
VETO MESSAGES

OF

GEORGE S. SILZER, Governor

TO THE

**One Hundred and Forty-seventh Session
of the New Jersey Legislature**

1923

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SENATE JOINT RESOLUTION No. 2.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This resolution provides for the appointment of three Senators, three members of the House, and three citizens to be named by the Governor, to make a survey of the properties acquired under the Morris Canal settlement, for the purpose of making recommendations of the public uses to be made of said property.

The resolution appropriates twenty thousand dollars, and permits the employment of necessary legal, clerical and other assistants.

My experience with legislative commissions has been that they accomplish little more than the spending of the money that is appropriated, and I believe that would be the result of this resolution if adopted.

If the resolution had called for the appointment of three citizens I believe more could be accomplished at less cost. I still believe that disinterested citizens would be glad to take this matter into consideration, and could get their law from the Attorney-General.

There have been numerous reports from legislative commissions and specially appointed commissions on this subject, and thousands of dollars have been spent for this sort of thing.

If I believed that anything real would be accomplished I would not hesitate to have the money spent. We already have a State Department of Conservation and Development and one on Commerce and Navigation. We have volumes written on the subject; we have the report of the last commission, and we have the interest of each of the municipalities along the line of the canal. From all of these sources we ought to be able to get all the information we need during the coming year without the expenditure of twenty thousand dollars for legal and clerical services.

The resolution is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

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SENATE JOINT RESOLUTION No. 4.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the Senate:

This resolution provides for the appointment of a commission to investigate the issuance, sale, etc., of stocks and bonds, and appoints the Attorney-General, the Commissioner of Banking and Insurance, the Secretary of State, and two persons to be appointed by the President of the Senate and Speaker of the House to investigate and report. It also carries with it an appropriation of two thousand dollars.

My principal objection is that these commissions accomplish little or nothing except the expenditure of public moneys.

I therefore disapprove the bill, and at the same time I am advising the Legislature that I have this day requested the Attorney-General, the Commissioner of Banking and Insurance and the Secretary of State voluntarily to undertake this work and report to the next Legislature.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE JOINT RESOLUTION No. 5.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

March 22d, 1923.

To the Senate:

This resolution provides for an investigating commission consisting of the President of the Senate and two Senators and the Speaker of the House and two Assemblymen, the purpose being to investigate "the construction of bridges and the acquisition of lands for the approaches thereto," and the dealings of the State Highway Department in said matters.

The Attorney-General is made counsel for the Commission, with the usual powers, and the sum of five thousand dollars is appropriated to carry the resolution into effect.

On the third day of February, 1923, I directed the Attorney-General to investigate the sale of lands for the approaches to the Amboy bridge, and the proceeding has been started by him to set the sale aside and to recover the overpayment made on that occasion.

I believe that the Chancery proceedings furnish ample opportunity for getting all the facts that are necessary in order to set aside that sale. If I did not think so I would sign this resolution, in order to give the necessary power.

In view, however, that ample methods are provided, I see no necessity for this particular resolution; first, because it carries an appropriation of five thousand dollars, and second, because of the composition of the Commission.

Commissions of this kind, in order to accomplish real results, should be composed of those with judicial temperament, and free from political or other bias.

If such a Commission should be authorized, and would carry with it a thorough investigation looking into the activities of those interested in patent paving not only on bridges, but upon our roads in the various counties and at Trenton, I would sign such a resolution.

For the reasons above stated I disapprove this resolution.

Respectfully submitted,

[SEAL.]

GEORGE S. SILZER,

Attest:

Governor.

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 14.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

March 22d, 1923.

To the Senate:

This bill evidently does not accomplish its purpose, as expressed by those interested in drafting it.

First, the title is not comprehensive enough to cover all of the things provided for in the bill, and it would, therefore, be unconstitutional.

Another serious objection is found on page 2, line 12, which provides that a report made by the employer "shall be signed by the employee." This provision appears again in line 17, and again in section 3, line 9. It may well be that the employee would not want to sign a report not made by himself. It might also happen that the employer might, in those reports, give his own version, with which the employee might not agree. If he signed it, it might be to his own detriment.

Notwithstanding this, section 4 provides that if the employee refuses to sign any form he is subject to a penalty.

The act requires the employee, under fear of penalty, to sign something which may be prejudicial to his interests. This becomes still more apparent when we look at paragraph 5, which provides that reports "shall not be used as evidence against the employer," but there is no provision that they shall not be used against the employee, who, as we have seen, is obliged to sign the report whether he likes it or not.

For these reasons, and others, which it is not necessary, in view of the above, to set out, I think the bill is one that should not become a law.

It is therefore disapproved.

Respectfully submitted,

[SEAL.]

GEORGE S. SILZER,

Attest:

Governor.

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 22.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

March 22d, 1923.

To the Senate:

I can see no reason for this constant tinkering with our election laws, which have been operating with reasonable success for some time.

This bill repeals section 49 of the Act of 1921, under which any voter may go before the county board of elections and become registered; provided he made a reasonable effort to register and for some reason other than his own neglect or forgetfulness he failed of registration.

I can see no reason whatever for barring any voter, under conditions of this kind, from going before a board of elections and having his name placed upon the rolls.

The purpose of our election laws is to encourage our citizens to vote, and every opportunity should be given them to exercise their rights.

This bill does just the contrary, and takes away from the voter his right and opportunity to vote. What possible reason there could be for the passage of this bill I cannot understand.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 23.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This act repeals section 27 of Article XI of the General Election Act of 1920. This section was amended in 1922 and became section 23 of the amendatory act of 1922. This repealer does away with personal registration before the courts on election day *in municipalities having a population exceeding fifteen thousand.*

If this bill becomes a law there will be no provision on this subject *in municipalities having a population exceeding fifteen thousand*, and the result will be that if a man, through illness or other reason fails to register, he will be absolutely barred from his right of suffrage. I cannot believe that it is the will of the people of New Jersey that any man shall be barred from voting where the failure to register has not been through any fault of his. There has been a provision of this kind in our statutes for many years, and why it should suddenly be eliminated I do not understand.

Senate No. 23 prevents the courts from adding names to the registry lists and Senate 22 prevents application to the county boards to put names upon the lists. The two together absolutely prevent a voter from being registered, even though he were ill or had other good reasons.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL, No. 43.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923

To the Senate:

I have no doubt that this bill has some merit, but it provides for the spending of \$200,000 for the building of an armory.

The bill has absolutely no value unless the money is appropriated in the annual or supplemental appropriation bill.

No such appropriation is made in the annual or supplemental appropriation bill of this year, and therefore the signing of this bill would be a mere gesture.

If the bill did carry the appropriation I would be inclined to disapprove it at this particular time. Only Thursday, in the Legislature, a bill which had for its purpose the helping of our unfortunates in the State institutions was defeated because it was deemed advisable to keep down the State expenditures.

It is quite clear to me that if we have not the money to take care of our State institutions for the blind, tubercular, feeble-minded, insane and for others, we certainly have not \$200,000 to spend on an armory.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 55.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I can see absolutely no reason for this bill becoming a law. There is no occasion for its passage or for putting upon the statute books the provisions therein contained.

In addition to this, the method of its passage in one branch of the Legislature is sufficient to condemn it.

For obvious reasons it is disapproved.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL No. 57.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the Senate:

This bill provides that when there is a cemetery in which there are remains of soldiers of the Revolutionary War the governing body of a municipality may appropriate money for the purpose of maintaining the cemetery.

The objection to the bill is that it does not make provision for the care of the graves of the soldiers, but provides for the maintaining of the entire cemetery.

There might be two soldiers and ten thousand others, and during the 125 years that have elapsed since the soldiers were interred the cemetery may have fallen into an unsightly state.

I can see no reason for maintaining the entire cemetery to protect the graves of two soldiers. It would be better to take care of the particular graves.

The unfortunate part of it is that the act might be used for the purpose of relieving those who should have upon them the burden of seeing that the entire cemetery is taken care of. Municipalities already have too much of a burden to add the care of an entire cemetery to that which they already carry.

It is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL No. 59.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate Nos. 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, and Chapters 144 and 148 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem, by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the supplement of 1921, which carries the highway through to the tunnel entrance and the Camden city approach to the bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether there have been twelve bills before me fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed, either because of indifference on the part of the members, or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways and should be discouraged.

This power ought to reside in the State Highway Commission and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five days, at my command to make a thorough investigation in order to determine which routes were good and which were bad. I am equally sure that the members of the Legislature did not make such an investigation.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then, the Commission may hear, at length, what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build routes accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. PEARSE,

Secretary to the Governor.

SENATE BILL, No. 64.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

March 12th, 1923.

To the Senate:

The ostensible purpose of this bill is to provide for the incorporation of co-operative agricultural associations. Its real purpose is to permit such organizations to enter into unlawful combinations for the purpose of fixing prices.

There is already sufficient warrant in Chapter 154, Laws of 1920, for the formation of co-operative agricultural organizations.

Instead of amending that law an entirely new bill is presented, although, in fact, it largely follows the old act and adds some new sections to it.

Under this bill, co-operative associations may be organized, any number of them may combine, and those from without the State may be joined.

After this combination is made, it is then made lawful to take all the usual and known processes for fixing prices, all of which is at present not only in restraint of trade, but would be a conspiracy at common law.

This bill permits what is known as an educational fund "to be used in such manner as the directors may determine, for the purpose of gathering and distributing information or otherwise advancing the best interests of the association."

This is a recognized modern method of fixing prices and keeping them up.

There are methods provided, also, for punishing members who may violate the association's requirements.

In the case of *American Column and Lumber Company v. United States*, decided by the United States Supreme Court on December 19, 1921, the court declared the lumber company to be guilty of conducting practices which were in restraint of trade, and unlawful.

Every one of the things of which that company was held guilty would be made lawful by the bill now before me. I have no doubt that the drafter of the bill had this in mind when he provided, in section 29, that the acts of the association should not be considered unlawful, in restraint of trade, or an illegal monopoly.

We are asked by this bill to make lawful that which the Supreme Court of the United States said is unlawful, and which our experience has taught us is a most unwholesome and unhealthy condition for the consumer.

Of course, those who secure the lawful right to fix prices and stifle competition always benefit financially. That is the purpose.

Our concern, however, should be to protect the unprotected, and to prevent any one class from feeding upon another.

Although there are many other objects which might be pointed out, the meat of the bill is contained in section 29, which reads as follows: "No association organized hereunder shall be deemed to be a combination in restraint of trade or an illegal monopoly; or an attempt to lessen competition or fix prices arbitrarily; nor shall the marketing contracts between the association and its members or any agreements authorized in this act be considered illegal or in restraint of trade."

I can see no reason for permitting and legalizing combinations in restraint of trade, or illegal monopolies.

I can see no reason for legalizing the lessening of competition or the arbitrary fixing of prices.

I can see no reason for legalizing contracts or agreements between its members which are illegal or in restraint of trade.

These are the the very things that we are struggling with day after day and attempting to prevent. Instead of legalizing them we should bend every effort to their prevention. If we are to legalize these practices, when done by these associations, then it would be proper to legalize them for others as well. Certainly we are not ready to legalize combinations in restraint of trade, illegal monopolies, arbitrary price-fixing, and unlawful agreements.

If, in the proper temper of the people, a bill were introduced to legalize monopoly, lessen competition, and fix prices arbitrarily for coal, its author would probably be driven from the State. This bill, however, will permit that very thing with food and the greatest necessities of life.

This is an audacious attempt to legalize the arbitrary fixing of prices for the very food that is sold to our people, and which will, of necessity, raise its price and be particularly burdensome upon the poor, who cannot afford to pay high prices.

For several years we have been trying to bring down the cost of living. This bill attempts to legalize the raising of that cost.

It will not do to say that these powers will not be exercised. We must not grant such powers if they are in any danger of being exercised.

I have every desire to assist those engaged in agriculture in every way that it is possible, but I am not willing to permit any association to be formed, be it agricultural or otherwise, which will permit combinations to be made for the fixing of prices and so prevent competition and raise the cost of living. No group of our citizens should ask it, and I do not believe it has the support of our agriculturists.

I therefore disapprove this bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL, No. 66.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate Nos. 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, and Chapter 144 and 148 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the Supplement of 1921, which carries the highway through to the tunnel entrance and the Camden City approach to the Bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether there have been twelve bills before me, fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed either because of indifference on the part of the members or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways and should be discouraged.

This power ought to reside in the State Highway Commission, and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five days, at my command, to make a thorough investigation in order to determine which routes were good and which were bad. I am equally sure that the members of the Legislature did not make such an investigation.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all of these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then the Commission may hear at length what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134, 256, and Senate Nos. 59, 66, 85, Committee Substitute for 104 and 110; 135, 136 and 247.

Respectfully submitted,

(Signed) GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 71.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill provides that where roads and bridges of any plank road company were taken over and operated by boards of freeholders of two counties, hereafter each county shall only have power to expend moneys on such road and bridges within its own territorial limits.

This bill would seem to be a good one to apply generally, but I understand it has particular application to the plank road between Jersey City and Newark, and known as a part of the Lincoln Highway.

This road was taken over some years ago by the two counties, and a dispute arose as to the proportion to be expended by each in its maintenance and repair. There was litigation on this subject, and thereafter Chapter 193 of the Laws of 1919 was passed, which permitted the Court of Chancery to determine the proper proportions to be paid by each county.

The effort now is to fix those proportions by legislative act in this bill.

It seems to me to be perfectly safe to leave the dispute with the Court of Chancery, a tribunal accustomed to doing what is right and equitable between the parties.

It seems to me much better to leave it there than to submit it to the judgment of the Legislature, which does not approach the matter in a judicial way.

The bill is therefore disapproved.

Respectfully,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

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SENATE BILL No. 84.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This is a bill to license persons engaged in the business of electrical contracting. Its real purpose is to provide an examining board and other requirements by which a number of persons engaged in that business may be eliminated and the supply controlled.

This would prevent those thoroughly qualified from engaging in this business unless licensed by the examining board, consisting of those whose main desire it would be to keep out competition.

It would also prevent an electrician from one municipality doing business in another without getting a license in that municipality and paying the admission fee. This would result in shutting out competition from outside sources.

We have a glaring example of how this operates in the present law which permits plumbers to do the same thing.

I am unalterably opposed to all of these devices which have for their purpose the stifling of competition and the raising of prices to the consumers.

This bill will not in any way benefit the public, but will only benefit those whose desire it is to control the work and the number who are to do it.

This bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL No. 85.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, and Chapters 144 and 148 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the supplement of 1921, which carries the highway through to the tunnel entrance and the Camden city approach to the bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether, there have been twelve bills before me, fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed either because of indifference on the part of the members or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways, and should be discouraged.

The power ought to reside in the State Highway Commission, and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five days at my command, to make a thorough investigation in order to determine which routes were good and which were bad. I am equally sure that the members of the Legislature did not make such an investigation.

In my veto of Assembly 86, I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all of these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then the Commission may hear at length what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build the roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 87.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

February 26th, 1923.

I can find no valid reason for approving Senate Bill No. 87. No matter from what angle it is approached, its viciousness becomes apparent. Its purpose is to transfer from the hands of the prosecutors in first-class counties to superintendents of elections, the powers which have been exercised by the prosecutors under chapter 210 of the Laws of 1918.

Since the enactment of the law of 1918, Hudson county has been put to an expense of \$329,807.79. The first year the expense was \$16,448.74, and in 1922, \$105,286.18. In Essex county the expense has been \$42,797.25. A total of nearly \$400,000 has thus been spent in five years under an act which foisted an army of office holders upon the taxpayers of these counties, without any expressed desire by either the voters or the officials of either county for any such bureau.

So far as I have been able to learn, no good has been accomplished by the law of 1918. Elections have not been purified, nor has the administration of law been bettered in any way. On the contrary, this mandatory legislation has imposed numerous useless office holders upon the people, and burdened them with more taxes.

The law of 1918 should long since have been repealed, and should now be repealed. Instead of doing this, it has been deemed fit to continue this useless operation by establishing the office of Superintendent of Elections, to be appointed by a joint session of the Legislature, and so perpetuate all the evils that experience has taught us flow not only from this kind of legislation, but this particular legislation.

There is no limit to the number of officials who can be appointed; there is no limit to their salaries; there is no limit to the expenditures. We may naturally expect an increasing demand upon the taxpayers to sustain this bureau, which serves no public good, and whose only effect is to increase the burden of the taxpayers and continue a useless and vicious political system.

There has been no demand for this law, so far as I have been able to ascertain, from a single property owner or taxpayer in either the county of Essex or the county of Hudson. Why should it then be inflicted upon the people of these two counties?

The bill is introduced by the Senator from Bergen who cannot in any way be said to represent the sentiment and interest of these counties, which have twenty-five representatives in the Legislature, who might speak for them.

How can this kind of legislation be justified, especially at a time when economy should be practiced and where there is universal complaint about excessive taxes?

This bill takes from the hands of the prosecutors of Essex and Hudson counties the management of these election investigating bureaus since those offices have become Democratic, and places them in the hands of superintendents of election, to be appointed by a Republican Legislature at joint session. If this act had any virtue whatever, some partisan argument might be made to justify its enactment, but since the whole thing, irrespective of politics, is vicious, useless, unnecessary, burdensome, perhaps unconstitutional, and serves nothing but a purely political purpose, there is no reason why this bill should become a law or the act of 1918 remain a law.

I, therefore, disapprove this bill.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

[SEAL].

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL No. 96.
 STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the Senate:

This bill eliminates from the provisions of the present act the words "with intent to defraud", and the result is that, if a person who buys milk shall fail to make prompt payments for the milk purchased, he shall be liable to a penalty of twenty-five dollars for the first offense and fifty dollars for the second.

We have already condemned, in this State, imprisonment for debt, but this is the next thing to it.

The act makes no provision for enforcing the penalty, so that, if a person fails to pay his milk bill, he, no doubt, will also fail to pay the penalty.

The underlying principle of the bill is wrong. If a person fails to make prompt payments, with intent to defraud or cheat the seller out of his money, or if he shall make false statements, or otherwise intend to deceive and defraud, then a penalty should attach.

This bill, however, takes out the element of intent, so that, if a person makes a false statement, even though he does it innocently, or fails to make prompt payment for his milk, even though it may be due to illness or failure to collect money which he expected, or for any other good reason, nevertheless he is guilty, under the provisions of this act.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

COMMITTEE SUBSTITUTE FOR SENATE BILL, No. 104
AND 110.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate Nos. 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, Chapter 144 and 148 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the Supplement of 1921, which carries the highway through to the tunnel entrance and the Camden City approach to the bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether there have been twelve bills before me, fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed either because of indifference on the part of the members or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways, and should be discouraged.

This power ought to reside in the State Highway Commission, and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five days, at my command, to make a thorough investigation in order to determine which routes were good and which were bad.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then the Commission may hear at length what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Nos. 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 109.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the Senate:

I should like very much to sign this bill because its purpose is a laudable one. I find, however, that it is so carelessly drawn and violates so many of the underlying principles, that I am obliged to veto it.

In order to illustrate the weaknesses of the bill it is only necessary to turn to its provisions.

Section 2 provides that if a person shall commit a crime when armed with a revolver (and having no permit), he shall, in addition to the punishment provided for the crime, be imprisoned for not less than five years.

I am unalterably opposed to the fixing of a minimum sentence, with no discretion whatever on the part of the judge who is to impose the sentence. I do not believe in slot-machine-automatic sentences.

Under this section, if a person who happened to have a revolver in his pocket slapped someone in the face, the judge would probably suspend sentence or fine him ten dollars for the slap, but he would be obliged, under this law, to imprison him for five years in addition. He would have no discretion whatever to do otherwise.

Section 3 provides for perpetual imprisonment.

Section 4 violates all the traditions of our laws in making the carrying of a revolver *prima facie* evidence of an intent to commit a felony.

Section 5 is particularly unfortunate in its provisions. Under this, an unnaturalized foreigner who shall happen to have in his possession or under his control a revolver, is guilty of a crime, and must be imprisoned for not less than five years.

I can very readily conceive a situation in which some poor innocent foreigner may possess such a weapon, and, if discovered, the court would have to send him to prison for five years, notwithstanding his innocence and notwithstanding the fact that he may have an equally innocent family and a number of children who need his care and protection.

Section 6 provides a penalty of not less than a year if any person shall carry a revolver on his person or in his vehicle. There may be extenuating circumstances, which would make it

most unfortunate to imprison for not less than a year. The defendant might quite innocently have carried a revolver, and done so for a laudable purpose; or perhaps may be dying of consumption or some other incurable disease, but notwithstanding this he may be imprisoned for not less than a year.

Section 10, relating to the sale of firearms, also contains a provision that the fine shall be not less than one hundred dollars, and imprisonment not less than one year.

Sections 13 and 14 contain similar clauses, with a minimum sentence of not less than one year.

I regret that it is impossible to sign this bill, so that we may have such a law upon the statute books, but it is much more important to see that no innocent man is punished or that no man suffers undue punishment than to enact this law.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 135.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, and Chapters 144 and 148 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem, by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the supplement of 1921, which carries the highway through to the tunnel entrance and the Camden city approach to the bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether, there have been twelve bills before me fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed, either because of indifference on the part of the members, or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways and should be discouraged.

This power ought to reside in the State Highway Commission and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five days at my command, to make a thorough investigation in order to determine which routes were good and which were bad. I am equally sure that the members of the Legislature did not make such an investigation.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then, the Commission may hear, at length, what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL, No. 136.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate Nos. 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, and Chapters 144 and 138 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the supplement of 1921, which carries the highway through to the tunnel entrance and the Camden City approach to the bridge.

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I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether there have been twelve bills before me, fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed either because of indifference on the part of the members or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways, and should be discouraged.

This power ought to reside in the State Highway Commission, and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five

days at my command, to make a thorough investigation in order to determine which routes were good and which were bad. I am equally sure that the members of the Legislature did not make such an investigation.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then the Commission may hear at length what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL, No. 140.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

The preamble to this bill states that there is doubt as to the meaning of Article 8, Chapter 185, Laws of 1918, as to it being compulsory for every municipality in the county to contribute to the support of the county poorhouse.

An examination of Article 8 does not disclose any such doubt.

The bill itself provides that "it shall be compulsory upon every municipality in the county to contribute toward the support and maintenance of the county poorhouse its proportionate share according to the taxable value of said municipalities."

This adds nothing to the present law. When the county maintains a poorhouse it has to pay for it, and the money is raised by having every municipality contribute its proportionate share of the county taxes.

Since this act accomplishes nothing, it would be useless to put it upon the statute books; therefore the bill is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 151.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This is a companion bill to Senate No. 286, the two together being designed to carry out the purpose stated in my veto of Senate 286.

This bill is disapproved for the same reason as given in my disapproval of No. 286.

Respectfully submitted,
GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL No. 153.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill raises the salary of the Prosecutor of Gloucester county and perhaps those of other counties. Until there is some indication from the people of Gloucester county that they are willing to pay this additional sum, this bill should not become a law. It is therefore disapproved.

Respectfully submitted,
GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL No. 158.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill provides that any municipality may, by resolution or ordinance, purchase a water works system or plant, but that such resolution or ordinance shall not become effective until after the expiration of thirty days from the passage and publication thereof. If, before the expiration of thirty days, ten per centum of the legal voters ask for a referendum, it may be had.

I do not think this is a wise procedure to adopt. In anything that may involve so large a sum of money as the purchase of a water works there ought to be more publicity and a better opportunity given to the voters to initiate a referendum.

Under Article 10 of the act to which this is an amendment a resolution may be adopted and passed at one meeting without any notice whatever to the public, and if it receives one obscure publication which is overlooked for thirty days, the voters are deprived of the right to a referendum vote.

The original section of this act which is now amended provided that no such action could be taken until the voters first had a referendum. This, it seems to me, is a more salutary and satisfactory way to acquire anything so important as a water plant, involving, necessarily, the expenditure of a large sum of money.

I do not understand why it has been deemed advisable to take from the voters of the city the right to determine this subject, and substituting in place thereof the possibility of the governing body doing it without the knowledge of the voters.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 166.

N.J. STATE LIBRARY
P.O. BOX 520
TRENTON, NJ 08625-0520

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

At the present time a limited divorce may be decreed for extreme cruelty.

The purpose of this bill is to permit a decree of absolute divorce for extreme cruelty.

It has never been the policy of the State of New Jersey to extend unnecessarily the grounds for the granting of an absolute divorce. - It has always been our thought and purpose to keep the family together whenever it is possible to do so.

At the present time, in cases of extreme cruelty, the parties may be separated, and there is always an opportunity and a possibility of a reconciliation.

If there is no reconciliation, or there are repeated acts of extreme cruelty, then our courts will eventually grant an absolute divorce on the ground of desertion, because the injured party is justified in leaving the other party in such cases.

Viewing the matter, then, from the standpoint of the injured party as well as the good of the State, I believe it in the interest of both not to disturb the present law.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 181.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This is supposed to be an open specifications bill.

Section 2 provides that the board may adopt specifications for more than one type of pavement and construction, and if more than one type is specified, bids may be asked for the types in the alternative.

Section 3 provides that after bids are received, the board shall select the type of material or construction which the board considers most suitable for the work, and the award is made to the lowest bidder on the type selected.

Under these two sections it is clearly possible to designate patented and unpatented types, and when the bids are in, to select the patented type. There cannot be the slightest question about this.

Paragraph four provides that when a patented paving is included in the specifications the municipal board shall also specify a nonpatented type in the specification, but the nonpatented type must be equivalent to the patented one.

It is at this point where the difficulty will begin. Irresponsible boards will quibble about this, and will say that one type is not equivalent to the other; *i. e.*, equal in value, and being unable to agree that the two types are equal in value, they will decide not to operate under paragraph four, because they find it impossible to do so. Then, they will go back to paragraphs two and three and receive bids on the patented type of material. This will defeat the very purpose of the act.

Let us proceed further with the possibilities under paragraph four, and let us assume that the municipal board has agreed upon patented and nonpatented types and placed them in the specifications. What must happen then?

Bids shall be asked for on the various types so specified and "the award shall be made to the lowest bidder on the *types* placed in competition."

Let me call attention to the fact at once that the section does not say that the contract shall be awarded to the one making the lowest bid of all those received.

It does say that it shall be awarded to the lowest bidder on the *types* in competition. The phraseology is obscure, to say the

least, and I cannot understand why the word "types" is used all through this section, unless it be to clearly draw the distinction between the lowest bid received and the lowest bid on the types.

As I read this section, the award must be given to the lowest bidder on the types, so that, if there are two types, then the board must decide to give it to the lowest bidder on each type.

Under paragraph four, patented and nonpatented types are allowed in the specifications. The section, however, fails to state the manner of laying the alternate types of pavements, and it fails to state that the manner of laying the types should be similar. This would permit an asphalt block pavement to be specified in competition with patented pavements. The asphalt block, being composed of bituminous concrete, could be fairly classed with the patent types. Asphalt block, however, is more expensive, and, necessarily, the patent type would have the lowest bid. All of this would be known even before the specifications were drawn.

Under section five unlimited discretion is left with the municipal body. Usually, when a municipal body abuses its discretion and permits unfair competition, there is a court review to correct such conditions. This section, however, has sought to do away with the court review, and vest the municipal body with absolute discretion.

The last sentence in the bill reads: "In this particular the judgment of the governing body shall be final." This means that it shall be final, and it also means that the court cannot review its exercise of discretion.

It also means that a 3-inch asphalt block pavement could be put in competition with a 2-inch patented pavement. In this way, unfair competition could be produced, and yet not be the subject of review.

This section also provides that the base under the various types shall be of the *same general character*, but that the thickness may be different for one type than that for the other "irrespective of the thickness of the surface."

This being so, the board could specify the base to be 7 inches thick, and a patent paving of 2 inches could be laid on top of this, while a block pavement of 3 inches might be provided for, with the result that the patented paving would have to be a total of 9 inches, while that of the non-patented would be 10 inches, and the judgment of the governing body would be final.

That this was the intent seems to be carried out by section 7, which provides that whenever patented or non-patented forms are put in competition, "the *width* of such pavements for each

type shall be the same, and the extent in square yards of surface of each type shall be the same." This emphasizes clearly the fact that it is not intended that each type shall have the same cubic content, and consequently lay the same amount of roads.

In section 5, line 4, the following words are used, "and so far as the engineering conditions will permit surrounding the work." I do not know what the words "surrounding the work" may mean, or what the significance may be.

I also note that the provision which provides for competition between types of pavements permits unbalanced bidding and prevents the form of bidding known as "percentage of engineer's estimate."

In section 6 it is provided that "where cement is bituminous in character * * * where variations are inevitable in the proper fluxing * * * or where the bituminous cement is subjected to mechanical oxidation," etc. Under this section, together with section 8, blown asphalt is legalized, and if the blown asphalt did not comply with the requirements of the specifications of the State Highway Commission for the bituminous top used, it is doubtful if they could reject it.

I also want to call attention to the provisions of the Federal Highway Act, especially Regulation 9, Section 3, which reads as follows:

"No part of the money apportioned under the act shall be used, directly or indirectly, to pay or to reimburse a State, county, or local subdivision for the payment of any premium or royalty on any patented or proprietary material, specification, process, or type of construction unless purchased or obtained on open actual competitive bidding at the same or a less cost than unpatented articles, or methods, if any, equally suitable for the same purpose."

What we must always have in mind in consideration of this bill is that when we have honest municipal boards giving contracts for public roads, we need have no fear whatever. We would not even need to have laws or restrictions.

It is only when we have corrupt boards to deal with that we need laws and restrictions.

This act, then, has for its purpose the keeping within bounds public boards that are not honest and to compel them to provide for open competition.

This bill does not do that, but, on the contrary, it will permit the same corrupt practices to continue where the officials are corrupt as we have experienced in the past.

If I believed that this bill would accomplish any good whatever, or that it would improve upon present conditions I would be glad to sign it.

I am unwilling, however, to perpetuate the present evils by signing this bill.

I am satisfied that this bill would do just that thing, and that where corrupt boards existed the corrupt practices could continue.

I am unwilling to fool the people into believing that this bill would do something for them. I am sure that it would not.

I say this with great diffidence, because I know that there are earnest men in the Legislature who believe that this bill will accomplish something, but who, I am sure, have not given it the study and thought necessary to analyze its terms and see the evils that will flow from it.

Because the bill does nothing more than to continue present conditions with dishonest boards I am obliged to disapprove it.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 184.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill repeals the provision of the District Court Act which takes away from justices of the peace jurisdiction in several proceedings in cases where the defendant resides within the jurisdictional limits of the District Court.

It has been the policy of the State to strip justices of the peace, so far as may be possible, of their powers in civil causes. There would seem to be no good reason why their powers should be restored.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 188.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This is another bill to increase salaries, and is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 193.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This act provides that it shall be unlawful to give a deed where reference is made to a map showing lots or streets, which map has not been approved by a resolution passed by the governing body, and provides a fine for violation.

The requirement that municipal bodies shall approve of maps by resolution is of recent enactment—since 1912. There are thousands of maps that were filed previous to that time and from which lots have been sold and will be sold.

If this bill becomes a law it will be unlawful to make deeds by reference to these numerous maps which have been on file for many years.

It was evidently not the intention of the drafters of the bill to go so far, but since the bill does and would create much confusion and chaos it would be unwise to enact it into law.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 199.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill attempts to create a liability against persons and corporations who with criminal intent create a fire on premises occupied by them, in favor of the municipality wherein the fire occurs, in addition to the criminal penalties and other fines and penalties for violation of any law or ordinance enacted for the prevention of fire.

The liability is for the payment of costs and expenses of the fire departments of such municipality incurred in extinguishing the fire. It provides that the amount of such costs and expenses shall be determined by an official to be designated by the governing body. It further provides that the manner in which the amount of the liability shall be ascertained by this official, being based upon the wages of the firemen, etc., rental for the use of the apparatus, cost of water and materials used in the extinguishment of the fire, and an overhead charge.

This bill is clearly unconstitutional, as it seeks to deprive a person of his property without due process of law.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 225.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill provides first for the increase of the jurisdiction of the Small Cause Court.

The whole trend of opinion of this State has been against any extension of the jurisdiction of the small cause court, and toward its entire abolition.

This bill also provides for the increasing of fees in the justice's court, as a result of which fees might be larger than the amount sued for.

At any rate, there is no demand for such increase and I do not think it should be made.

This bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL No. 233.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill authorizes the formation of companies for the purpose of constructing, maintaining and operating vehicular tunnels under the Hudson and Delaware rivers and the Kill von Kull by private enterprise.

The bill authorizes the company to designate where the terminal points of the proposed tunnels are to be located, and the counties through which they are intended to be constructed.

The bill evidently provides for the building of more than one tunnel by one company, because provision is made in case the State takes them over.

This being so, it is possible for one company to pre-empt the important locations for tunnels and whether they are built or not, they have a perpetual right to those locations.

This would prevent other companies from coming in and building tunnels in those locations.

It would also make it necessary that others who desire to build tunnels at these locations would have to purchase that right from the company or companies so pre-empting them. There is no limitation in the bill as to the length of time during which a tunnel company would have to commence or finish the tunnel or tunnels.

The franchise is perpetual and the limitation of fifty years, provided in paragraph four, only starts from the time the tunnel is completed.

In order to properly protect the State, the bill should contain provisions, first, that any one company is limited to one definite location; second, that there should be a substantial sum deposited with the Secretary of State as evidence of good faith; third, that there should be a limitation of time to commence the work, on penalty of forfeiture, unless the time were extended by the Legislature; fourth, there should be a limitation of time to complete the work.

The fixing of rates and the revision of the same from time to time should be left to the Utility Commission, at least until such time as it is taken over by a Federal tribunal.

In section four the company is permitted to mortgage, among other things, its franchises. This might lead to the same abuse

that we now have to deal with in the case of the public utility corporations, where franchises might be mortgaged for a large and excessive amount, and it would then be impossible to reduce such inflated values. This is a problem which has given us enough difficulty recently to warn us against permitting its repetition.

I do not understand why, in paragraph four, line eight, the following words appear, "In the case of any vehicular tunnel company in this State the amount of whose debt shall have been limited by special law, the written consent of the holders of at least two-thirds of all of its stock shall be obtained before such mortgage shall be executed." These words would seem to be absolutely foreign to this act unless its intention is to revive or give power to some vehicular tunnel company already existing and created by a special law. It may be that there is such a company, with special rights and privileges, whose powers, now dead, may be revived by this bill.

Section nine provides that the State of New Jersey may take over the tunnels upon payment of the "Total costs thereof, of whatever nature, upon assumption of all obligations and liabilities of the vehicular tunnel company for the construction of such tunnels, with the approaches and appurtenances, plus fifteen per centum of such cost."

If it is deemed advisable that this bill should contain such a clause, and I believe it is, then the incurring of all costs should be under the supervision of the Utility Commission, and made a record of by them, in order that the State may know that it is paying proper costs, and nothing else, and all obligations issued should be under like regulation for the same reason.

If this is not done, then these companies may load upon the enterprise such fictitious costs, such watered obligations, and such promotion costs as would assure them a tremendous and unwarranted profit. If the State did not choose to pay this unwarranted cost, then it could not take over the tunnels.

We would then find ourselves in a situation of being prevented from taking over the tunnel, and at the same time unable to regulate the rates.

In view of our sorry experience in regulating public utilities within the State, after they have had their own way, I do not believe it advisable for the people of New Jersey to embark in any such undertaking as this without the protection which experience has shown us is necessary.

I believe it of the utmost importance to provide additional facilities for crossing either over or under the Hudson river in

order that the people of New Jersey can get to New York, and those from New York to New Jersey.

I pointed out the importance of this in my inaugural message, and hope that something may be accomplished in order that we may attract to northern New Jersey the people and the capital from New York City.

This, however, must be done in the right way and with the proper restrictions and legislation. We must not permit our anxiety to give relief to tie our hands and so prevent the very things we are after.

For these reasons the bill is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

P. S.—I am also reminded that there is no protection against making this a stock-jobbing proposition, as there is no protection against the unlimited issuance of securities, such as surround the issuance of securities by other public utility corporations.

SENATE BILL, No. 243.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 23d, 1923.

To the Senate:

This bill provides, by way of a new section, for the chief court attendant in counties of between two hundred thousand and three hundred and fifty thousand inhabitants, an annual salary of six hundred dollars in excess of the amounts now payable, and in addition to that increases the salary of court attendants two hundred dollars per year.

This is a mandatory act, placing this additional burden upon the counties to which it applies, and should, therefore, not become a law. All such increases should be within the control of those who disburse the public moneys, and not fixed arbitrarily by legislative act.

The Legislature has no adequate way of knowing whether such increase is necessary or advisable, while the body having the expenditure of the money ought to know.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 247.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate Nos. 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by chapter 104, Laws of 1920, and chapters 144 and 148 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the Supplement of 1921, which carries the highway through to the tunnel entrance and the Camden City approach to the bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether there have been twelve bills before me, fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed either because of indifference on the part of the members or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways and should be discouraged.

This power ought to reside in the State Highway Commission and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past

five days at my command, to make a thorough investigation in order to determine which routes were good and which were bad. I am equally sure that the members of the Legislature did not make such an investigation.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then the Commission may hear at length what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Nos. 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL, No. 277.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 20th, 1923.

To the Senate:

This bill clearly does not accomplish what is intended to be accomplished. The purpose, no doubt, was to compel students of colleges to make a declaration of residence in case they desired to vote, but the bill does not carry out that purpose.

The first section provides that for the purpose of registering or voting no person shall be deemed to have gained or lost a residence by reason of his or her presence at college. That is now the law. All that is now required is that the person shall have lived in the State or county the requisite length of time, and that he shall have in his mind an intention to make this his voting domicile.

The next section goes on to require a person claiming a residence, either within or without the State, to file a declaration.

Unfortunately the bill does not provide what shall happen when he does file the declaration, nor does it fix a penalty if he does not; neither does it state whether such action qualifies the party or does not qualify him.

The result is that the act does not accomplish anything, either where a person does or does not file such declaration. Neither does it provide whether his acts qualify or disqualify him.

Since the bill does not accomplish anything, it is disapproved.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

SENATE BILL, No. 282.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the Senate:

This bill purports to amend the inheritance tax law by taxing hospitals out of the class of beneficiaries who are taxed at the rate of five per centum.

It was evidently intended that by this amendment hospitals should be exempt from the inheritance tax. This amendment, however, has quite the opposite effect, and places hospitals in the class of those taxed at the rate of eight per centum. This is undoubtedly an error, and I think the bill does not accomplish what it was intended to accomplish.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 286.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

March 22d, 1923.

To the Senate:

The purpose of this bill, which is a companion bill to Senate No. 151, is to permit cities of the third class to evade the present provisions relating to debt limits in such cities.

The State has a fixed policy that cities shall limit the amount of their debt. They found it advisable to raise that debt limit a year or two ago. That policy is either good or bad, and ought to stand or fall on its merits. It is good because it has been found necessary for so many years.

If we permit every municipality that desires to evade the debt limit to come to the Legislature and have a bill passed for its particular purpose, it will not be long before the debt limit acts will have lost their usefulness. It will not do to say that a city needs some particular thing at this time, and therefore is willing to exceed the debt limit. What a city must do is to proceed cautiously and with the debt limit in mind, and having also in mind its future requirements. By this procedure and the exercise of proper economy all its purposes will be accomplished.

At the same time there will also be accomplished the very thing that the debt limit acts intend, namely, the reduction of the burden on the taxpayers.

The argument which is made by comparison with boroughs and townships is not sound, because in the latter case there is a referendum to the people.

For these reasons the bill is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

SENATE BILL No. 291.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the Senate:

The purpose of this act is to attempt to correct the title to Chapter 9 of the Laws of 1923.

The latter is the law which was passed over my veto and establishes bureaus of election in first-class counties at a large expense to the taxpayers of those counties.

This bill now before me is even more vicious than the original, because at the time of its passage the Legislature was fully informed as to the effect of the establishment of these bureaus. There is absolutely no reason or justification for the passage of this bill, and it has been passed, in my judgment, against the wishes of practically the entire electorate of Hudson and Essex counties. It is only enacted so as to provide jobs at the expense of the taxpayers.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

[SEAL.]

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

COMMITTEE SUBSTITUTE FOR ASSEMBLY
BILL No. 48.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

I have before me a number of bills fixing routes for State Highways, and I believe a number of others are to come before me.

The method adopted in securing the approval of these various routes is entirely wrong. Any route can be adopted if there is an exchange of votes for another route, or for other purposes. This leads to the most unscientific and unsatisfactory method that could be imagined for the laying out of State Highways. In a matter of such great importance to the whole State the selection of routes should be left to the State Highway Commission, who would have an impartial view and who would see that all parts of the State and all interests in the State were properly treated. This would be much better than log-rolling.

To illustrate some of the evils, Assembly Bill No. 86 provides for changing a route already laid out, and the explanation is: "The purpose of this act is to straighten out the present course in Route No. 11 from Newark to Paterson and eliminate several miles from the State Highway System. The route as now laid out is so circuitous that the State Highway Commission would not be justified in improving it."

Notwithstanding the fact that it now appears that no State Highway Commission would be justified in improving the route as it now exists, there was a Legislature that did approve the route and certified it to the Governor as the proper thing to do.

My objection to these routes is not to the routes themselves, for they may or may not be proper.

The same arguments that were advanced for the passage of the bills may be advanced to the State Highway Commission when they are authorized to do this selecting, and I am sure, if the arguments are good, that the roads will be improved.

ASSEMBLY BILL No. 86.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 12th, 1923.

To the House of Assembly:

I have before me a number of bills fixing routes for State highways, and I believe a number of others are to come before me.

The method adopted in securing the approval of these various routes is entirely wrong. Any route can be adopted if there is an exchange of votes for another route, or for other purposes. This leads to the most unscientific and unsatisfactory method that could be imagined for the laying out of State highways. In a matter of such great importance to the whole State the selection of routes should be left to the State Highway Commission, who would have an impartial view and who would see that all parts of the State and all interests in the State were properly treated. This would be much better than log-rolling.

To illustrate some of the evils, Assembly No. 86 provides for changing a route already laid out, and the explanation is: "The purpose of this act is to straighten out the present course in Route No. 11 from Newark to Paterson and eliminate several miles from the State Highway System. The route as now laid out is so circuitous that the State Highway Commission would not be justified in improving it."

Notwithstanding the fact that it now appears that no State Highway Commission would be justified in improving the route as it now exists, there was a Legislature that did approve the route and certified it to the Governor as the proper thing to do.

My objection to these routes is not to the routes themselves, for they may or may not be proper.

The same arguments that were advanced for the passage of the bills may be advanced to the State Highway Commission when they are authorized to do this selecting, and I am sure, if the arguments are good, that the roads will be improved.

The question is one of principle and of the proper and efficient method for doing the work.

Since these bills do not accomplish this purpose, but perpetuate a bad system, I am compelled to veto these three bills.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 102.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the House of Assembly:

The explanation connected with this bill is that doubt has been expressed as to whether the term "veterinary attendants" includes "horseshoers."

In order to eliminate this doubt the bill has been amended so as to include horseshoers, but the drafter of the bill evidently forgot to eliminate the same doubt from the title to the act, because the title remains the same, without the inclusion of this new term.

If there is any reason for the amendment to the bill, the same reason applies to the amendment of the title.

If the term "horseshoers" is necessary to be included in the body of the act, then it must also be included in the title. Not being included in the title, this act would not be of any use in its amended form so far as horseshoers are concerned.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL, No. 103.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 12th, 1923.

To the House of Assembly:

This act seems to be unnecessary.

If civil service means anything, it seems that the public should get the best. This bill would prevent this.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 134.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for Senate 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, and Chapters 144 and 148 of the Laws of 1921.

Some of these bills, by amending the law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem, by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the supplement of 1921, which carries the highway through to the tunnel entrance and the Camden City approach to the bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether there have been twelve bills before me, fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills passed either because of indifference on the part of the members or by way of exchange for some other route that the member might be interested in.

This is a most unsatisfactory and expensive way of building State highways and should be discouraged.

This power ought to reside in the State Highway Commission, and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five days at my command, to make a thorough investigation in order to determine which routes were good and which were bad. I am equally sure that the members of the Legislature did not make such an investigation.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then the Commission may hear at length what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL, No. 136.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

March 15th, 1923.

To the House of Assembly:

This bill would permit a large number of cases which are now pending to be marked "non prosed," and so terminated without any notice whatever to the parties in interest. In many cases the statute of limitations might have run, and the parties would have no further relief.

I therefore think the bill is objectionable, and it is hereby disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 143.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 12th, 1923.

To the House of Assembly:

This bill exempts persons employed as reporters for newspapers from jury duty.

I do not believe that any newspaper reporter desires to be relieved from performing all of his duties as a citizen, or that there is any desire on the part of men connected with the press to be relieved from the performance of these most important duties.

From my experience as judge I know that there are already too many exemptions, and that they embarrass the administration of justice and the securing of good men for jury duty. The present Exemption act ought to be repealed, and the subject approached from a new angle.

I therefore disapprove this bill.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

ASSEMBLY BILL No. 145.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

This bill establishes what is known as "Family Courts" in cities of the first class having three criminal courts.

It provides that the governing body shall appoint one of the police justices to hold this court. When this is done, then there will have to be another police justice appointed to take the place of the one who is assigned to the Family Court. The result is that one or more positions are created by this act, with the attendant additional expense to the taxpayers:

I do not see why the same thing cannot be accomplished by having the present police courts try these cases as they do now. They can call themselves "Family Courts" at the time they are acting in these particular branches.

The bill is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 149.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

This bill provides for pensioning clerks of District Courts in cities of the first class.

Evidently, officials and officers of the District Courts of the State have been very busy this session, because I find a number of bills for the increase of their salaries.

This bill provides that under certain conditions the clerk of the District Court shall be retired on pension.

This is another mandatory act, in which the municipality itself has no say.

If clerks of District Courts are to be included among city employees who are to receive a pension, then that should be provided for under a general city plan, with the usual provision for becoming a member of the pension fund, such as is now in operation with State employees.

The bill is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 158.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

The purpose of this bill is to have a chief officer or court attendant appointed in juvenile courts, and, of course, provides an additional salary.

In the absence of any evidence from counties of the first class, to which this bill applies, that there is any such demand and that the taxpayers are willing to stand the additional burden, I will have to disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

ASSEMBLY BILL No. 173.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

The purpose of this bill is to place under tenure of office secretaries of boards of education in municipalities between one hundred and one hundred and fifty thousand population.

If it is a good thing to do, it ought to apply to all secretaries, and not those in municipalities of between one hundred and one hundred and fifty thousand.

Beyond this, however, it seems to me that a board of education should have the right to discharge its secretary if they do not believe him to be the right man for the place. In what other way can business principles be applied to this important public board? We expect them to do things in a business like way, and then tie their hands.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,
Governor.

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

ASSEMBLY BILL No. 188.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

I do not think this is a time for further increase of salaries. I find no demand for this bill except from those especially benefited, and the bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 208.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

This bill extends the term of city clerks from two years to four years, and thus carries them beyond the term of the council. This would seem to be inadvisable.

I am also informed by the Legislative Committee of the League of Municipalities that they disapprove of this bill.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY COMMITTEE SUBSTITUTE FOR SENATE
COMMITTEE SUBSTITUTE FOR SENATE No. 220.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

Irrespective of constitutional and technical objections to the form of the bill, it seems to me there are fundamental objections which should prevent its becoming a law.

This bill takes from the Governor of New Jersey the appointment of three commissioners, and in place thereof it designates the Comptroller of the Treasury as the State Athletic Commissioner.

It is short of ridiculous to have the Comptroller of the State whose duties are so foreign to a matter of this kind, designated as the responsible head of a State Athletic Commission.

We may next expect him to be appointed head of a Shell Fish Commission, State Undertakers' Association, Board of Pharmacy or Dentistry, Commissioner of Architects and Plumbers, Horse-shoers and Barbers.

It is merely necessary to state the possibilities to understand how ridiculous this sort of thing is.

It has been the settled policy, ever since New Jersey has been a State, to elect a Governor and put the responsibility upon him for the appointment of commissions. He has always had the responsibility for selecting the highest judicial officers in the State, and the heads of practically all State departments. There is no reason whatever for changing this policy at this time. In such cases the Governor is also given the power of removal if the department is not properly conducted, but in this case there is no such power to remove the State Athletic Commissioner, who happens to be the Comptroller.

The act provides for a Chief Inspector at three thousand dollars, "and in addition thereto, such inspectors as shall be necessary who shall be compensated at the rate of ten dollars per day."

There is absolutely no limit to the expenditures that can be made under this act, and it can readily be made a source for the furnishing of numerous political jobs, all of which is detrimental to the public interest and burdensome to the taxpayers.

The Comptroller has abundant duties without adding these, and I have no doubt he does not welcome this addition.

The real head will necessarily be the Chief Inspector, who will provide the necessary jobs.

If the present Boxing Commission is not honest and efficient, those facts should be disclosed and the Commission should be removed and others appointed in their places. In the absence of that, the evident purpose of this bill seems to be to invoke again the modern "ripper" legislation, designed for nothing but political purposes.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

Governor.

ASSEMBLY BILL No. 235.

N.J. STATE LIBRARY

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STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

March 13th, 1923.

To the House of Assembly:

This bill provides the State Department of Health or local boards of health shall have power of adopting rules relating to the growing and handling of shell fish, etc., and permits punishment for the same.

The purpose of this act was to extend the State Board of Health Department powers to a local board of health, and this purpose may have been a good one; but the difficulty with the bill is that it permits either board to adopt rules and regulations and to inflict punishment. The result is that the State Department may be deprived entirely of its necessary jurisdiction in supervising these matters. Their control over these important functions may be taken away from them by action under this bill.

If a bill could be drawn which would carry out the evident intent of the act, that should be done; but the present bill should not become a law.

I therefore disapprove the same.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 256.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

I have before me the following bills relating to State highways: Assembly Nos. 134 and 256 and Senate Nos. 59, 66, 85, Committee Substitute for Senate Nos. 104 and 110, 135, 136 and 247.

Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts.

The original act was that of 1917. This has been amended by Chapter 104, Laws of 1920, and Chapters 144 and 148 of the Laws of 1921.

Some of these bills, by amending the Law of 1917, would destroy entirely what has been done by the amendments of 1920 and 1921.

One result would be to undo the amendment of 1921, which provides for the locating of roads as approaches to the Delaware River Bridge and the Hudson River Tunnel.

Another would cut out a part of Route No. 6, running from Camden to Bridgeton and Salem, by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.

Another has the effect of repealing the supplement of 1921, which carries the highway through the tunnel entrance and the Camden city approach to the bridge.

Some also affect the Lincoln Highway from Elizabeth to Trenton.

I have already vetoed Assembly Bills Nos. 48, 86 and 421. Altogether there have been twelve bills before me, fixing or amending highway routes.

I feel certain that these bills were not passed by reason of any thorough investigation that each member of the Legislature made of the particular bill before voting for its adoption. I am sure, however, that all of these bills were passed either because of indifference on the part of the members or by way of exchange for some other route that the member might be interested in.

This is a most satisfactory and expensive way of building State highways, and should be discouraged.

This power ought to reside in the State Highway Commission, and not be the subject of legislative "log-rolling."

I have no doubt that there are among these bills routes that ought to be adopted. I have had no opportunity, in the past five

days at my command, to make a thorough investigation in order to determine which routes were good and which were bad.

In my veto of Assembly No. 86 I called attention to the fact that that bill aims to eliminate several miles from a route adopted by the Legislature a few years ago. It is an apt illustration of what happens under this present method.

I am vetoing all these bills, good and bad alike, because I believe it to be to the best interest of the State that this power be vested in the State Highway Commission. Then the Commission may hear at length what is to be said in favor of each route, make a satisfactory investigation, and then determine which routes are good and which are bad, and build roads accordingly.

For these reasons I hereby disapprove Assembly Nos. 134 and 256, and Senate Nos. 59, 66, 85, Committee Substitute for 104 and 110, 135, 136 and 247.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL, No. 259.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

March 22d, 1923.

To the House of Assembly:

I do not think this is a time for further increase of salaries. I find no demand for this bill except from those especially benefited, and the bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL, No. 262.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the House of Assembly:

This bill provides for exempting from taxation railroads which have not been completed, or, if completed, have not been operated in ten years, and so forth.

If the act had been more carefully framed it might have accomplished its apparent object, but the difficulty, as it stands at present, is that it exempts from railroad taxation railroads which have not been completed. This would exclude all railroads under construction which were not entirely finished, and in this way the State of New Jersey would lose a great deal of railroad tax.

The members of the State Board of Taxes and Assessment also fear the same result.

There is no reason for putting this law upon the books if the State of New Jersey is to either lose the tax or be put to the trouble of litigation to collect it. A better way would be to clarify the act, if it is to serve a useful purpose.

The bill is therefore disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 287.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
May 22d, 1923.

To the House of Assembly:

This is a bill to increase the salary of each bar examiner, so that the same shall be three thousand dollars per annum.

I do not believe that this is a time for the increase of such salaries.

This was the work formerly done by assignment from the court, and was considered an honorary position.

If, at a later time, our finances are better, then the bill may be presented for re-enactment.

Respectfully submitted,
GEORGE S. SILZER,
Governor.

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

ASSEMBLY BILL No. 332.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 13th, 1923.

To the House of Assembly:

It seems to me that there is already sufficient power to do all the legitimate things that are necessary to protect our county roads, and that there is no necessity for the creation of an unlimited number of jobs by the appointment of special officers.

The bill is therefore disapproved.

Respectfully submitted,
GEORGE S. SILZER,
Governor.

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

ASSEMBLY BILLS Nos. 308 AND 309.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

I have had a hearing on Assembly Bill 308 and Assembly Bill 309, and have heard both sides at length.

Viewing the matter from a judicial angle, I am not convinced that the proponents of the bill have borne the burden which was cast upon them of showing the need for this bill, notwithstanding that there is much to be said on both sides of the question.

The question of supplying water to our municipalities is becoming a most urgent one from day to day, and it is quite apparent that the State must adopt some comprehensive method of providing for these growing needs.

The ever-recurring squabbles over water rights and water acquisitions are an evidence of the growing necessity for relief.

If the State does not provide such relief soon, then the municipalities will have to continue their scramble. In the meantime, municipalities who see the growing necessity for more water are endeavoring to provide themselves with it, with the result that each is looking selfishly to securing its own supply, regardless of what may happen to others less alert or less able to stand alone.

In the present situation the municipalities of Union County are endeavoring to meet their demands. Elizabeth evidently has not been so alert as the others. These bills put into a group a number of municipalities in Union County. If this system is followed we will have the same local grouping all over New Jersey, and instead of a State policy we will have a local policy, based upon local demands.

Another objection to these bills is that the plan comprehends taking in the City of Elizabeth and Linden Township, the two comprising the major part of the ratables of the affected municipalities of Union County. These two particular municipalities, from past experiences, gravely doubt the advisability of entering into this combination, and ask that the matter be deferred until next year, in order that they may study the situation further and ascertain definitely what is best for them.

Elizabeth, some years ago, had a most distressing experience in the issuing of municipal obligations, with the result that only through the efforts of public spirited men was the city saved from

bankruptcy. The last of the obligations then incurred was destroyed only last year.

Under the provisions of these bills the Commission appointed under the act by the Court might obligate these municipalities to an unlimited amount for extensions and improvements of the water system without even the slightest consent on the part of the municipality.

I can very readily see why Elizabeth is sensitive about entering into a plan of this kind, in view of her past experience, yet, if she does not she may be forced into a very unfavorable and unfortunate situation, and might be compelled to make a bad bargain.

In all the circumstances I believe it is best that such a course be taken. A year's delay will not seriously affect any of the interested municipalities, and with the light that will be shed upon the subject by the discussion during that period a satisfactory plan may be evolved.

I hope that during the coming year a very thorough and careful study may be made of this important question of supplying water to our State, in order that a comprehensive and satisfactory plan may be worked out for the benefit of the entire State, and as a future policy to be adopted by the State.

We have already been making efforts in that direction and already have a State policy.

This policy, however, is rather tentative and lacks firmness and definiteness. We should determine just what the State policy ought to be and then proceed to adopt it.

I believe this water question is the biggest and most important one now facing the people of New Jersey.

For these reasons Assembly bills 308 and 309 are disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL, No. 337.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 22d, 1923.

To the House of Assembly:

The purpose of this bill is to permit trust companies to consolidate, and the act seems to provide for accomplishing that purpose.

Section II, however, reads as follows: "Nothing herein contained shall authorize or empower the corporation into which the other corporation or corporations shall have been merged as herein provided to continue to conduct business at the location or locations of the office or offices established by said merged corporations."

According to this section the new corporation cannot continue to do business at the location of any of the corporations which became part of the merger. The result is that, upon such a merger taking place, an entirely new location must be found. I do not believe that this was intended by the bill, and I do believe that it would probably work great hardship, because the new corporation will not be able to use any of the banking houses of the merged corporations for this new purpose.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 338.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

I have not had an opportunity during the time within my command to thoroughly digest this bill.

It has such far-reaching effect upon the relations between the depositor in a bank and the bank that I believe it will be in the best interest of the public at large to veto this bill until such time as careful study can be made, and, if it is advisable, it can be enacted at the next session. I do not believe that anybody will suffer by it not becoming a law at this time.

It is therefore disapproved.

Respectfully submitted,
GEORGE S. SILZER,

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

Governor.

ASSEMBLY BILL No. 371.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

This bill purports to validate and confirm deeds made by school districts where the grantee, or his heirs and assigns, have entered into possession and been in possession for at least twenty years.

As no explanation has been made to me concerning the purpose of this bill and to what situation it applies, and whether or not any school district will be deprived of its rights, and being in the dark as to what this bill will accomplish, I disapprove of the same.

Respectfully submitted,
GEORGE S. SILZER,

Attest:

FREDERIC M. P. PEARSE,
Secretary to the Governor.

Governor.

ASSEMBLY BILL No. 379.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

This bill provides for the creation of traffic courts in cities of the first class.

There is sufficient jurisdiction now in the police courts of these cities to take care of all traffic violations.

The only effect of the passage of this bill would be to create additional offices and add to the already heavy tax that the people of these cities have to pay.

The bill is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 399.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,
 March 12th, 1923.

To the House of Assembly:

This bill provides as a new method that the defendant who appeals from a motor vehicle conviction shall "serve a written notice of appeal on the opposite party and pay all costs of appeal."

The expressed purpose of the bill is to expedite the handling of cases involving intoxicated drivers, but it does not accomplish this purpose. In the first place, there is no "opposite party" in a summary proceeding of this kind.

If any notice is to be served the bill should provide for the service of that notice upon the Commissioner of Motor Vehicles, who may then, in an official capacity, see that the case is promptly prosecuted.

The payment of costs of appeal is also rather indefinite, and might be difficult to comply with.

I therefore disapprove the bill.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 405.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 13th, 1923.

To the House of Assembly:

This bill provides for the recording of all deeds or leases, granting or conveying riparian lands, or any interests therein, in the office of the Riparian Commission, or its successor.

These deeds are now recorded in the County Clerk's office, where those who are searching the title to land expect to find them. I can see no reason for duplicating the recording of these instruments, because it puts the owner of property to a double expense, makes it more difficult to ascertain the title to lands, and produces no corresponding benefit.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

ASSEMBLY BILL No. 419.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 22d, 1923.

To the House of Assembly:

I do not think this is a time for further increase of salaries, and as this is a bill of that type it is disapproved.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.

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ASSEMBLY BILL No. 421.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT,

To the House of Assembly: March 22d, 1923.

I have before me a number of bills fixing routes for State Highways, and I believe a number of others are to come before me.

The method adopted in securing the approval of these various routes is entirely wrong. Any route can be adopted if there is an exchange of votes for another route, or for other purposes. This leads to the most unscientific and unsatisfactory method that could be imagined for the laying out of State Highways. In a matter of such great importance to the whole State the selection of routes should be left to the State Highway Commission, who would have an impartial view and who would see that all parts of the State and all interests in the State were properly treated. This would be much better than log-rolling.

To illustrate some of the evils, Assembly Bill No. 86 provides for changing a route already laid out, and the explanation is: "The purpose of this act is to straighten out the present course in Route No. 11 from Newark to Paterson and eliminate several miles from the State Highway System. The route as now laid out is so circuitous that the State Highway Commission would not be justified in improving it."

Notwithstanding the fact that it now appears that no State Highway Commission would be justified in improving the route as it now exists, there was a Legislature that did approve the route and certified it to the Governor as the proper thing to do.

My objection to these routes is not to the routes themselves, for they may or may not be proper.

The same arguments that were advanced for the passage of the bills may be advanced to the State Highway Commission when they are authorized to do this selecting, and I am sure, if the arguments are good, that the roads will be improved.

The question is one of principle and of the proper and efficient method for doing the work.

Since these bills do not accomplish this purpose, but perpetuate a bad system, I am compelled to veto these three bills.

Respectfully submitted,

GEORGE S. SILZER,

Governor.

Attest:

FREDERIC M. P. PEARSE,

Secretary to the Governor.