cheerful in the execution of his duties under that law.

An estimate of the loss upon the Steward's account for boarding during the past and for the current year, and of the cost of furnishing other rooms, and other necessary expenses, shows that an appropriation of eight thousand six hundred and eighty-seven dollars is required, and I respectfully recommend that it be made.

Your attention is also invited to the suggestions of the Superintendent in relation to the amendment of the act organizing the asylum, and the repeal of that clause which requires certificates under oath in cases of private patients, and that which charges upon the townships the expenses of insane paupers and indigent patients. Believing such amendments to be just and proper, I unite with the Superintendent in recommending that they be made.

With this is transmitted a communication from the Attorney-General, suggesting some important views in relation to the duties and compensation of any future incumbent of that office. It will be recollected that the office of Attorney-General was placed

upon its present basis, at least as early as the year seventeen hundred and ninety-nine, when New Jersey had but about one-half of its present population, and less than one-third of its present business; when she was without a school fund, and without revenue, except such as was derived from direct taxes—when the office was one of much less responsibility, and when its duties were performed by that officer in person, or by deputies of his own appointment.

In view of the increased business of the state, and the new and increased duties and responsibilities of the office, I accord in sentiment with its present incumbent, and submit to you that this is a suitable time to inquire "whether some of the duties of the Attorney-General should not be more specifically defined, and his salary adjusted in reference to them."

The report of the Commissioners of Pilotage which accompanies this, reflects honor upon the state, and is highly creditable to the members of that board, and to the pilots under their care. The zeal and fidelity with which they have performed their perilous duties, are proved by the fact that during the last year, they have, without loss or serious accident, taken to sea five hundred and twenty-four vessels, and brought into port six hundred and ninety-four vessels, of which four hundred and sixty-four were boarded "off shore." The whole number of vessels that have been under their charge is twelve thousand six hundred and five. The number of branch pilots is now twenty-one, and of deputy pilots three. This commission, with its officers, is again commended to your favor and fostering care.

The report of the Adjutant-General shows that no improvement has been made in the condition of the militia during the last year; and I submit for your consideration his suggestion that some efficient measures should be speedily adopted to give life and energy to the system under its present regulation, and to prevent its organization in a time of peace becoming materially impaired.

The report of the Quarter-Master-General shows the condition of his department.

The attention of the legislature has heretofore been directed to the valuable documents illustrative of the early history of the pro-

prietary and provincial governments of New Jersey, deposited in the Royal State Paper Office at London, in Great Britain.

It is gratifying to be able now to lay before you a communication from the New Jersey Historical Society, upon that subject, together with a list of the Journals of the House of Representatives, and Minutes of the Councils of the Province of New Jersey, extending from the year seventeen hundred and three to seventeen hundred and seventy-five, inclusive, procured by Mr. Stevens, the agent of the society, now in London. These minutes and journals are of great value, not only as illustrating the early history of the state, but as explanatory of many of the reasons and principles upon which some of its laws were enacted, and which bear an important relation to the rights of persons and of property, even now enjoyed under them. It is well known that the library and offices of this state are destitute of many of these valuable documents, and I submit to you the propriety of authorizing copies to be made of such of them as may be requisite to supply the deficiencies of our own archives, and of an appropriation sufficient for the purpose.

By a joint resolution of February 25th, 1847, it was provided that when the publisher of Gordon's Map of New Jersey should furnish to the state a certain number of a new and improved edition of the same, and file with the Treasurer a bond with sureties, conditioned that upon application made within three years, he would furnish copies of it for the public schools, at a price not exceeding two dollars each, the Treasurer should pay the publisher one thousand dollars. I am now authorized to report to you, that Mr. Robert E. Hornor, the successor of Judge Gordon, has deposited with the Treasurer the requisite number of copies of a very neat and well executed map, with the lines of the new counties and townships accurately laid down and defined; and that he is prepared to deliver a copy for the price stipulated, to the trustees of each school district in the state; and that the maps may be had on application to the State Treasurer, and payment of the sum of two dollars. It is to be presumed that the patrons of every school will avail themselves of this favorable opportunity of furnishing to their pupils, at less than half the current price, an authentic and beautiful map of their own state.

You will be informed by the report of the Secretary of State, hereafter to be made to you, that the act relating to the registry of births, marriages and deaths, approved March 3d, 1848, is not executed according to its spirit and intent. The faithful execution of this law would furnish a registry of great value in questions of pedigree, upon which the title to property so frequently depends. An inquiry whether any and what amendments may be necessary to its due execution, would seem to be proper, and is accordingly recommended.

As the Commissioners appointed by the legislature at its last session, to investigate the charges against the Delaware and Raritan Canal and Camden and Amboy Railroad and Transportation Companies, were required to report to the legislature, and as their report has not yet been made, and the result of their examination has not transpired, I forbear to make any remark at this time upon the relations of the state to those companies, or upon the policy to be pursued in reference to them. The high character of the Commissioners for ability and integrity, and the diligence with which they are prosecuting the investigation, give assurance that their report will contain all the information that the public desire.

The Washington National Monument Association has invited each state of the Union to furnish a block of marble or other stone, the product of the state, to be placed in a conspicuous part of the monument now being erected at the National Capital, to the memory of him whose name it bears. It is for you to say how New Jersey shall respond to this invitation.

Confident, gentlemen, that your deliberations will be marked by that order and propriety which become the representatives of enlightened freemen, and looking to Him who alone is able to give us wisdom, I proffer myself ready to co-operate with you in any measure that may tend to promote the peace and prosperity of our state, or to maintain that GLORIOUS UNION of which she constitutes a part.

DAN'L HAINES.

TRENTON, January 8, 1850.