

APPENDIX

TO THE

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Journal of the Fourteenth Senate

OF THE

STATE OF NEW JERSEY.

1858.



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GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, }
 January 13, 1858. }

Senators and Members of the General Assembly :

THE Constitution requires me to give an account of "the condition of the State," and to "recommend such measures as may be deemed expedient."

It is a matter of deep regret that, in making this my first annual communication, I cannot accompany it with the customary congratulations upon the prosperous condition of the country. The facilities which have abounded of late years for an extended use of credit have led to much wild and visionary speculation; and a general thirst for wealth, to be attained in the speediest manner, with the least labor, has seized upon many communities and induced thousands to abandon their ordinary avocations, such as the slow and gainful pursuits of agriculture and the mechanic arts, for the purpose of embarking in hazardous schemes. This crowded and feverish competition in the race for wealth, has, in many instances, engendered

reckless extravagance in private life, and these, together with an excessive importation of foreign merchandize, have finally brought about a financial pressure, which has suddenly depressed the value of every kind of property, and embarrassed every branch of industry.

But in the midst of all this, we have reason to be thankful to the Giver of all good for the abundant harvests, and the remarkable health, with which he has blessed us, and that, thus far, the ordinary severities of the winter have been kindly tempered to the poor and needy. The partial return of confidence, and the signs of renewed animation in some departments of trade may, I trust, be regarded as the harbinger of better days and a more hopeful future.

It is gratifying to be able to inform you that the duties of the various departments of the government have been performed with fidelity and diligence.

BANKS.

The sudden revulsion in monetary affairs has resulted in a temporary suspension of specie payments by the banking institutions of the State. They did not, however, precede, but followed in their action the banks of neighboring States, to whose course they were obliged, in some degree, to conform by an oppressive law which compels most of them to redeem their circulation in the cities of New York and Philadelphia. But a large portion of them have already resumed the payment of their obligations in specie, with a praiseworthy promptness, and it is believed that the others will follow their example at an early day. So far as I have any knowledge, our banks are amply able to meet their liabilities to the public, and are generally sound.

A state of affairs like the present is too apt to beget crude and visionary theories upon the subjects of public credit and finance which can never be reduced to practice, and which the

wise will ever avoid. It is not prudent, upon the appearance of every feverish symptom upon the body politic, to attempt legislative relief; and those ailments which spring from plethora in business are best treated by the curative power of time.

The interests of the people are well guarded by laws established for their security, and it is impossible—even if it were desirable—to relieve the banks from their liability to the enforcement of these laws. Banks and their creditors stand toward each other in the relation of contracting parties, and the Legislature cannot alter or abrogate a single legal remedy which existed at the time of making the contract; they must remain in full force and effect until the obligations created during their existence are fully cancelled. The clear and precise language of the Constitution, upon this point, is: “The Legislature shall not pass any law impairing the obligation of contracts, or *depriving* a party of *any remedy* for enforcing a contract which existed when the contract was made.”

Nor, looking to the future, does it seem to me to be proper to repeal laws which have been provided for certain emergencies, as soon as the contingencies arise which they were intended to meet.

The propriety of enforcing existing penalties, in a given case, had better be left to the just sense of the public, and to the action of the courts of justice. It is rare indeed that harsh remedies will be enforced, unless there be present unmistakable evidences of bankruptcy or fraud.

The only safe and correct course to be pursued in a crisis like that through which we are now passing, is to exercise moderation and forbearance on the one hand, and to make unsparing efforts to relieve the necessities of the people on the other.

All banks must, from their very nature, be interested in the general prosperity, and the community reciprocally interested in the welfare, good management, and integrity of the banks.

Entertaining these views, I shall not recommend any legislation upon this subject, but shall submit it to you with full confidence in your wisdom and discretion.

TREASURY.

The Treasurer—a most faithful and courteous officer—has prepared for me the following abstract of the finances of the State :

STATEMENT OF TREASURER'S ACCOUNT.

Whole amount of receipts for the year 1857, including the balance in hand January 1st, 1857, and \$40,000 received from the Joint Companies for extra dividend on 2000 shares of stock, is - - - - -	\$240,270 20
Whole amount of disbursements, ordinary and extraordinary - - - - -	237,211 78
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Balance 1st January, 1858 - - - - -	3,058 42
Ordinary expenses - - - \$130,296 33	
Extraordinary - - - 106,915 45	
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	237,211 78
Appropriation of 1855, and paid in 1857 to the State Lunatic Asylum - - - - -	5,725 16
Appropriation of 1856, and paid in 1857 for the relief of State Prison - - - - -	5,000 00
Balance of appropriation of 1856, paid in 1857 to the several counties for the use of Public Schools - - - - -	20,450 97
Appropriation of 1856, paid in 1857 for State Geological Survey - - - - -	15,370 38
Appropriation of 1856, paid in 1857 to State Normal School - - - - -	8,000 00
Appropriation of 1856, paid in 1857 for repairs of State Arsenal - - - - -	1,000 00
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	\$55,546 51

Appropriations Still Unpaid.

Appropriation made in 1855 for Webster's Dictionary - - - - -	4,400 00
Appropriation made in 1856 for Lippincott's Gazetteer, supposed - - - - -	3,000 00
Appropriation made in 1857 to State Colonization Society - - - - -	1,000 00
Appropriation of 1857 to State Lunatic Asylum - - - - -	9,000 00
Balance of appropriation of 1857 to Public Schools - - - - -	20,608 44
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	\$38,008 44

Estimated Receipts for the Year 1858.

Paterson and Hudson River Railroad, and tax on capital - - - - -	3,150 00
Central Railroad of New Jersey, and tax on capital - - - - -	22,363 27
Paterson and Ramapo Railroad, and tax on capital - - - - -	2,482 25
Dividends on the stocks of Camden and Amboy Railroad and Canal Cos. - - - - -	12,000 00
Transit Duties - - - - -	124,504 86
Interest on Bonds of Joint Companies - - - - -	2,640 00
Interest on Bonds and Mortgages - - - - -	138 00
Pedlars' Licenses - - - - -	1,500 00
Forfeited Recognizance - - - - -	500 00
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	\$169,278 38
Balance 1st January, 1858 - - - - -	3,058 42
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	\$172,336 80

The amount of school fund invested and drawing interest, is	-	-	-	416,648 01
Invested as follows, to wit:				
Bonds and Mortgage	-	\$178,338	01	
Loans	-	174,000	00	
Bonds of Joint Companies		37,000	00	
Bank and Railroad Stock		27,310	00	
				<hr/>
				\$416,648 01
Increase during the year	-	\$1,878	22	

It will be seen by the first item in this above account that the Treasurer has received from the Joint Companies, the sum of Forty Thousand Dollars, (\$40,000,) in addition to the ordinary receipts from that source. This may be called a species of loan, without interest, volunteered to the Treasurer by the Companies, with the understanding that they would take in payment therefor, if authorized by the Legislature, the four hundred shares of stock which the State received, as a stockholder, under the late extra dividend of 20 per cent. in stock, made by said Companies. Until this transfer is effected, or payment made in some other way, this clearly stands as a debt of the State. That the unpaid appropriations above mentioned should also be regarded as debts, is equally clear, for in all instances they are intended to provide for the payment of liabilities already incurred in some way by the State. From this we may, perhaps, except the appropriation of one thousand dollars, made for the benefit of the Colonization Society, and even this is an obligation which we are in honor bound to discharge.

The debt of the State may then be set down as follows:				
Standing debt	-	-	-	\$95,000 00
Loan from Joint Companies (as above)	-			40,000 00
Unpaid appropriations (including money due schools,)	-	-	-	88,008 44
Prison liabilities (as shown by the Keeper's account,)	-	-	-	15,508 69

Messrs. Merriam, for 400 copies Webster's Dictionary, purchased by State Superintendent of Schools in 1857 - - - - - 1,760 00

Total indebtedness of the State - - - \$190,277 13

The above account may, or may not, include all the debts of the State: the Treasurer being simply a disbursing officer, cannot know what liabilities may have been contracted without his knowledge. I believe, however, that our indebtedness will not vary much from the amount stated.

The available assets of the State are, viz.:

Two thousand shares of stock of Joint Companies - - - - -	\$200,000 00
Bonds of Joint Companies - - - - -	44,000 00
Bond and Mortgage - - - - -	2,300 00
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	\$246,300 00

It must be remembered, however, that if any portion of these assets be used to reduce our debt, the revenue to the State from these sources must be proportionably diminished.

In view of our embarrassed condition, it becomes us to institute a system of the most rigid economy, and to make no expenditures not absolutely required by the necessities of the State.

It will be perceived that the tax upon the capital stock of the New Jersey Railroad and Transportation Company for the year 1858, which is \$17,425, is not included in the estimated receipts, for the reason that it was advanced by the Company at the end of the year 1857, to the Treasurer, and used by that officer for the liquidation of various unpaid appropriations.— This was, in my judgment, entirely proper, for, had he not done so, our indebtedness at this time would have been greater to that extent.

The remaining estimated receipts will not cover the prospective expenses of the State government for the current year,

including those standing appropriations directed by law,—as, for example, the appropriation to the common schools,—which have become a portion of our regular ordinary expenses. The gross amount of these is about \$200,000, and the estimated receipts, including the balance in the treasury, being \$172,336 80, it will be perceived that at the end of the year there will probably be a deficit of about \$28,000. The necessity for some provision to meet this contingency is very apparent.

The honor of the State, and the rights of our creditors alike require that provision should also be made, at an early day, for the payment of our liabilities, and especially of such as are held by creditors of limited means. Without undertaking to make any recommendation in this regard, I respectfully submit the whole subject to your wisdom and experience, with the assurance that it will give me great pleasure to concur in any constitutional measures which promise so desirable a result.—The propriety of allowing interest on two of the unpaid appropriations above specified, namely: those to the Messrs. Merriam and the Lunatic Asylum, is respectfully presented for your consideration, by request of the parties interested.

PRISON.

I am happy to be able to state to you that the affairs of the prison have been satisfactorily and successfully conducted during the past year.

The following is an account of its operations, in gross, during that period:

Profits	-	-	-	-	-	\$13,994 69
Costs	-	-	-	-	-	13,462 06
Gain	-	-	-	-	-	<u>\$532 63</u>

The above item of "costs," does not include the salaries of the officers of the prison, which are always paid from the State treasury.

This result, especially when we consider that the manufacturing department has been greatly affected by the universal embarrassment in business, exhibits a degree of good judgment and industry highly creditable to its chief officer. The keeper represents the present liabilities of the prison to be fifteen thousand five hundred and eight dollars and sixty-nine cents; assets, three thousand seven hundred and twenty dollars and forty-nine cents.

The health and conduct of the prisoners has been generally good, and their decorous and quiet deportment give evidence that a proper system of discipline is maintained. For a more full understanding of all matters connected with this institution for the year just ended, I respectfully refer you to the accompanying report of the keeper.

EDUCATION.

No more important subject can claim your attention as legislators than that of elementary education. In a government like ours, where all power is derived from the people, they should be virtuous and intelligent, that they may not abuse it; hence it is the paramount duty of the State to see to the education of those who, in their turn, are to take their post in the cares of its administration. The perpetuity of civil and religious liberty, the last hope of mankind, depends, under God, upon the proper education of the present and coming generations. It has been well said by a distinguished predecessor (Governor Vroom), that "intelligence is the companion of virtue, and they, together, form the safe pillars of the State; whereas, ignorance is the parent of vice, pauperism and crime." Wherever the dictates of duty or patriotism may lead you in your action upon this subject, it will be my pride and my pleasure to co-operate with you. No effort should be spared until a good common school education is placed within the reach of every child in the State.

In a brief communication lately received from the indefati-

gable State Superintendent of Public Schools, he makes the following remarks: "The school statistics of those counties from which full returns have been received, compared with those of the previous year, show a small increase in the number of children who have attended school, and in the amount of money raised and appropriated to their support, as well as a marked improvement in other important particulars."

"In the remarks of the town superintendents accompanying the reports, they speak of a greatly increased interest among the people on the subject of education, the truth of which is fully confirmed by extensive personal observation among them, as well as from other sources of information. I am fully convinced that at no former period in the history of the State has a more general interest been felt among the people on this important subject, as evidenced by the laudable exertions they have made to sustain the schools and other educational movements."

NORMAL SCHOOL.

In connection with this subject, it gives me pleasure to refer to the continued growth and prosperity of the Normal School. Whatever doubt may have existed as to the wisdom of establishing this institution whilst our revenue was perhaps inadequate to the additional expense involved thereby, there can be none as to its value, nor as to the duty and policy of the State to cherish and sustain it. The whole number of pupils who have enjoyed its advantages since its organization, is one hundred and eighty (180); of these, sixty-six (66) are now engaged as teachers in some of our public schools, with marked and gratifying success. The character of our schools, and the amount of knowledge imparted therein, depends almost entirely upon the character and qualifications of those who teach; whatever, therefore, tends to elevate the standard of instructors, elevates, at the same time, all who come within their influence, and that State best subserves the interests of its citi-

zens, of every class, which multiplies the number of teachers thoroughly educated in the science and art of teaching. It gives me pleasure to testify, from personal observation, that the "School" is conducted with singular ability, and promises abundantly to realize the expectations of its founders and friends: I commend it to your fostering care.

The Model School, a valuable appendage to the Normal School, is also in a flourishing condition. It is here that the pupils of the latter have an opportunity of acquiring the practice, at the same time that they are learning the theory of teaching.

The Farnum Preparatory School, an institution established by the munificence of the philanthropic gentleman whose name it bears, has, by the action of your late predecessors, become a State institution. Its primary object is to give those who are destined for the Normal School a more thorough education in elementary branches than can be generally obtained in our common schools; but it also has an experimental department. There are already one hundred and thirty students there, and the number is rapidly on the increase.

GEOLOGICAL SURVEY.

Soon after the adjournment of the last Legislature, I effected a final settlement of all accounts with the officers of the late Geological Survey of New Jersey, and gave them warrants for the payment of their demands,—which warrants were paid by the Treasurer,—and there is not at this time any outstanding debts against the survey of which I have any knowledge. The whole expenditure growing out of this work, from the time of its commencement up to the date of suspension, was forty thousand three hundred and seventy dollars and thirty-eight cents, (\$40,370 38.)

Early in the month of May I gave an order to Professor George H. Cook to collect all the property of the State, connected with the Survey, and not in the State-house, and

to deposit it in some safe and convenient place. He immediately entered upon a discharge of the business assigned him, and the articles are now securely lodged in "Van Ness Hall,"—a building belonging to Rutgers College, at New Brunswick,—where, he informs me, they may remain during the pleasure of the Legislature, without charge for room rent. A copy of the order, together with an inventory of the property, is herewith presented to you.

At my request, the late officers have provided me with a succinct account, in writing, of the condition and progress of the Survey at the time of suspension. These papers you will also receive.

The only county in which the survey was completed was that of Cape May. A small number of the copies of the report on this county has been printed, but these are held, by law, at such a restrictive price,—viz. : two dollars per copy,—that but few individuals are disposed to gratify their desire to have one. The stereotype plates for the book, together with the plate for the map, are in our possession, and I respectfully suggest that authority be given to have a suitable number of the Reports printed. If sold at a reasonable price, a considerable number of them can be disposed of, much to the edification of its readers, and we shall thus be enabled to carry out, to some extent, the laudable object for which the Survey was established. Lieut. Viele, of the Topographical Department, informs me in his report, that the Survey is nearly completed in all its departments, in the counties of Sussex and Monmouth, whilst in several others the work was very far advanced.

I shall be happy to be informed of the purpose of the Legislature relative to the further prosecution of the Survey, and also as to the disposal of the property to which reference has been made.

LUNATIC ASYLUM.

The Lunatic Asylum,—that charitable institution designed to relieve the sufferings and misfortunes of those of our fellow beings in whose minds an inscrutable Providence has permitted the light of reason to be extinguished,—continues to dispense its benefits and blessings to all who come within its benign influence. Our State has much reason for congratulation in the possession of an institution which, it is thought by those competent to judge, will not suffer in comparison with any other of the kind in the world. You are respectfully referred to the report of its Board of Managers, herewith transmitted, for a detailed account of its operations during the past year.

The best evidence of its utility and success is to be found in the fact, that of the twelve hundred and thirty (1230) patients received in the Asylum from its opening, in May, 1848, up to the present time, seven hundred and fifty (750) have been discharged, recovered or improved.

From the yearly abstract of the Treasurer of the Asylum, we learn that,

The balance in his hands, from last year, was	\$22 81
Revenue account from Asylum	- - 38,196 78
Received from State Treasury	- - 5,725 16

\$43,944 75

Paid out for the Steward's account - - - \$43,940 42

Balance in Treasurer's hands - - - 4 33

\$43,944 75

The annual appropriation from the State Treasury, and the revenue from private patients, together with the products of the farm and garden, have been equal to its expenditure, and no indebtedness has been incurred. This shows a degree of good management upon the part of the managers and officers which is worthy of all commendation.

For a complete account of its affairs in all their ramifications, I beg leave respectfully to refer you to the lucid and satisfactory reports of the Board of Managers and the Superintendent, and also to the inventory of the property by the appraisers, all of which you will herewith receive.

QUARANTINE.

I have been informed by the New York Commissioners for the removal of the Quarantine Station, that an application will be made to you during the present session for the passage of an act enabling them to locate the Quarantine buildings and hospital at Sandy Hook.

I have upon a former occasion publicly expressed my decided hostility to this measure, and have only at this time to reiterate that expression.

It would doubtless be gratifying to the people of New Jersey to have any plan adopted which would lessen the danger from pestilential diseases to our neighbors of New York, or otherwise promote their interests, could it be effected without entailing similar dangers and disadvantages upon ourselves; but that such would be the result of the contemplated movement must be apparent to all who have given any reflection to the subject.

MILITIA.

The necessity of revising our militia laws has been so often presented to the Legislature, without eliciting favorable action, that it may appear an obtrusion on my part to present the subject again for your consideration. I am, nevertheless, constrained by a sense of its importance to invite your attention to it once more.

Our forefathers found it necessary to maintain an organized and well disciplined militia, and this was their chief reliance during the struggle which brought them in conflict with the

best of English soldiers; with what success, the liberty which we at this day enjoy furnishes ample evidence. A standing army is inconsistent with the genius of our government, and ought to be kept within the limits of absolute necessity, but each State should be able at all times to assist in repelling invasions and to suppress the outbreaks which sometimes threaten to overwhelm all civil authority and power. Owing to the geographical position of New Jersey, which gives us a long line of sea-board, and our proximity to larger cities, it is especially necessary that we should be prepared for such contingencies. I ask your favorable consideration for this branch of the public service, and trust that you will make such modification of the present imperfect militia system as will render it more efficient and more acceptable to citizen soldiers.

ADJUTANT GENERAL.

By the report of the Adjutant General, it will be found that "a decided improvement has taken place in the military organization and spirit throughout the State, during the present year. This has been practically manifested," he says, "by the formation of nine new companies," and "that these, in addition to those previously commissioned, comprise in all one hundred and forty-seven, (147.) They are generally well equipped and fairly drilled." Your attention is especially directed to the suggestions made by that officer.

I deeply regret to find appended to this report a resignation of his commission by the Adjutant General. It has not been accepted, for I still hope that he may be induced to reconsider a determination, which, if carried out, would deprive the State of the valuable military knowledge and experience of an officer who has so acceptably discharged his duties through a long period of service.

QUARTER MASTER GENERAL.

You are referred to the accompanying reports of the Quarter Master General for a full understanding of the operations of his department.

The order and superior condition in which the arms of the State are kept does great credit to that excellent officer. In accordance with an act, passed 10th March, 1856, he has, during the past year, made some very necessary and judicious repairs to the Arsenal. These have been effected with proper economy, but the appropriation made by the act referred to, viz.: one thousand dollars, (\$1,000,) will not suffice to complete the alteration.

The act provides that the Quarter Master General shall render a specific account of the expenditures made under its provisions, and when that is presented you can best judge of the propriety of making a further appropriation to continue the repairs.

PILOTS.

The report of the Commissioners of Pilotage, herewith submitted, presents to you a detailed account of the labors of the New Jersey Pilots, and furnishes further evidence that they are fully entitled to the confidence and patronage of mariners, and to the protection of our State.

BLIND, DEAF AND DUMB, AND IDIOTS.

There are thirty deaf and dumb and blind beneficiary pupils of this State in the respective institutions of Philadelphia and New York. I have made a personal examination into their condition and progress, and can truly say that they are in full keeping with the expectations one might form considering the excellent character of the establishments in which they are

placed. There is no annual appropriation made by the Legislature which dispenses so much happiness as that set apart for the benefit of this unfortunate class of our fellow-beings.

In this connection, I beg to call your attention to another description of unfortunates who have never yet received that parental care from the State to which their misfortunes would seem to entitle them. I refer to the idiotic children of parents who are not possessed of the means to give them a proper education. That such children are capable of great improvement is now universally conceded; some of them, indeed, give evidence of a degree of mental development which would compare favorably with that of many reared under happier auspices.

An institution for the training of feeble-minded children has been recently established by the State of Pennsylvania, and is now under the superintendence of Dr. Parrish—a name distinguished for philanthropy and medical science. Should it be your will to include these unhappy children within the scope of your beneficence, I am well satisfied that, under his kind and skillful supervision, they would receive every attention which their peculiar and afflicted circumstances require.

PEDLARS.

Complaint has been made to me, especially from our northern counties, that not a few of the persons pursuing the business of hawking and peddling in those parts, fail to comply with the requirement of the law, which compels them, under penalty, to obtain authority from the State annually to prosecute their business. This class of individuals are, in the main, neither citizens of our State nor natives of our country,—are not subject to taxation, and have no lasting interest in our prosperity. They not unfrequently sell goods of inferior quality, at exorbitant prices, to the ignorant and unwary, to the detriment of the purchaser and to the damage of regular trade.

The law authorizes the overseer of the poor in each town-

ship to prosecute such offenders, but those officers seldom or never perform that duty. It has occurred to me that if it were made the business of the Prosecutor of the Pleas for each county, to enforce the law, when notified of its violation, that the revenue of the State from that source would be considerably increased, and much fraud and imposition thereby prevented. There would seem to be a propriety, also, in having State interests protected by State officers.

GOVERNOR'S FEES.

A clause in the "fee bill" provides that the Governor shall receive for "the seal to any certificate, exemplification, or other paper," the sum of one dollar. This is one of the perquisites of the office, by which it was designed to make up the deficiency of a comparatively small salary. The fee has never been taxed to individuals, for in a large majority of cases it could not have been collected, nor was it paid at all until under the administration of my immediate predecessor, when the opinion was given by the late Attorney General, that it should of right be drawn from the Treasury; and his judgment was sustained by the two Legislatures which have assembled since that time. The principle upon which this opinion and action were based, has been settled from time immemorial by the legislative sanction given to the payment, from the Treasury, of forty cents (40) to the Secretary of State for countersigning these very same papers of the Governor's. The clause which regulates this latter action contains the same language, and follows immediately after the one in question. Under these circumstances I have drawn a portion of the fees which have accumulated on this account; but having since then, for the first time, made an examination of the law, I am in some doubt as to its true meaning and intent. I therefore respectfully request you to give such an interpretation thereto as will set this question at rest for the future. Should it be adverse to the present construction, I shall immediately return to the

Treasury a sum equal to that which I have received on this account.

PARDONS.

The law requires that the Court of Pardons shall convene during each session of the Court of Errors. The approach of a meeting being publicly known, it not unfrequently happens that the whole family of a convict will appear in person to make application for his pardon. These people are almost universally poor, and not able to incur the expense incident to the visit, yet they are constrained to come, and to stay throughout the whole session of the court, by the urgent solicitation of the prisoners, and the hope of procuring their release. In the course of a year nearly every prisoner becomes, in this way, a candidate for pardon. The importunity of these pitiable people—and they are generally women and children who must be heard at each opening and adjournment of the court—is distressing and vexatious in the extreme, and quite one-half of the time is consumed in listening to their appeals. This, together with the greatly increasing number of applicants for pardon, necessarily protracts the sessions of the court, and proportionably increases its expenses.

The remedy lies in abolishing the stated meeting of the court, and empowering the Governor to convene it whenever, in his judgment, it becomes necessary.

The pardoning power is wisely and safely vested, and if it does sometimes commit errors in judgment, it simply serves to show that, in common with all other human tribunals, it can make no claim to infallibility.

TEMPERANCE.

No argument is required to sustain the truth, that to the intemperate use of alcoholic liquors is due a large proportion of the crime and poverty which prevade the country. If it be

the duty of government to legislate for the prevention of these evils, I know of no method to accomplish it so effectually as to restrain, by every practicable means, the abundant facilities everywhere afforded to the young and the irresolute to cultivate and gratify their appetite for stimulating drinks. This is a subject which, without regard to political consequences, should claim your solemn attention as wise and beneficent legislators.

RESOLUTIONS.

I lay before you sundry resolutions which I have received from the Legislatures of Maine and Connecticut respectively, with the request that they be presented to you.

REGISTRY LAW.

The ballot-box must be protected if the people are to respect and abide by its verdict. I know of nothing better adapted to this purpose than a rigidly enforced Registry Law. The claim of a citizen to exercise the high privilege of suffrage ought not to be decided upon at the last moment, when the decision is likely to be swayed by the heat of party passion, or lost amidst the clamor of a crowd. It will add to the dignity of elections, it will give respect to the result, if a previous registry of the voters is made, so that all may know the person designated by law for the exercise of this high prerogative. Such a regulation is especially needed for our principal towns and cities, where so many of those who make application to vote are personally unknown to the officers of election. It is a measure which cannot but commend itself to every considerate and fair-minded citizen.

NATURALIZATION, &C.

Additional evidence is furnished with each returning election of the undue influence exercised thereat by ignorant persons of foreign birth, many of whom can neither read nor comprehend our constitution or our laws; who have had no knowledge of the theory or practice of self-government in their own countries, and who afford but feeble evidence of their ability to appreciate its benefits in this. I would not thus unjustly characterize all those who seek our shores, for I know that there are among them intelligent, virtuous and patriotic men, who reverence our laws and are attached to our form of government, whose interests are identified with ours, and who earnestly desire our prosperity and the perpetuity of republican principles.

The elective franchise is justly deemed the most responsible prerogative of freemen; it is the very foundation on which our government is based, and should be surrounded by every safeguard which human wisdom can devise. With all respect to the opinions of those who argue that modification of the naturalization laws is necessary to accomplish this end, the power, in my judgment, lies rather with the State than with the general government. It is true, that Congress must enact all naturalization laws, but naturalization confers only citizenship in a national sense, placing the subject of it under the protection of the general government,—and of this he ought not to be deprived,—but it does not, and cannot, confer the right of suffrage: this power rests with a State. It is solely an act of its own sovereign will and pleasure to designate the persons who shall and who shall not exercise the privilege of voting.—This privilege may be extended to a female, a minor, a negro, or a pauper, and in the same manner foreigners may be permitted to vote immediately upon their arrival in this country, or they may be forever prohibited therefrom even though they be regularly naturalized citizens. This is plainly one of the inherent and reserved rights of a State, over which the general

government has no manner of control. If, then, it be the right; it is certainly the duty of a State to aid in maintaining the purity of its elections, by every practicable means. The evil which it is sought to remedy arises not alone from the conduct of the foreigners, but also from that of some of our native born citizens. If it were left entirely to their own option to seek naturalization and the right of suffrage in their own time and way, and at their own expense, but few of this class would ever appear at the ballot box. But who has not seen at the approach of every important election, unscrupulous politicians hunting up the ignorant foreigners, pressing them to visit our courts, and urging them not unfrequently to perjury, paying for their "papers," and then watching and controlling them at the polls until their votes are deposited, according to the contract.

Such humiliating scenes would rarely, if ever, occur if the adopted citizen was compelled, by State authority, to wait for a period of two years after his naturalization before he was allowed to vote. No one, other than himself, would venture to incur the trouble and expense incident to the process of naturalization if its benefits were to be postponed to so remote a period. To effect this, would involve an alteration of our State Constitution—yet the subject is well worthy of your patriotic consideration.

ALIENS, PAUPERS AND CONVICTS.

Stringent laws should be passed by both the General and State governments, to prevent the landing within our borders of alien paupers and convicts. All Europe has for years past been pouring this class upon our country in countless numbers, thereby burdening us with taxation for their support, and spreading abroad crime, poverty and disease. Most of our large cities on the seaboard, and many in the interior are overrun with alien vagabonds and their vagrant children. This is

a sad condition of things, even for the present, but becomes still gloomier when coupled with reflections of the future, for such are the materials which are to constitute, in no distant time, part of the sovereignty of our now happy people.

SLAVERY.

The angry discussion of slavery continues to be the only serious obstacle to the internal quiet of the Republic. While nothing is better settled in history than the fact that the early statesmen who laid the foundations of the national government regarded the gradual extinction of this evil as certain, yet the original departure from right, so far from being corrected by time, has been widening ever since, and the chief contest of political parties is now upon the question of its further extension. The continued agitation of this distracting question must fill every patriotic heart with sorrow, for nothing could be better calculated to weaken the bond which binds us in a common confederacy.

The acquisitions of territory which have been made of late years, have served to aggravate the strife, and especially was it stimulated after the repeal of the Missouri Compromise, by the efforts of each party to get possession of Kansas. The opinion, too, of the Supreme Court, against the validity of that compact, which restricted slavery north of thirty-six degrees thirty minutes, so far from allaying the dissension, has tended rather to aggravate and increase it.

Much complaint has been made by a portion of the south, that the north seeks to invade their constitutional rights.—Nothing can be further removed from the truth than this accusation. So far as New Jersey is concerned—and the same is true of the north generally—she would not deprive any of her sister States of a single constitutional right: but while she concedes theirs, she must maintain her own, and insist by all fair means, that when her free born laborers and mechanics go

forth to new regions, in company with those of other States, they shall go as the equal of the white man, and not be placed upon a level with the 'negro.

The doctrine that Congress has no power over the subject of slavery in the territories is one of modern origin and growth, and is diametrically at variance with the theory and practice of the ablest statesmen of former days, from every section of the Union. The ordinance of 1787, by which slavery was excluded from the territory north of the Ohio, was drafted by the same hand which penned the "Declaration of Independence," and was enacted by the votes of not a few of those who framed the Constitution of our country. The Missouri Compromise, by which slavery was to be forever prohibited north of thirty-six degrees, thirty minutes, was adopted before all the Fathers of the Republic had passed away, and was sustained by the most distinguished and illustrious of their successors, and down to the time of giving a territorial government to Oregon its full validity was recognised.

If the opinion of a majority of the Supreme Court, as given in the Dred Scott case, is to be regarded as settling this point, it would seem that from the foundation of the government, its chief men have been laboring under a strange delusion as to the right of Congress in this matter; and if Congress is to be constitutionally deprived of the right to regulate the question of slavery in the territories, we can only insist that it shall be left to the free and untrammelled will of a majority of the voters therein.

Let even this principle be fairly enforced, and there can be but little doubt, at this day, that the institution of slavery will be confined within its present limits.

FILIBUSTERING.

In connection with this subject of slavery, and kindred to it in a great degree, is the violation of our neutrality laws by a species of piracy known as filibustering. This reckless

spirit of adventure, which in former days sought the subjugation of Cuba, as it now does that of Central America, finds its apologists and advocates among those who are looking through it to the extension of slavery. May we not hope that those of our people who sustain this movement will pause before they fully endorse a course of policy so utterly at variance with international comity and law, which is so adverse to the best interests of the union, if it does not indeed threaten, in its results, to jeopardize its perpetuity.

TARIFF.

The financial straits of the general government will perhaps make it necessary once more to raise the duties on imports to such a point as may protect for a time our manufacturing interests; yet it is not by such spasmodic and compulsory enactments that our home industry can be properly protected. If wiser counsels should ever prevail in Congress, I cannot but feel assured that the business interests of our wide-spread land will be placed upon such a footing that they will no longer be subject to the capricious disasters which seem, under existing circumstances, to occur almost periodically.

CONCLUSION.

During the two days preceding the adjournment of the last Legislature there were presented to me for approval one hundred and thirty-six bills, containing more than two thousand five hundred pages of manuscript. Most of these bills were brought to me within the last few hours of the session, and so far from my being able to make an examination into their merits, time scarcely permitted me to take a hasty glance at their titles; it required the constant services of an expert assistant to arrange them for my signature, and prepare them for return. A simple notice of the fact will, I trust, prevent its recurrence in the future.

In the belief that the welfare of our constituents is best promoted by the enactment of few laws, and by brief sessions of the Legislature, I have suggested little business for your consideration. It will be my pleasure, nevertheless, to co-operate in the passage of all measures which promise to advance the happiness and prosperity of our cherished State.

May He who rules the destinies of nations, crown with His blessing your deliberations for the public good.

WILLIAM A. NEWELL.