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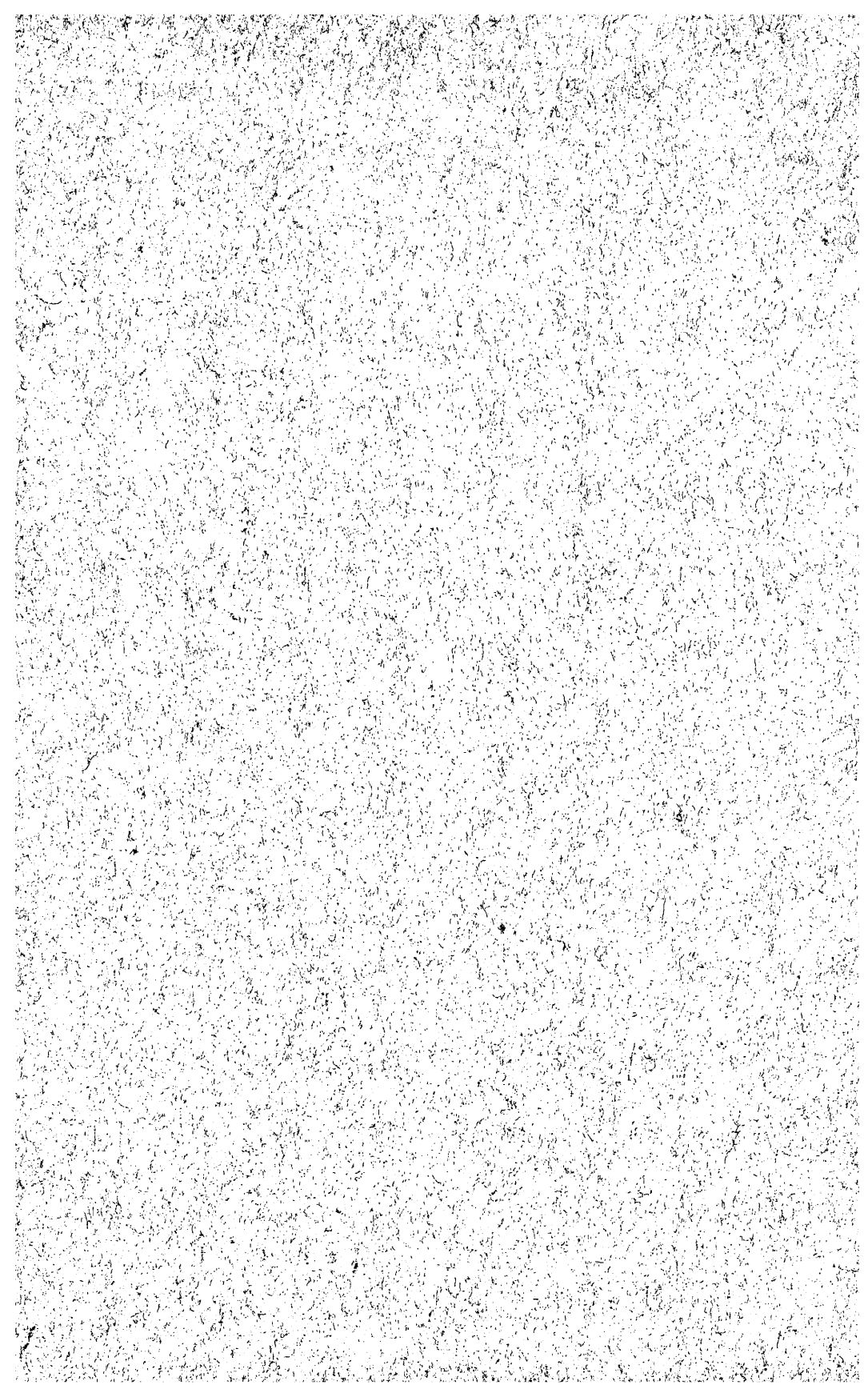


VETO MESSAGES
OF
GEORGE S. SILZER, *Governor*
TO THE
One Hundred and Forty-eighth Session
of the New Jersey Legislature

1924

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To Advertise the State.

SENATE JOINT RESOLUTION NO I.

To the Senate:

This resolution appropriates the sum of fifty thousand dollars for advertising the advantages of the State.

The best way to advertise the State and its advantages is by furnishing an economical and attractive form of government, providing public advantages, and a low tax rate.

I believe that private interests are more concerned in this bill than the people of the State. If those private enterprises desire to advertise themselves, they ought to go down into their own pockets to do it.

I am surprised that the legislative branch is willing to spend fifty thousand dollars for this purpose, but finds itself unwilling to spend fifty thousand dollars for a survey of the public schools of the State. Which are now expending forty-six million dollars a year. It seems to me that the money would be spent to much better advantage for the latter purpose.

At a time when our institutions, schools and other public enterprises are in need of money, this sum should not be spent for the purpose of advertising. If we had abundant funds this might be done.

The bill is therefore disapproved.

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To Revise the Statutes.

SENATE COMMITTEE SUBSTITUTE FOR ASSEMBLY NO. 64.

To the Senate:

Frankly, I do not like the looks of this bill, which seems to put into bill form what evidently has been pre-arranged.

It provides for a revision of the compiled statutes, by the appointment of three commissioners, who are to receive "a reasonable compensation and allowance for their services."

There is no limitation put upon the expenditure, and no one can gather from this bill how much it is going to cost.

Although I am familiar with the Bar of the State, I do not know any three lawyers qualified to do this work who would be willing to undertake it. Revisions of this kind are usually made by well-qualified law publishing concerns who make a specialty of

this kind of work, and who will enter into a contract to complete it for a certain sum.

Another strange provision is that the Commissioners shall be selected by the Speaker of the House, the President of the Senate, and by them jointly, although these gentlemen, I am sure, do not profess to have any particular knowledge of men qualified to do this work.

Another particular in which the State is not protected is in Section 5, wherein the *present* publishers of the supplement to the compiled statutes are authorized and directed to print and publish this revision. This, it will be observed, puts no limit upon what they may charge, and provides no competition. The usual and better practice is to have a commission consisting of the Governor, the Chief Justice and the Chancellor appoint a commission to determine whether this work shall be done, how it shall be done, and giving them power to make a contract, on the part of the State, for the doing of the work. After the revision has taken place, then bids may be asked for the printing of the work.

In passing it may be well to also call attention to the fact that a supplement to the compiled statutes for the years 1911 to 1924, inclusive is due before January 1, 1925. After this compilation comes in, we shall be much better qualified to tell whether such a revision as is called for by the bill is necessary.

Because of the unbusinesslike method provided for by this bill, and its failure to properly protect the State, I disapprove of it.

Impairing Water Rights of State.

SENATE NO. 12.

To the Senate:

This bill provides that a tract of land formerly the property of the Morris Canal and Banking Company and now belonging to the State and consisting of ninety-nine acres and located at Lake Hopatcong, shall become a public park.

The bills introduced at the present session of the Legislature already provide for the disposition of the Morris Canal property with protection for the retention by the State of lands necessary for water rights at lakes and reservoirs.

If this bill becomes a law this particular tract of land will become a public park. This tract now brings in a considerable revenue to the State from leases for bungalow sites and camping sites. If it becomes a public park the State will suffer a loss of

revenue which may be necessary to maintain the water rights and reservoir at Lake Hopatcong.

It is quite evident that the land is now being used for recreational purposes, and nothing can be gained by making it into a public park and cutting off the revenue.

I, therefore, disapprove the bill.

Depriving Attorney-General of Power of Appointment of Counsel to Tunnel Commission.

SENATE NO. 16.

To the Senate:

Senate Bill No. 16 has for its purpose, taking from the Attorney-General the assignment of counsel to the Interstate Bridge and Tunnel Commission, and placing in the hands of that commission the appointment of counsel, assistant counsel and consulting counsel, as well as powers for the creation and distribution of additional jobs.

This gives the commission the power to appoint as many legal advisers as it desires, and to pay such salaries or fees as it may fix. There is no limitation whatever either upon the number of advisers or upon the amount to be paid, and no check upon the commission for such appointments or the expenditures.

If this bill had for its purpose the establishment of a principle, or the continuation of an established principle, I would be glad to sign it. It does not, however, do either of these, but, on the contrary, its avowed purpose is to take away from the Attorney-General (where it has resided ever since the creation of the commission) the appointment of legal assistants.

It is most unfortunate that at a time when there are so many important and pressing matters requiring the attention of the State that one of the first bills to be introduced (the second one to come into the hands of the Governor) and passed in great haste, should be a bill dealing with the preservation of political jobs and the creation of new ones.

I do not believe that the people of New Jersey are so much interested in who holds the jobs as they are in seeing that the work is well, economically and honestly done.

While it may be true that in some cases a board or commission should appoint its own counsel, I do not think it applies in this particular case.

The present commission came into existence as the result of "ripper" legislation, and on a purely political and partisan basis.

It seems to have continued as such, and by reason of its political character and the bickering and quarreling among its members and the charges made against it, it has lost the confidence of the people.

The public impression is that the commission is more interested in politics and jobs than in the doing of good work and economically spending the twenty-eight million dollars which the taxpayers have entrusted to them, and the fourteen millions which must now come out of the taxpayers' pockets to finish the work.

This legislation must necessarily add to that impression.

This commission, in these circumstances, should have independent counsel from the office of the Attorney-General, where responsibility is lodged, and where partisanship cannot enter.

In the creation of this commission by "ripper" legislation, the responsibility for its creation and membership was upon the Legislature creating it; that body adjourned sine die shortly thereafter. With such a commission, it is well that there should be close contact with and good advice from a responsible and permanent State department. Some check upon this body, if only legal, would be healthy.

In addition to this, it must be remembered that this commission must deal with the States of New York and Pennsylvania. In this interstate relationship, much more force and dignity is brought into the matter when our State is represented by the Attorney-General and so better results are obtained.

There was wisdom in the original method of making the appointment and it is still in the best interests of the State to follow that method. Nothing has happened to warrant a change in that course.

There are other defects in this bill, which its operation will soon demonstrate.

In the interests of the State, in the proper protection of its revenues, and in accordance with established principles, I am compelled to disapprove this bill.

Salary Increases.

SENATE NO. 20.

To the Senate:

Not having heard any demand for this increase in salary from the people of Mercer County and other interested counties, the bill is disapproved.

Appropriation for Waterway.

SENATE BILL NO. 31.

To the Senate:

Since there are demands for our funds more urgent and compelling, this enterprise will have to wait until a more favorable time. There is nothing urgent about this proposition, because there is already a channel connecting the inland waterway.

The principal effect of making this bill a law would be to increase the property values along the beach. Worthy as this may be, this is not the time to do it, when our funds are in such demand in matters that are urgent.

I therefore disapprove the bill.

Adding to State Burdens for Maintaining Channel Lights.

SENATE BILL NO. 32.

To the Senate:

This bill appropriates a sum of money annually to light the channel in the inland waterway from Cape May to Bay Head. This creates an additional burden on the State revenues, which are even now insufficient for more important public work.

I therefore disapprove the bill.

Creating New Office.

SENATE NO. 47.

To the Senate:

This bill provides for the appointment of an Inspector for the State Board of Dentistry, to serve process issued by any court in suits where the Board is seeking to enforce penalties.

This is objectionable for at least three reasons:

It creates useless office; it violates the principle of civil service; and adds to the expenses of the State without any corresponding benefit.

I therefore disapprove the bill.

Unconstitutional Legislation.

SENATE NO. 58.

To the Senate:

This bill, by its title, purports to be an act to enable a municipality to assist in maintaining hospitals. The bill itself provides for the appropriation of money for the support and maintenance of indigent persons who may receive treatment at a hospital.

As the title does not conform to the body of the act, and therefore does not meet the constitutional requirements, I must disapprove the bill.

Supervision Over Banking Institutions.

SENATE NO. 65.

To the Senate:

This bill has for its purpose a worthy object and if the transmission of all moneys to foreign countries could be placed in the hands of substantial banking institutions, there would be less cause for complaint.

This bill, however, should not become a law because it permits any number of agencies to be established anywhere by these trust companies. No such power should be given to the trust companies without supervision on the part of the Banking Department, and, since that supervision is lacking, I disapprove the bill.

Special Legislation for Milk Business.

SENATE NO. 70.

To the Senate:

This is the same bill that I found it necessary to veto last year. It provides that any buyer of milk who:

1. Fails to make prompt payment for the milk purchased, or
2. Makes any false or misleading statement, etc., shall be liable to a penalty of twenty-five dollars for the first offense; fifty dollars for the second, and upon failure to pay the penalty may be committed to the county jail for thirty days.

This is a novel way to collect bills, especially so since imprisonment for debt was abolished. I do not believe we want to go back to imprisonment for debt.

It will also be observed that if a person makes a false or misleading statement, even though it is not knowingly done, he is subject to the penalties. The enactment of such a law would be short of ridiculous.

If we can penalize and imprison people for debt in the milk business, it ought to apply to every other business, as well. If it were so applied, it would at once appear how absurd a situation would be produced.

The bill is therefore disapproved.

Unconstitutional Legislation.

SENATE NO. 75.

To the Senate:

This bill is a supplement which attempts to appropriate additional moneys for a certain waterway in the Salem River.

The bill is objectionable, both for the reason that its purpose is not disclosed in its title, and the purpose for which the money is to be used is separate and distinct from the purposes expressed in the original act to which this is a supplement.

I doubt if the financial officers of the State could honor any requisition made upon them under the bill in its present form.

A further objection is that this work is contingent upon Federal action. No such action has yet been authorized. Until it is, this should not be made a law.

I therefore disapprove the bill.

Unconstitutional Appropriation.

SENATE NO. 85.

To the Senate—This bill appropriates \$3,500, when included in the annual appropriation bill, for the purpose of moving the battle monument heretofore erected under legislative authority at Chestnut Neck, Atlantic county.

This act is in contravention of Section 20 of Article 1 of the State Constitution, being in effect an appropriation of public moneys to or for the use of a private organization named in the bill.

I, therefore, disapprove this bill.

Ambiguous Legislation.

SENATE NO. 89.

To the Senate:

This bill is so ambiguous in the language used that it should not become a law.

Furthermore, while the intention of the framers of the bill may have been to give cemetery companies organized under special laws the privilege of re-organizing under general cemetery law, the language used might be applied to almost any kind or character of association or corporation.

I therefore disapprove the bill.

Salary Increase.

SENATE NO. 102.

To the Senate:

Having heard no demand from the people of the counties affected by this bill for an increase in the salary, this bill is vetoed.

Power to Utility Companies to Condemn Land.

SENATE NO. 113.

To the Senate:

This is a bill to authorize electric light, heat and power companies to condemn lands.

I do not believe that this unrestricted power should be given to those companies. I do not think they should be given unlimited power to invade private property, destroy the value of beautiful houses, pull down trees and otherwise injure the private property owner.

An attempt is made to give the Public Utility Commissioners some control over this matter, but the only control they have is to determine whether such condemnation is necessary or proper for the service of the public. They should also have the right to determine whether it will unnecessarily damage the private property owner.

If this bill were so amended as to give the right of condemnation, but reserve to the Utility Commission the right to prevent

such action where it will unduly injure a private property owner, the bill could become a law.

It has never been deemed advisable up to this time to give these companies this wide latitude.

I, therefore, disapprove the bill.

Licensing Electricians.

SENATE NO. 122.

To the Senate:

This bill provides for licensing persons engaged in the electrical contracting business.

Its real purpose is to benefit those engaged in this work and to limit the number. We have a glaring example of how this operates in the present law which permits plumbers to do the same thing. There has been a tendency for each craft to secure a law of this kind, and by limiting the number, to gain advantage to themselves.

I think it is time that we began to look after the people. They are entitled to open competition and fair price for the work.

Since this bill is detrimental to the public interest, and to the masses of people who require electrical work done, I cannot consent to this bill becoming a law. I vetoed the same bill last year.

This bill is therefore disapproved.

Mosquito Extermination.

SENATE NO. 123.

To the Senate:

This apparently gives authority to the Boards of Freeholders to eliminate mosquitoes, spend as much money as they like, and issue as many bonds as they like.

What becomes of the Mosquito Commission?

Is not this giving too much power for the expenditure of public moneys?

The bill is therefore disapproved.

Special Legislation.

SENATE NO. 128.

To the Senate:

This bill not only attempts to prevent an escheat to the State of certain real estate, but in the second paragraph goes further. In that paragraph, by special legislation, it attempts to alter the statute of distribution for the benefit of a particular person.

In his respect it would seem to be unconstitutional and I, therefore, disapprove the bill.

Increasing Municipal Debt Limit.

SENATE NO. 150.

To the Senate:

This bill has for its purposes, like many other bills, the removal, in part, of the bond limitation.

In this case the bonds of a municipally-owned electric light plant are to be deducted.

In other such requests other deductions are asked.

If we keep on there will be no bond limit left.

It has been clearly demonstrated by the experience of any years that it is most wholesome to have a bond limit beyond which our municipalities cannot go. If this bond limit had not existed, many of them, no doubt, would have been in bankruptcy by this time.

I made an exception in the case of Senate 28 and Senate 29 in order that schools might be built, although the principle underlying these bills is bad.

I am opposed to making any further changes in our law limiting obligations. The State should adopt a policy and adhere rigidly to it.

I therefore disapprove the bill.

Respectfully submitted,

Sale of Tax Exempt Property for Private Gain.

SENATE NO. 155.

To the Senate:

This act provides that where a cemetery company has owned a tract of land in which there are no burials, and has had that land for thirty-five years or upwards, the company may sell those lands.

During these thirty-five years this company has been exempt from taxation. I do not believe that this company should be permitted to sell these lands until it has paid its share of the tax burden. We cannot permit lands to be laid out as cemeteries and so escape taxation, and then, when the land has increased in value, relieve it of its special character without having it also bear its part of the community expenses.

I, therefore, disapprove the bill.

If the introducer will amend the bill, providing a method whereby the tax for the last thirty-five years can be paid, then the permission could be granted.

While this bill was intended to affect one company, it has general application and affects many.

Salary Increase.

SENATE NO. 161.

To the Senate:

I have not had from the people of the counties affected by this bill any evidence that they are anxious to pay the increased salary provided for in this bill.

It is therefore disapproved.

Salary Increase.

SENATE NO. 167.

To the Senate:

This bill increases the salaries of members of the County Tax Boards in counties of the first class from \$3,500 to \$4,000.

Being a salary increase, and there having been no demand for this on the part of those who must pay the tax, the bill is disapproved.

Bond Issue for Preliminary Surveys.

SENATE NO. 181.

To the Senate:

This is a bill to authorize counties to make preliminary surveys and soundings, etc., for the construction of bridges over tidal water separating this State and said counties.

I can see no objection to the making of such surveys and soundings, but I do object to having Boards of Freeholders issuing bonds for the purpose of paying for the same.

Bonds should only be issued for matters of a more or less permanent character. We certainly should never issue bonds for making preliminary examinations for enterprises which may never come into being.

The bill is uneconomical, unsound and should not become a law. If this should become a law, others will adopt the same method, and we would soon find ourselves in financial difficulty.

I, therefore, disapprove the bill.

Criminal Procedure.

SENATE NO. 189.

To the Senate:

I am sorry to be obliged to veto this bill, because it has a good purpose in mind.

It provides that a person who received the receipt for cash bail deposited is entitled to have the same returned to him, and the Court is compelled to make an order to that effect.

This still leaves open the door for the knowing ones to secure the receipts in their names, and so have the money turned over to them.

I wish this bill might be re-enacted, leaving it discretionary with the Court to make a just and proper order for the return of the money, after notice to the defendant and all parties interested.

Unconstitutional Legislation.

SENATE NO. 226.

To the Senate:

The title of this act and the body are inconsistent, which probably leads to its unconstitutionality.

The title concerns District Courts, while the body puts in limitations which apply and can apply only to one particular place.

For this reason the bill is disapproved.

Sale of Institution-made Goods.

SENATE NO. 230.

To the Senate:

At the present time great care and delicacy must be observed in the disposition of institutional made products. This is necessary in order that there may be no conflict between labor and our institutions and institutional departments. Up to this time there has been satisfactory co-operation and harmony.

I am unwilling to do anything which will disturb this arrangement which is now working so satisfactorily. I fear that if this bill goes into effect that trouble will result, while if the bill becomes a law nothing will be accomplished that is not done at the present time.

In view of the rumors that efforts were being made to destroy the present system in order to re-establish contract labor, nothing should be done to encourage that possibility.

I, therefore, disapprove the bill.

Salary Increase.

SENATE NO. 244.

To the Senate:

This is a bill to increase the salary of court interpreters in certain counties from \$1,800 to \$2,300.

In view of the limited time required for this work and the fact that there has been no demand from these counties manifested at this office, the bill is disapproved.

Tenement House Safeguards.

SENATE NO. 250.

To the Senate:

This bill seeks to amend section 60 of the tenement house law. That section provides: "Every tenement house hereafter erected *six* stories or more in height shall be made fire proof throughout."

This bill provides that each tenement house of *seven* stories or more in height shall be fire proof throughout, but increases the fire hazard in all of those of six stories.

I do not believe that we should change the present law and increase the fire hazards of tenements of six stories. Every protection should be thrown around those who occupy those buildings.

I also believe that this bill would probably conflict with Senate No. 205, which I have approved.

This bill is therefore disapproved.

Corporations.

SENATE NO. 260.

To the Senate:

Senate No. 260 has for its purpose the giving to corporations organized under special acts the right to make changes in their capital stock and to do other things of like character.

We should not permit any corporation created under a special act to perpetuate any special privileges or advantages which they secure under such special act, and which cannot be secured at the present time under our general corporation act.

There is sufficient law to cover the purpose attempted to be achieved by this bill. Chapter 74 of the Laws of 1923 provides a method for amending a charter of a corporation organized by special act, under which it may come under the general corporation law. The significant part of that act and the thing necessary to be called to your attention at this time is Section 2, which provides that any corporation taking advantage of the act (namely the general corporation act) shall file with the Secretary of State a certificate waiving any right of exemption from taxation and from *privileges and advantages* arising under the special act of the Legislature incorporating said company.

I, therefore, disapprove the bill.

Tax Sales.

SENATE NO. 262.

To the Senate:

I regret to have to veto this bill, but while the purpose may be good there are two objections to the bill:

First, it amends Section 14 of the Certiorari Act of 1903. Apparently the draftsman overlooked the fact that this section was amended in 1915, which reduced the time within which a writ of certiorari would be allowed in tax proceedings from three years to eighteen months, so the effect of this bill would be to put the time limit back to three years.

The second reason is that the bill omits an important clause appearing in the Act of 1915, which affects not only taxes and assessments, but "any sale where assessments *and* taxes have been included together."

There is a further typographical error on the fifth line of the bill where it speaks of "assessment *of* tax" instead of assessment *or* tax.

I, therefore, disapprove the bill.

Teachers' Pension Fund.

SENATE NO. 271.

To the Senate:

This bill provides that when a Commissioner of Education or an Assistant Commissioner is made Secretary of the Teachers' Pension Fund, he shall receive no salary.

I do not see what is accomplished by this. If some one beside the Commissioners is appointed to this work, he undoubtedly will be paid. This being so, I see no reason why the Commissioner should not be paid if he does the work.

The whole matter is one to be determined by the Board of Trustees of the Fund, who are to select the person to do the work and fix the salary. If we entrust them with the power to do this, we should not eliminate the Commissioners if the Board decides that they are the best persons to act as Secretary.

The bill is therefore disapproved.

Condemnation of Lands.

SENATE NO. 279.

To the Senate:

Being in doubt as to just what will be the effect of Senate 279, I do not think it should become a law.

It makes certain affidavits *prima facie* evidence, and in this way may do injury to other parties to the suit in condemnation. Our condemnation act and the law on this subject have worked satisfactorily since the adoption of the Constitution, and I see no reason for changing it in the particular provided for in this bill, without better reasons than those assigned in the explanation. The bill is therefore disapproved.

State Highway Commission.

SENATE NO. 294.

To the Senate:

This bill compels the State Highway Commission, when securing land for a highway, to also secure land for adjoining sidewalks, and further provides that the State Highway Commission shall remove obstructions and encroachments on adjoining sidewalks along State highways. Under the classifications of "obstructions" the necessary grading for such sidewalks will be included.

Under existing legislation, the obligation for constructing sidewalks is placed upon the municipalities, who may assess for the cost of the same. The increased burden, under the present plan, would have to be borne by the State Highway Commission. It is estimated that this would cost the State at least twenty thousand dollars more per mile.

I do not believe that we should adopt a policy of including sidewalks as a part of the State Highway system and putting the State to that enormous increased cost. This is especially true in places where no sidewalks are now, or may not be needed for many years.

Being useless, expensive and unnecessary, this bill is disapproved.

State Tax Affecting Highway Bonds.

SENATE NO. 296.

To the Senate:

This bill provides that: "Whenever the Sinking Fund Commission shall over-estimate" the amount necessary for the payments arising out of the one-mill tax for interest and amortization of the forty-million dollar highway bond issue, or the Comptroller shall 'miscalculate the amount in dollars, or the millage on the dollar of valuation' in each county, and said sum "incorrectly estimated or miscalculated" shall be certified to the county board of taxation and a larger sum than is necessary shall be raised in any one year, the board of freeholders may pass a resolution for the restriction or repayment of such sums in the possession of the county to the various municipalities in the county paying the same.

I understand that the alleged purpose of this bill was to correct an error made in one of the counties of this State whereby the mill tax aforesaid was twice raised in the same year in this county, owing to a misconstruction placed by the county authorities on the communications from the Comptroller in reference to raising the amount.

I am advised that no legislation is necessary to correct this error, but that the county can simply deduct the excess amount already raised from the amount to be raised for the current year, and thus correct the error.

Inquiry of the Comptroller discloses that there has been no miscalculation on the part of the Comptroller and no over-estimate by the Sinking Fund Commission.

This being so, the bill would not have application to any existing conditions, and therefore would seem to be unnecessary, because it is not at all likely that such a miscalculation or over-estimate will take place in the future.

I thereby disapprove the bill.

Appropriations.

SENATE NO. 300.

To the Senate:

I have approved Senate Bill No. 300 except as to items in statement appended to the bill. In accordance with the Constitutional

In accordance with the provisions of Article 5, Section 7, of

the Constitution, I am signing this bill and am appending to the same the following statement of the items to which I object and the reasons for such objections. The items so objected to are vetoed.

Page 2, lines 1 and 2, "For balance due for refitting yacht, W. Parker Runyon, given to the State by the Federal Government, \$3,465.40."

I object to this item and veto it for the reasons stated in the veto of the item for maintenance of this yacht in Senate No. 301.

Page 3, "14 Legislature (lines 1 and 2), additional amount required for indexing Journal and Minutes and other incidental and contingent expenses, \$3,000."

I object to and veto this item for the reasons stated in vetoing item page 10, line 7, in Senate Bill No. 300, relating to expenses of Legislature.

Page 3, "16 State Highway Investigating Committee. Additional allowance for expenses incurred by the State Highway Investigating Committee, \$2,750."

No Legislator could vote intelligently on this item because he does not know what it contains. I have looked over the bills submitted and find among them one from the Commissioner of Accounts for eleven days' services at \$50 a day. The Commissioner of Accounts already receives an annual salary of \$5,000 as an employee of the State.

I do not find among the bills any check upon the reasonableness of the charges and, therefore, think that this item should be eliminated until provision is made for ascertaining accurately what should justly be paid.

Appropriations.

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SENATE NO. 301.

To the Senate:

I have approved Senate Bill No. 301, except as to items in statement appended to the bill. In accordance with the Constitu-

In accordance with the provisions of Article 5, Section 7, of the Constitution, I am signing this bill and am appending to the same the following statement of the items to which I object and the reasons for such objections. The items so objected to are vetoed.

Page 15, line 38, "Maintenance boat, W. Parker Runyon, \$18,000."

I am not convinced that it is necessary for the State to spend \$18,000 a year on the maintenance of a boat. It seems to me to be better business to get rid of the boat. Whatever vessels are needed by this department can be rented for a very much less sum than the amount necessary to maintain this yacht.

I also observe that in the Deficiency Bill (Senate 300) there is also an item for \$3,465.40 for refitting the yacht. For the reasons stated, this item is objected to and vetoed.

Page 14, line 20, "For construction, repair and preservation of sea walls, bulkheads, jetties, etc., etc., * * * Long Branch, \$20,000.

No application was made to the Budget Commission for this sum. It certainly cannot be an emergency occurring since the meeting of the Budget Commission. If items of this kind are to be put into an Appropriation Act without first making application to the Budget Commission, the Budget Commission might as well be abolished.

I, therefore, object to and veto this item.

Page 14, line 20, "For construction, repair and preservation of sea walls, bulkheads, jetties, etc., etc., * * * Monmouth Beach, \$25,000."

I object to this and veto it for the same reasons stated in the item next preceding this.

Page 14, line 22, "For construction, repair and preservation of sea walls, bulkheads, jetties, etc., etc., * * * Spring Lake, \$20,000."

I object to this and veto it for the same reasons stated in the second item above mentioned.

Page 14, line 23, "For construction, repair and preservation of sea walls, bulkheads, jetties, etc. etc. * * * Deal, \$8,000."

I object to this and veto it for the same reasons stated in the second item above mentioned.

Page 14, line 25, "Beach Channel between Manahawkin Bay and Beach Haven in Ocean county, provided Senate Bill No. 31 becomes a law, \$75,000."

I vetoed the bill because it is at this time a useless expenditure of money. For the same reasons, I object to this item and veto it.

Page 14, line 28, "Salem River Cut-off, provided Senate Bill No. 75 becomes a law, \$25,000.

I vetoed this bill both because it was defective and probably unconstitutional, and also because the appropriation should not be made until a Federal appropriation is made to connect up this channel.

For the reasons given in my veto of the bill, this item is objected to and vetoed.

Page 14, line 30, "Marking channels along Atlantic coast, provided Senate Bill No. 32 becomes a law, \$1,000."

I vetoed this bill, and, for the same reasons given in my veto, I now object and veto this item.

I understand the principal beneficiaries are persons interested in private enterprises.

Page 15, line 39, "For maintenance of lights on waterways from Cold Spring to Otten's Harbor, \$700."

A few years ago markers with attachments for lights were provided by the State for this waterway with the distinct promise on the part of those who secured it, if the State would pay for the markers the local authorities in interest would see that the lights were maintained.

As is usual in these matters, an effort is now being made to saddle this expense on the State—despite the promise. I do not think that the State ought to be put to this expense.

I, therefore, object to the item and veto it.

Page 49, K-6, Red Bank Battle Monument.

"To the board of chosen freeholders of the county of Gloucester, for the purpose of aiding in the care and supervision of the Red Bank Battle Monument in said county, and in the maintenance of the grounds upon which the same is located with which they are charged by the provisions of Chapter 79, Laws of 1905, \$500.00.

"Completing construction of retaining wall, \$15,000.00."

This battle monument was erected under Chapter 79 of the Laws of 1905, at which time \$15,000 was appropriated with the statement that said sum was "to cover all expenses incident to the erection of said monument."

Evidently, this monument was secured upon this promise.

Section 4 of the act provides that after the monument is completed and unveiled, and the grounds properly graded, the commission is discharged, and "the care and supervision of the said monument shall devolve upon and be vested in the board of chosen freeholders of the county of Gloucester."

It is quite evident, from the wording of this act, that the duty and obligation of the State ceased long since. It is also clear that the care of the monument, which necessarily includes the surrounding grounds, is upon the board of freeholders of Gloucester county, and that there is no reason why the State of New Jersey should make further appropriation therefor. In fact,

as much is being asked to construct the retaining wall as was originally given for the monument.

If this were a proper charge, the money should be spent by the State itself, under proper supervision. If the county is to spend it, then the board of freeholders are the proper ones to supervise it.

For the reasons stated, this item is objected to and vetoed.

Page 53, L-2, State Insurance Fund.

"There is hereby transferred from the income from the Insurance Fund the sum of \$40,000."

I do not want to veto this item, but I do want to call attention to the fact that the requests for the year covered by this appropriation bill total \$86,898.20, to be paid in insurance premiums. This is an increase of \$16,000 over the year before.

The purpose of Chapter 123 of the Laws of 1913 was to establish an insurance fund to appropriate in each year the sum of \$50,000, so that the sum might amount to \$1,000,000, at which time the State would be in a position to insure its own property, and save the insurance premiums.

For several years the appropriations committee has neglected to include any sum in the annual appropriation. The result is that we are not accomplishing the worthy purposes provided for in the act of 1913, but, on the contrary, are paying out large sums to the insurance companies this year.

I would therefore suggest that this item be included by the Legislature before its adjournment.

Page 80, X 19. Village for Epileptics.

For salaries and wages, and for maintenance of the Village for Epileptics, on the basis of eight hundred and twenty-five inmates. Salaries and Wages:

Superintendent, \$8,000.00

When this matter came before the Budget Commission the request was for \$6,000, and \$6,000 was allowed.

To go before the Appropriations Committee and to secure an increase of thirty-three per cent in salary without having first made application to the Budget Commission, is discourteous to the Budget Commission, to say the least. If this can be done, then there is no need of the Budget Commission, and the spirit and purpose of that act is defeated.

It would seem that in order to bring about this result before the Appropriations Committee the item of \$71,000 for food, reduced by the Appropriations Committee to \$66,000, was over-estimated. This produced the necessary margin for the increase

of salaries, without adding to the sum total allowed by the Budget Commission to this institution.

Methods of this kind should be frowned upon and stopped.

Furthermore, if those who are in charge of institutions are to be permitted to go over the heads of their superiors and the boards having charge of those institutions, it is going to be subversive of discipline and detrimental to the interest of the State.

For these reasons I object to and veto this item.

Page 9, line 13 to 17. Department of Municipal Accounts.
Salaries:

| | |
|--|------------|
| Supervising Auditor, | \$3,600.00 |
| Senior auditor, | 3,180.00 |
| Compensation for auditors and other assistants, .. | 27,375.00 |

These items have hidden in them an increase of salaries to the Supervising Auditor of \$300; to the Senior Auditor of \$180; and provides additional assistants and increases of salaries to present assistants of \$5,475.

What legislator knows whether this is necessary?

This brings the expense of this department from practically nothing in 1918 to \$93,000 this coming year.

I am objecting to these items and vetoing them because I want to call attention to the method now prevalent in increasing salaries by way of the appropriation bill. The former method was to pass a bill fixing a salary, and then, if the salary was to be increased, another bill would be passed. In this way the matter was called to the attention of the entire Legislature, who might determine whether such a salary increase was proper or not. By this latter method, however, salaries are being continually increased under cover, and hardly a single member of the Legislature knows that it is being done.

By this year's appropriation bill there is an increase of \$85,324 in salaries hidden away in the appropriation bill, and only ascertainable by the experts who are familiar with the bookkeeping methods and figures.

I am sure that not five members of the Legislature who are called upon to vote for this bill are able to tell where this \$85,000 in salary increases comes from.

I may also say, in passing, that I doubt whether, upon a test, these increases would stand. Under this method, I do not see how any legislator can act intelligently upon the items.

I object to and veto this item.

Page 10, line 7. Legislature.

Indexing Journal and Minutes and other incidental and contingent expenses, \$20,500.

I object to and veto this item because I think it contains objectionable items, and attention should be called thereto.

Under a bulk appropriation of this kind all sorts of expenditures are included. From this figure it is impossible for any legislator to vote intelligently.

Included in this item and in Item 14 of Senate Bill No. 300, which appropriates an item of \$3,000 additional, are many things which should not be included and should not be paid. I find, among them, that it took 76 employees at \$10 apiece to open the legislative session this year. What could possibly have been done by 76 employees; what service they could have rendered the State, and how the State could have value received, is more than I can understand.

Included in these items are also many extra allowances to legislative and State employees who are already being paid a substantial salary and compensation for what they do.

Included in this, also, are extra compensation for indexing the Minutes, which no doubt were contemplated as a part of the salary.

Other employees who are in the constant employ of the State and receive yearly salaries are made allowances for one thing or another.

I object to and veto this item.

Page 53, K. 23, "National Encampment of the Veterans of Foreign Wars of the United States."

To defray the proper and legitimate expenses attending the reception and entertainment of the honorably discharged soldiers, sailors and marines of the United States of America of the State of New Jersey, at the National Encampment of the Veterans of Foreign Wars of the United States, to be held in the State of New Jersey in the year 1924, the sum of \$25,000; provided, that such expenses shall be disbursed by the Adjutant-General under such regulations as may be prescribed by the State Treasurer, \$25,000."

This is an indirect way of passing legislation. The bill providing for this passed both houses and was vetoed by the Governor. Instead of having a new bill passed the item is inserted on page 53 of an Appropriation Bill of 88 pages.

\$25,000.00 is appropriated for a national encampment to defray "The proper and legitimate expenses attending the reception and entertainment" of those attending. What are proper and legitimate expenses, and who is to determine what they are? The item provides that the money shall be disbursed by the Adjutant-General under regulations provided by the State Treasurer. But

what regulations can the State Treasurer prescribe? Is the State of New Jersey to pay the hotel bills of those who attend? What other expenses would be included in this disbursement?

It would seem that \$25,000.00 ought to do a great deal of legitimate entertaining. In fact, I am informed that no other organization expends any such sum as this for national conventions, and I am also told that the American Legion is opposed to expenditures for this purpose and in this way.

In view of the fact that the necessary and proper safeguards for the expenditure of the people's money are not thrown around this item and because of an insufficient statement of how this money is to be spent and for what, the item is objected to and vetoed.

Armories.

ASSEMBLY NO. 11.

To the House of Assembly:

This bill provides for the erection of an armory in Burlington, at an expense to the State of fifty thousand dollars.

I believe that this is premature.

I agree that armories should be provided when sufficient interest is shown in the National Guard to organize and maintain a military company. I do not believe that armories should be erected for community purposes.

I have before me a record of the company assigned to Burlington county, and find that after the war a company was reorganized on July 21st, 1920, disbanded July 7th, 1922, reorganized July 22d, 1922.

In the year 1923, from January 1st to August 31st, on an average roll of 68, the average attendance was 18.

From September 1st to December 31st the average attendance was 42½.

On April 19th, 1923, a new captain took charge, who again reorganized the company, and the company has qualified for pay at drills since September 1st, 1923, with an average attendance of 68½ per cent. of the actual strength.

The strength on January 31st, 1924, was 3 officers and 63 enlisted men.

If, after more time has expired, it appears that this community takes a wholesome interest in its military company, enlists it at its full strength, and maintains it there, that will be the time for the erection of an armory.

For the above reasons this bill is disapproved.

Pensions.

ASSEMBLY NO. 12.

To the House of Assembly:

This bill creates an additional reason for pensioning county detectives.

It is mandatory in its provisions and leaves no discretion in the hands of those whose tax bills will be increased thereby.

One of the causes of high taxation is mandatory legislation. If we are going to reduce taxes, we cannot add mandatory acts to our laws.

I have heard no demand from the people of the first and second class counties for this change in the laws.

I, therefore, disapprove the bill.

Passaic River Pollution.

ASSEMBLY NO. 17.

To the House of Assembly:

Assembly No. 17 provides that any individual injured by the discharge of polluting matter into the waters of the Passaic River is empowered to institute suit, in the name of the Passaic Valley Sewerage Commission, to enforce the provisions of the act.

I think this is bad legislation, and would permit a single individual to cause a great deal of annoyance and also to interfere with the operation of the Commission, as well as to put them to expense by the use of their name.

If this bill were so drawn as to permit such a person to apply to the court for permission to sue in the name of the Commission, then the interest of the State and of those concerned would be protected.

The bill is disapproved.

Municipal Courts.

ASSEMBLY NO. 66.

To the House of Assembly:

The title of this act is at least doubtful. It purports to establish family courts, while in the body of the act it converts courts already existing into family courts.

Furthermore, there is no provision made in the act for the disposition of the present incumbents who hold the offices in the criminal court out of which this court is created.

It gives power to appoint a clerk and further attendants, and fix salaries.

The only purpose seems to be to add to the burdens of cities of the first class.

In addition to this, it gives the right to dispose of adultery cases, and so changes a practice in vogue for many years.

I had occasion to veto a similar bill last year.

I therefore disapprove this bill.

Municipal Expenditures.

ASSEMBLY NO. 78.

To the House of Assembly:

This bill has for its purpose the establishment of a petty cash fund in any county or municipality.

It seems to me to be bad in principle, as it tends to remove restrictions on the expenditure of public moneys instead of tightening them. The present system has worked satisfactorily for many years and there is no good reason why an innovation of this kind should be made, opening the door and leading to not only laxity but complication in dealing with public funds. The method provided in the bill for safeguarding the public funds is more complicated than the methods sought to be corrected.

I, therefore, disapprove this bill.

Chief Attendant Officer.

ASSEMBLY NO. 80.

To the House of Assembly:

This bill provides for the appointment of a chief attendant and permits the sheriff to fix the salary with the concurrence of the board of freeholders.

There may be need of an officer of this kind in first-class counties, but as this law applies to second class counties where there is no need for such officers, the bill is disapproved.

Pensions.

ASSEMBLY NO. 94.

To the House of Assembly:

This is another of the series of pension and retirement bills placed before me for signature. I do not think that any of these

bills should become laws at this time. As I have said before in some of my vetoes, this whole matter of pension should be studied, and a comprehensive, definite and uniform system adopted. This would also obviate the necessity of the introduction of numerous bills at each session.

I shall try, between now and the next session, to have this matter taken up for study, in order that some report may be made to the Legislature at the next session.

The bill is therefore disapproved.

Graves of War Veterans.

ASSEMBLY NO. 114.

To the House of Assembly:

This bill provides that ten freeholders may petition the governing body to procure bronze markers for the graves of veterans.

Frequently these matters have their inception in the selfish purpose of someone who wants to sell markers to the municipalities, and until it appears that this movement has behind it a recognized organization, and that there is a public demand for it, this bill should not become a law.

I therefore disapprove this bill.

Indefinite Appropriation.

COMMITTEE SUBSTITUTE FOR ASSEMBLY NO. 132.

To the House of Assembly:

This bill is very indefinite in character and assumes to make an appropriation for a sum that is not mentioned. Since this is an improper method of making an appropriation, and the bill itself is so indefinite, means nothing and accomplishes nothing, I, therefore, disapprove the bill.

Prosecutors of the Pleas.

ASSEMBLY NO. 137.

To the House of Assembly:

This bill may have a good purpose in view, but it may result in interfering with the detection of crime.

From my own experience as a prosecutor, I have found the old law to be a salutary one. It has been the law not less than seventy-five years. The person charged with the detection of crime must have a free hand in bringing about detection and conviction. He is subject to check by the judge, who must certify and approve the bill of expenses before the same can be paid. This has always been found effective and useful.

If the prosecutor's hands are to be tied by a Board of Freeholders, who, either through ignorance or for other reasons, may choose to interfere with him, then the community will be endangered. This bill, I am sure, would be favored by every criminal.

Every prosecutor in the State has protested to me against the enactment of this bill into law, and I am sure that every judge and every person sincerely interested in the detection of crime and punishment of criminals would take the same view.

Tenure of Office.

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ASSEMBLY NO. 144.

To the House of Assembly:

This is a bill supplementing an act concerning townships and providing that in any township in which a building code has been or shall be adopted certain things shall be done. The township act does not authorize the adoption of a building code.

My main objection to the bill, however, is that I cannot tell what it does or for what purpose it is enacted. It seems to be for the purpose of either creating an office or keeping someone in an office.

Any bill which does not on its face clearly indicate what it attempts to accomplish, surely ought not to be a law.

I, therefore, disapprove the bill.

Shell Fisheries.

ASSEMBLY NO. 166.

Mr. Francis E. Croasdale, State Librarian:

SIR—I am filing herewith in the State Library, without my approval, Assembly Bill No. 166.

This bill changes the penalties for violation of certain laws relating to shell fisheries. On failure or inability of defendant to pay a fine, he must be sentenced to not less than thirty days in jail.

I am opposed to the arbitrary fixing of jail sentences which leave no discretion in the magistrate. Grave injustice may be worked.

I, therefore, disapprove the bill.

Pensions.

ASSEMBLY NO. 188.

To the House of Assembly:

This is another of the series of pension and retirement bills placed before me for signature. I do not think that any of these bills should become laws at this time. As I have said before in some of my vetoes, this whole matter of pensions should be studied, and a comprehensive, definite and uniform system adopted. This would also obviate the necessity of the introduction of numerous bills at each session.

I shall try, between now and the next session, to have this matter taken up for study, in order that some report may be laid before the Legislature at the next session.

Taxation of State Property.

ASSEMBLY NO. 189.

To the House of Assembly:

This bill provides for the assessment and taxation of lands owned by or held in trust for the State for park purposes.

While there may be some reason for complaint in one locality where that locality is put to additional expense by reason of the presence of a park, nevertheless the fact remains that this bill provides for the taxation of all lands in the State of New Jersey owned by the State and used for park purposes. It would permit the taxation of Stacy Park back of the capitol and other like tracts of land.

I see no reason why the State of New Jersey should permit its property to be taxed and thus add to the general tax burden. The State at this time has difficulty enough in raising its revenue.

Furthermore, it is against the established principle that State property is *not* subject to taxation. This bill may also be subject to constitutional objections.

I, therefore, disapprove the bill.

Appropriations.

ASSEMBLY NO. 190.

Mr. Francis E. Croasdale, State Librarian:

SIR—I am filing herewith, without my approval, in the State Library, Assembly No. 190.

This bill appropriates \$25,000 for a national encampment of the veterans of foreign wars of the United States, to be held in the State of New Jersey in 1924.

The second paragraph of this bill is so ambiguous in its phraseology and indefinite in its purpose that I cannot approve the bill.

Salary Increase.

ASSEMBLY NO. 230.

To the House of Assembly:

This bill has for its purpose the raising of salaries of clerks of District Courts.

Matters of this kind should not be disposed of piecemeal. They should be disposed of scientifically, or not at all.

I have heard no demand from the people of the counties who are to pay for this increase.

The bill is therefore disapproved.

Unconstitutional Legislation.

ASSEMBLY NO. 234.

To the House of Assembly:

This bill cannot become a law because the title relates to municipalities governed by improvement commissions, while the body of the act limits it to only those containing more than fifteen thousand inhabitants.

There being this disparity between the two, the bill would be unconstitutional.

This bill is therefore disapproved.

Creating New Office.

ASSEMBLY NO. 235.

To the House of Assembly:

This bill provides for the appointment, in first-class counties, of Italian Interpreters, who shall be in constant attendance upon certain courts.

From my experience as Judge and Prosecutor, I am convinced that there is no necessity for this bill; that there is no need for constant attendance; and that it would pay the county much better to hire these interpreters when needed, as they probably already have one who is in more or less constant attendance.

I therefore disapprove the bill.

Creating New Office.

ASSEMBLY NO. 249.

To the House of Assembly:

This bill creates the office of fire marshal, to be appointed by boards of chosen freeholders in counties of the third class.

There is absolutely no use for such an office, and the bill probably was inspired by someone who was endeavoring to create a job.

I do not believe this additional expense should be imposed upon the taxpayers.

I therefore disapprove the bill.

Undertakers.

ASSEMBLY NO. 262.

To the House of Assembly:

The statement connected with this bill declares that: "The purpose of this act is to make the law conform to present-day standards."

If present-day standards are that each occupation shall be so circumscribed that few people may enter it, and that thereby the cost may be controlled and additional burdens added, then this bill conforms to present-day standards.

I do believe, however, that these are the present-day standards.

There is altogether too much of a tendency toward monopoly of occupations,—limiting the number to be employed, and increasing the cost.

I have had occasion to disapprove a number of bills presented at this and the last session, having for their purpose such monopoly.

The bill is therefore disapproved.

Maintenance of Bridges.

ASSEMBLY NO. 273.

To the House of Assembly:

This, I believe, is a bill similar to one I vetoed last year.

It would be a good bill if it had general application, but I understand it has particular application to the road between Jersey City and Newark, known as the Lincoln Highway.

This road has been the subject of agreement between the two counties, and as a result of litigation Chapter 193 of the Laws of 1919 was passed, which permitted the Court of Chancery to determine the equity. The Court did so, in a case reported in 63 *N. J. Equity* 710, whereby five-eighths of the expense was placed upon Essex County and three-eighths upon Hudson County.

Where a matter has been determined by the courts on equitable principles, I do not think it should be disturbed by legislative act, especially when that legislative act depends upon the determination of those who come from distant places and are not as familiar with the equities of the case as the Court that heard both sides.

I, therefore, disapprove the bill.

Salary Increase for Court Attendants.

ASSEMBLY NO. 283.

To the House of Assembly:

This bill has the following statement attached:

"The purpose of this act is to provide an equitable scale of wages for court attendants, based upon length of service."

My experience has been that titles of this kind are usually used to increase salaries. This being a salary increase bill, and there being no demand from the people of the counties concerned, it should not become a law.

This bill was not introduced by the representatives of any county affected by its provisions.

I, therefore, disapprove the bill.

Special Elections.

ASSEMBLY NO. 284.

Mr. Francis E. Croasdale, State Librarian:

SIR—I am filing herewith in the State Library, without my approval, Assembly Bill No. 284.

The first section of this act provides that, "notwithstanding the failure to make return of the results of the election (incorporation of a borough), or the entry of the same on the minutes of the township committee," the election is validated if a majority of the voters were in favor of the proposition.

The second section provides that in all cases coming under the first section, if the "amended returns" as to the proposition and the result of the election have been or shall be filed and spread upon the minutes of the township committee, the original returns may be disregarded.

This is an inconsistent provision, as the first section only provides for the "failure to make return of the election or the entry of the same upon the minutes of the township committee," and provides for no "amended" return.

If the first section stood alone, I would sign the bill; as drawn, however, it is so incongruous and meaningless that it should not go in the statute books in this form.

World War Veterans.

ASSEMBLY NO. 286.

To the House of Assembly:

This bill has for its purpose the preparing of a roll of honor of those who served in the war.

We already have upon our statute books Chapter 22 of the Laws of 1919, which provides for the preparation, preservation and publication of a complete history of those who participated in the World War. We have also Chapter 68 of the Laws of 1921, which provides that municipalities may publish and distribute histories of the municipalities and their citizens in the World War.

There does not appear to be any particular demand for this bill at this time. If the only purpose is to give certificates to those who have been decorated, this can be easily taken care of by making application to the government issuing the citation, although those who have received the citations no doubt have their certificates at this time.

All that this bill seeks to do, so far as the World War is concerned, must already have been done by the commission appointed under the statute of 1919, and from which the roll of honor for that war can be made up by the mere transcribing of the names.

Chiropodists.

ASSEMBLY NO. 289.

To the House of Assembly:

Too much care cannot be exercised in throwing protection around those who need medical care and attention. I do not think that this bill gives our people that protection.

Under this bill, chiropodists (even those with limited education or experience) may perform minor operations and may amputate anything less than the entire human foot. They may administer local anesthetics and do other things which should only be practiced by the most skilled persons.

They may use the word "doctor" and may become qualified by examination before a board of two chiropodists.

There is already too much suffering and injury from the treatment of the human body by those unskilled and ignorant.

We ought not to add to this by permitting to practice, as provided in this bill, those who were admitted before July 1st, 1921, and have had limited training.

Our every effort should be to tighten the restrictions, rather than to weaken them.

There is no reason why chiropody should be extended to the performance of surgical operations, with all the dangers incident thereto.

I therefore disapprove this bill.

Ambiguous Legislation.

ASSEMBLY NO. 291.

To the House of Assembly:

This bill is so ambiguous in its terms that it ought not to become a law.

The bill is therefore disapproved.

Municipal Ordinances.

ASSEMBLY NO. 295.

To the House of Assembly:

The title of the act refers to the Revision of 1897, while the body of the act refers to the Revision of 1898. This, of itself, is fatal to the bill.

In addition to this, it seems to me that it is more or less wasteful to advertise the entire ordinance when the title may be printed, as is now done. In the latter case, those interested will have no difficulty in ascertaining what the act does.

The bill is therefore disapproved.

Election Law.

COMMITTEE SUBSTITUTE FOR ASSEMBLY NOS. 324 AND 430.

To the House of Assembly:

This is a bill to change the procedure at State conventions. It requires the convention to receive proposed planks, prepare

effective platforms, furnish each member of the convention with a copy, and then adjourn for a week—to return later to adopt the platform.

If this were permissive legislation, I would be glad to sign the bill. It is not such, however, and it requires two meetings to be held. This may be a hardship to the delegates and members of the convention who come from distances. It may also be that the convention could easily adopt its platform at the first meeting, in which case the second meeting would be useless and expensive.

There has been no difficulty in the past in the adoption of platforms by the political parties, in which they express with reasonable certainty the views of the rank and file of their respective parties. The difficulty is not in the writing of the platform, but in making those who adopt it live up to it after they are elected.

I therefore disapprove the bill.

Sinking Fund Investments.

ASSEMBLY NO. 327.

To the House of Assembly:

This amends an act concerning municipal sinking funds and sinking fund commissions, and permits the investment of the moneys in these funds, not only in negotiable bonds described in the original act, but would permit the unlimited investment of these funds on bond and mortgage.

This is an unsafe departure which might easily imperil the safety of these funds.

I, therefore, disapprove this bill.

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Arbitrary Penalties.

ASSEMBLY NO. 346.

To the House of Assembly:

I am sorry to be obliged to veto Assembly 346. The fact, however, remains that in the last section provision is made for punishment in the form of a "fine of not less than \$100 nor more than \$500," and in the matter of imprisonment—which formerly was thirty days—the bill provides "or imprisonment for one year."

The result is that upon conviction a man can be fined not less than \$100, although there may be many circumstances which would justify a smaller fine, and it might also be that the magistrate would prefer to impose imprisonment for a very short time but is compelled to imprison for one year.

I am not willing to approve of a bill which provides penalties of this kind.

The bill is, therefore, disapproved.

Municipal Government.

ASSEMBLY NO. 351.

To the House of Assembly:

This bill applies to the city of Paterson only, and gives the mayor the right to veto the acts of the Board of Fire and Police Commissioners.

The particular commission form of government under which Paterson operates came into existence in 1907, as a result of conditions in that city which required drastic action.

As I recall it, the law was drafted by a non-partisan group of patriotic citizens who desired to correct conditions. This form of government has worked well and satisfactorily in the city of Paterson, and has been in existence since 1907—a period of seventeen years. In these circumstances, I do not think that their form of government should be changed without a good and substantial reason therefor. The people of the city of Paterson have expressed no desire for this legislation. When they elected their present mayor at the last election they did so with the understanding that he was to have the powers, and only the powers existing at the time he was elected. I do not believe that the Legislature should grant to him powers which the people of Paterson themselves did not give him. This is an unwarranted interference by the Legislature with the rights of the electorate of the city of Paterson.

This was practically the first of the commission forms of government adopted in this State.

It was desired and designed that the Commission should rule without interference. We have no right, therefore, to impose anything else upon those who have selected that form of government.

In passing, I am calling attention to the fact that this is a companion bill to Assembly 387, which I am also vetoing.

This bill is therefore disapproved.

Grade Crossings.

ASSEMBLY NO. 357.

To the House of Assembly:

It is now the duty of railroad companies to place warning signs at railroad crossings.

This bill would relieve the railroad company of that duty, in part, and in the case of State Highways, put it upon the Highway Commission.

There is no reason why the State should assume this obligation. It is being taken care of now by those who ought to take care of it.

In line 41 of the bill a clause seems to have been inserted, stating the duty of the driver of a vehicle crossing such highway. This clause might have the effect of destroying the present right of recovery, and interfere with our present rules relating to contributory negligence. It probably would also repeal, by implication, the present law whereby the Court is not permitted to grant a non-suit where contributory negligence is shown.

The law of negligence and contributory negligence on those crossing our highways is well established, and has been construed by our courts.

To enact this bill into law would be to disturb the whole settled law of the State on this subject, and its effect probably would be to relieve the railroad company in cases where recovery may now be had.

For these reasons, and others that may be found in the bill, it is disapproved.

Pensions.

ASSEMBLY NO. 359.

To the House of Assembly:

This bill provides for the retirement, on pension, of deputy clerks of District Courts in cities of the first class.

This is in the class of other pension bills which I have vetoed and is subject to the same objections.

This bill is, therefore, disapproved.

Public Records.

ASSEMBLY NO. 362.

To the House of Assembly:

This bill provides that records and indices of various State departments shall be open for inspection and examination, and so forth, and that the aggrieved party may demand a writ of mandamus.

These records have been prepared at great expense and labor to the State, and should primarily be available to the officers of the State.

Under this bill, title companies and individuals could demand the use of these records, and so embarrass the departments in the doing of their work, and at the same time reduce the revenues of the State.

We should be more interested in the State than in title companies and others who seek this preference under this bill.

The bill is therefore disapproved.

Municipal Contracts.

ASSEMBLY NO. 375.

To the House of Assembly:

This bill purports to be for the purpose of permitting the City of Beverly to pay the County of Burlington for road work which was done under contract. The city cannot do this because of certain court proceedings to prevent it.

If the bill were limited to the payment of county debts by the city, it could be signed, but it seems to extend to the payment of individuals and corporations.

While the bill may have merit, it is too general in its terms for me to permit it to become a law.

The bill is therefore disapproved.

Dental Clinics.

ASSEMBLY NO. 376.

To the House of Assembly:

This is a bill to authorize municipalities to make appropriations to encourage dental societies of this State maintaining dental clinics.

Paragraph 20, Article I of the State Constitution provides that: "No appropriation of money shall be made by the State or any municipal corporation to for the use of any society, association or corporation whatever."

For this reason the bill seems to be unconstitutional, but beyond this, if a clinic of this kind is necessary, it should be conducted by the municipality, who may pay dentists to do the work.

The bill is disapproved.

Municipal Government.

ASSEMBLY NO. 387.

To the House of Assembly:

This bill gives to the Mayor of the City of Paterson the deciding vote in the Board of Public Works where that board is equally divided on any resolution or matter.

Assembly 351 has already attempted to interfere with the duties and powers of the Fire and Police Commissioners of that city.

These two bills together are an unwarranted interference with the rights of the people of the City of Paterson, who elected the Commissioners in all three departments for the purpose of administering their affairs in accordance with the laws as they then stood.

I am compelled to veto this bill for the same reasons as expressed in my veto message concerning Assembly Bill 351.

Condemnation of Lands.

ASSEMBLY NO. 434.

To the House of Assembly:

The title to Assembly 434 is defective in that it is a supplement to an act that does not exist.

Beyond this, this bill removes the protection which municipalities heretofore had to withdraw from the condemnation after the award by the commissioners or after the verdict by the jury. This right to withdraw is a salutary provision necessary for the full protection of the municipality or public board condemning lands.

For these reasons the bill is disapproved.

Schools.

ASSEMBLY NO. 439.

To the House of Assembly:

This bill provides that every board of education shall present, in book form, a copy of the Declaration of Independence, the Constitution of the United States, and the Constitution of the State of New Jersey to each pupil upon graduation from grammar school.

I have no doubt that the intention of the introducer of this bill is worthy, but I do not believe it will accomplish any practical purpose, although it will add another item to the already heavy cost of education.

Any boy or girl interested in any of these subjects will have no difficulty in getting a copy of the above-mentioned documents.

I therefore disapprove the bill.

Civil Service.

ASSEMBLY NO. 449.

To the House of Assembly:

This bill authorizes the board of chosen freeholders to transfer, by resolution, clerks who have been appointed without examination in the exempt class as confidential clerks or secretaries to department heads, to the competitive class, thus affording greater protection in their tenure. If an outgoing board of freeholders, for instance, takes such action, this bill will prevent an incoming board from reversing it. It will thus deprive department heads from their now limited right of choice to a confidential clerk or secretary.

It is all-important that public officers should have the right to confidential service.

The bill is therefore disapproved.

Pensions.

ASSEMBLY NO. 451.

To the House of Assembly:

This bill provides for extending the application of the Employees' Retirement Fund to employees of the municipalities and counties.

As I have said before in some of my vetoes, this whole matter of pensions should be studied, and a comprehensive, definite and uniform system adopted. This would also obviate the necessity of the introduction of numerous bills at each session.

I shall try, between now and the next session, to have this matter taken up for study, in order that some report may be laid before the Legislature at the next session.

The bill is therefore disapproved.

Oaths.

ASSEMBLY BILL, 471.

To the House of Assembly:

This bill provides for a uniform oath, and omits the word "justly," which is contained in the printed laws 1920, page 413. I do not know why it should be omitted.

This seems to me to be useless legislation, in view of the fact that the oaths that are required to be taken are well known and constantly used.

The objection to the bill is that the markers are turned over, after municipality has been put to the expense, to the freeholders who petition, and who may or may not mark the graves. These freeholders are not a recognized organization and need not be interested in the work.

To those officers who know their duties there is no difficulty in meeting the requisite oath.

Not desiring to put upon our statute books any unnecessary laws, this bill is disapproved.

Respectfully submitted,

Vehicular Tunnel Bonds.

ASSEMBLY NO. 511.

To the House of Assembly:

This bill has for its purpose the issuing of eight million dollars more of bonds for constructing the vehicular tunnel under the Hudson and the bridge over the Delaware River.

There can be no doubt that these two enterprises, already started and upon which vast sums have been expended, should be completed. I thoroughly favor such a course. I do not believe, however, that the issuing of this eight million dollars' worth of bonds should be authorized; first, because the public have lost confidence in the Board that is administering this work; second, because that Board is practically non-responsive to any State supervision; and, third, because there is nobody to check up this Commission and its employees to see if the work is being properly and economically done.

There are further reasons why the people of the State should not obligate themselves for this additional eight million dollars.

The Governor of New York has pointed out in conference already held that that State does not feel like going down into its pockets for the additional sum required, and no one can tell at this time what the policy of the State of New York is going to be. Neither is there any reason why the State of New Jersey should go down into its pocket or issue bonds when there is no necessity for it.

It is entirely clear that this enterprise can be taken over by the Port of New York authority, who can issue bonds to complete it, and so avoid the necessity of the people of New Jersey spending any more money or obligating themselves for the payment of any more bonds. I can see no reason whatever why this should not be done.

In doing this there would be no interruption in the work, for the Port Authority could take over so much of the present personnel as would be found to be efficient and economical.

This Legislature on two occasions has recognized the truth of the principle involved, by authorizing the Port Authority to do this same kind of work in connection with the building of bridges across the Arthur Kill between New Jersey and Staten Island and has appropriated money therefor. If it is proper and advisable in the latter cases, it is even more so in the case of the Vehicular Tunnel.

I believe there is still time for the Legislature to adopt the principles applied in the case of the bridges to Staten Island, to sustain this veto, and to pass legislation turning this work over to the Port of New York Authority, and thus save the people of New Jersey eight million dollars.

The bill is, therefore, disapproved.

Motor Vehicles.

ASSEMBLY JOINT RESOLUTION NO. 12.

To the House of Assembly:

This resolution provides for the appointment of a special commission to study motor vehicle taxation and report thereon.

The principal and vital objection to this bill is that the commission is named in the bill and consists of representatives from private organizations, to be appointed by the presidents of those organizations.

If there is to be a disinterested, worth-while commission, they should be selected by somebody responsible for the appointment. Among the private organizations mentioned in the bill are The Good Roads Association, Motor Truck Association, Motor Vehicle Association, Automotive Trade Association, Association of Chosen Freeholders. From this it will appear that the commission will be controlled by five out of the nine members who speak for private interests in the matter of motor taxation, etc.

If recommendations are to be made to the Legislature, they ought to be disinterested and in the interests of the people of the entire State—not that of particular organizations—although those organizations ought to be afforded an opportunity to be heard.

Many of the aforementioned organizations maintain lobbies in Trenton and some of them have already been interested in public matters in which their good faith has been questioned.

The resolution, therefore, is disapproved.

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