

MESSAGE

OF THE

GOVERNOR OF NEW JERSEY,

TO THE

SENATE AND HOUSE OF ASSEMBLY,

AT THE

COMMENCEMENT OF THE SESSION.

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Read January 10, 1849, and ordered to be printed.

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## MESSAGE.

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*Gentlemen of the Senate*

*and House of Assembly :*

It is with feelings of great pleasure, that I am permitted to congratulate you and our constituents upon the favorable circumstances under which you are now convened.

During the year which has just closed, the citizens of this state have enjoyed an unusual degree of health ; peace has prevailed throughout our borders ; the laws have been duly observed, good order maintained, and the blessings of civil and religious liberty enjoyed. The products of agriculture have been abundant ; the industry of the laborer has been amply rewarded ; enterprise has been adequately remunerated, and prosperity has generally prevailed.

These unmerited mercies naturally excite emotions of gratitude to the Sovereign Dispenser of all good, and should teach us, as a people, to look to Him for future prosperity and peace.

In discharge of the duty which requires the Executive to communicate to the legislature, at the commencement of each session, the condition of the state, and to recommend such measures as he may deem expedient, I ask your attention, first, to the finances of the state.



## RECEIPTS:

By the report of the Treasurer you will perceive that the balance in the treasury at the end of the year 1847, was	\$12,314 78
That there has been received during the fiscal year ending Dec. 31, 1848, from the ordinary resources, viz:	
Transit duties,	\$65,615 84½
Dividends on stocks,	24,000 00
Pedlers' licenses,	712 00
Tax on capital stock of New Jersey and Paterson R. R. Co's,	5,250 00
	<hr/> 95,577 84½
From extraordinary sources, viz:	
Balance of tax of the year 1847,	\$15,402 00
Interest,	1,900 13
Tax on insurance premiums,	30 56
State Prison earnings,	2,160 39
Principal of bond and mortgage,	771 37
Incidental,	10 00
	<hr/> 20,274 45
Making the funds of the year,	<hr/> \$128,167 07½

## DISBURSEMENTS:

There has been disbursed for ordinary expenses,	\$72,688 79
Being less than those of the previous year by	\$2,292 47½
For extraordinary expenses, viz:	
For the Lunatic Asylum,	\$42,278 71
New wing of State Prison,	2,734 39
	<hr/> 45,013 10
Making the total expenditure during the year,	<hr/> \$117,701 89

The estimated condition of the treasury on the 1st of January, 1849, is as follows:

Cash on deposit in sundry banks,	\$10,822 53
Bonds or mortgages on government lots sold,	5,397 53
Joint Companies' bonds, and interest thereon,	17,510 00
Transit duties of Delaware and Raritan Canal and Camden and Amboy Railroad Co.,	15,156 32
Dividends on stock,	18,000 00
Tax on capital stock of New Jersey and Paterson Railroad Companies,	5,250 00
	<hr/>
Amount available,	\$72,136 38
Deduct amount due School Fund,	\$25,595 82
Interest on do. to January 27, 1849,	6,142 99
Special loan,	37,000 00
	<hr/> 68,738 81

Leaving in the treasury, after payment of all the debts of the state, \$3,397 57 |

The ordinary annual receipts may be fairly estimated at \$95,000 00

The usual annual expenses at 75,000 00

Leaving for the purposes of the state, without the necessity of a state tax, a balance of \$20,000 00

The amount of the School Fund is \$380,448 33

By deducting the amount of it on 31st of Dec., 1847, 370,742 95 |

There is exhibited for its increase during the year, over all disbursements, \$9,705 38 |

By the twenty-second section of the charter of the Camden and Amboy Railroad and Transportation Company, the state has reserved to itself the right to redeem the roads of that company at the expiration of thirty years from their completion, by the payment of the appraised value of the roads and their appendages. By the certificate of the chief engineer, filed in



the office of the Secretary of State, it appears that the roads were completed on the 1st day of January, 1839—at the end of twenty years from the present time, consequently, the state will have the right to redeem. Indicating what was considered the settled policy of the state, and in promotion of that policy, the legislature, by an additional supplement to the act relating to the Delaware and Raritan Canal and the Camden and Amboy Railroad and Transportation Companies, passed March 15th, 1837, has provided that the revenue that may from time to time be received from those companies, after paying the state tax out of the same, shall be invested as a specific fund for the redemption of the railroads of the companies and the appendages, as soon as the same shall become redeemable; and such revenue, with the interest accruing therefrom, was then set apart and appropriated to that purpose, unless the legislature should otherwise by law direct. In consequence of the necessary expenditure for public buildings and improvements, no part of the revenue received from those companies has as yet been funded; but it is estimated that there soon will be a surplus to invest; and that with due economy, the fund may be made to approximate to, if not equal, the amount required for the redemption of the works within the time limited for that purpose. And it presents a question for your serious consideration whether any and what other or additional means should be provided to insure the object contemplated by the previous acts.

In connection with the subject of finance, your attention is respectfully directed to the present mode of levying taxes, which, by reason of its inequality, is the subject of much, and I think of just complaint.

That taxation like protection should be equal, and alike to all, will not at this day be denied. As each citizen looks to the government for the protection of all his property, there can be no just reason why he should not contribute to the support of the government, in proportion to the value of that property. And such modification of the existing law as will tend to relieve the people from unequal burdens, seems to be demanded.

The condition of the State Prison is fully presented by the report of its Keeper, herewith submitted.

From this it appears that there were in confinement at the close of the year 1847, one hundred and fifty-three prisoners; that one hundred and eight have since been received; making the total in confinement during the year, two hundred and sixty-one. Eighty-three have been discharged,—seventy-one by expiration of sentence, and twelve by pardon. Two have died, one by disease and one by his own hand, leaving in confinement at the end of the year 1848, one hundred and seventy-six; which is an increase during the year of twenty-three. The monthly average has been one hundred and fifty-four.

The health of the prison has been uniformly good; and it is now satisfactorily proved that by due attention to the ventilation of the cells, to the habits of cleanliness, and to the proper diet and employment of the prisoners, health may be as well secured there as elsewhere. And it may be confidently affirmed that in point of physical health, the records of the prison will favorably compare with those of most other communities.

The discipline has been well maintained, and the reformation of the inmates has been earnestly desired and diligently sought.

In pursuance of the resolution directing the appointment of a teacher and moral instructor, the Rev. Samuel Starr was appointed to that station. What duties he has performed and the manner of the performance and the effects, you will find exhibited in his very interesting report herewith submitted to you. It is believed that this effort of benevolence and of duty is fully compensated by its influence upon the discipline of the prison, and its tendency to prevent that mental imbecility which has heretofore been regarded as the principal objection to the plan of separate confinement. We can but hope that its moral influence is decidedly good, and that through it the prisoner is taught that the object of his confinement is reformation as well as punishment. Most convicts persuade them-



selves that they are the victims, not of their crimes, but of the law; and that imprisonment is the mode in which the law seeks to sate its vengeance upon them. The mere fact of the appointment of a moral instructor is a strong argument to convince the offender of his mistake, and to prove to him that while the public safety is designed, his reformation and best interests are also intended.

The present mode of warming the prison by endless pipes of hot water, is attended with difficulties, which it is believed may be obviated by some other plan. The quantity of water contained in the pipes must be so accurately gauged that a very small loss by leakage renders them liable to burn and thence to burst. Such accidents usually occur at the coldest season, when the greatest degree of heat is required; and at such times an entire range of cells must be, for some days, and perhaps weeks, without artificial heat; and the prisoners must be removed to other apartments, or left to suffer from the inclemency of the weather.

These pipes pass from cell to cell through each range, and by expansion from heat produce apertures in the partition walls, and afford facilities for communication, and thereby interrupt the discipline and frustrate some of the objects of separate imprisonment. The apparatus is moreover old and injured by much use, and inadequate to its purpose, and would soon require to be replaced, if this plan be continued.

The subject of popular education, so important alike to the welfare of the community and to the happiness of individuals, has heretofore received much attention and excited much debate. But it is to be feared that in the conflict of opinions the cause will lose many of the advantages which it might otherwise enjoy.

That much is required to be done is painfully proved by the fact, that not many more than one half of the children in the state receive instruction in the schools. By the report of the State Superintendent, for the year 1847, it appears that of the one hundred and two thousand, four hundred and twelve children between the ages of five and sixteen years, capable of attending

school, only fifty-two thousand, seven hundred and ninety-five attended for any period of the year. With a liberal allowance for the number who attend select and denominational schools, a very large proportion must be growing up in ignorance.

If public policy did not demand the education of youth, common benevolence might seem to require it. Ample provision is made at the expense of the state for the instruction and support of all the indigent blind and indigent deaf and dumb, capable of receiving instruction; and it is regarded not only as a commendable charity, but as the discharge of an imperative duty of the state, to itself and to its citizens. While we thus provide for those unfortunate classes who are physically without speech and without sight, there is no reason why we should suffer a much larger class to remain intellectually blind for want of instruction, or mute for want of knowledge. That something should be done is generally admitted, but what is to be done is a matter of controversy. In other states, and in some parts of our own, the object desired is attained through the medium of free schools. In them more children are instructed, and more thorough instruction given than in most other institutions. Although we may not as yet be able to establish such a system throughout the state, we should look with hope to the time not far distant when it may be done, and be preparing the way for the speedy accomplishment of that object.

The plan of a Normal school, heretofore submitted to the legislature, will be a subject for consideration during your present session. I have been impressed with the belief that it would afford one of the best methods of furnishing our schools with competent teachers—persons qualified not by their literary attainments merely, but also by their capacity to govern, and their aptness to impart knowledge to others. Its object is to secure to the state the proper and economical instruction of its youth, and not as has been erroneously urged, to foster one class of men at the expense of others. In many districts there may be no difficulty in procuring teachers in all respects qualified for their responsible duties; but in other,



and far many more districts, the patrons, some for want of interest and attention, others for want of knowledge, suffer themselves to be imposed upon by incompetent persons, and thereby not only spend their money for naught, but waste what is more precious, the irredeemable time of their children. In the diversity of sentiment prevailing upon this part of the subject, I hesitate to recommend what I have believed to be worthy of a fair trial, and what in other states has proved to be entirely satisfactory and eminently useful; for I question the success of any enterprise which is the object of so much opposition from sources entitled to so much respect. It is of little consequence what measures we adopt if they are not sustained by public sentiment—no matter what institutions we found, if their advantages are not appreciated and enjoyed.

If, on the contrary, the public mind is fully awakened to its wants, means will be readily found to supply them; and even inadequate means used to better advantage.

What we most need, in my judgment, is that which will arouse the public mind to the importance of the subject; that which will satisfy parents that the success and happiness of their children can be best promoted by proper education; that which will convince citizens that the true policy of the state requires it to secure to every child the advantages of suitable instruction.

Voluntary associations and public discussions are doing much towards this. Intelligent and faithful superintendents are also exercising a good influence; and every measure that may tend to bring the cause before the mind of the people will promote it. Under the existing law, if competent town superintendents be every where elected, and teachers critically examined, and only such as are properly qualified be licensed, great improvement must follow.

The report of the State Superintendent yet to be presented, will show a decided improvement in the public schools; in the increased number taught; in the manner of teaching; in the greater uniformity of text books used; in the larger sums of money expended, and in the general attention to the subject.

The School Fund has so accumulated as to allow a further annual appropriation, and I respectfully recommend that the Trustees be authorized to increase the sum annually appropriated for the support of public schools; and that power be given to the people to raise more money for that purpose at their annual town meetings; and that the meaning of that section of the act which directs the mode of expending the public money, be more fully declared.

There are twelve blind pupils and eighteen mutes, beneficiaries of the state, at the institutions of New York and Philadelphia, who are well instructed, and are making all the progress in learning that can be expected from persons of their capacity under such infirmities.

The condition of the State Lunatic Asylum is fully exhibited by the report of its Managers, and those of its Superintendent and Treasurer. By reference to these it will be perceived that this institution entirely meets the expectations of its most sanguine friends. For eligibility of location, extent of accommodations and fitness of all its arrangements, it is not surpassed if it is equalled by any that is known. This benevolent enterprise has been entirely successful, and is creditable alike to the munificence of the state, and to the zeal and fidelity of its officers and agents.

The Asylum was opened for the reception of patients on the 25th of May last, since which time, and up to the 31st of December, eighty-six patients were received, of whom three have been restored to health and discharged—the others remain. The price of boarding has been fixed at such rate as merely to meet the actual cost of it, and considering the accommodations, medical and other attendance, and all the various appliances for the relief of the diseased mind, it is as low as it can well be made or reasonably expected, and as cheap if not cheaper than that of any other institution. The receipts from this source have been about equal to the expense. Occasional delays of payment however cause some inconvenience; to obviate which I submit to you the propriety of authorizing the State Treasurer to advance to the Treasurer of the Asylum from time to time, such sums of money as the exigencies



of the case may require, to be reimbursed as soon as the funds of the institution will admit.

The sums expended for the Asylum are:

For Lands,	\$10,000.00
" Edifice,	80,650.00
" Fixtures, furniture, stock, &c.,	35,334.30
	<hr/>
	\$125,984.30

The object and extent of the last item of charge will be seen by reference to the inventory appended to the report of the Superintendent. How well they are adapted to the purpose designed, and with what propriety used, can be fully understood only by a personal inspection. There will be required a further appropriation to complete arrangements, an estimate of which will be hereafter presented: and it is not doubted but that you will provide for them to the extent that the object in view and true economy require.

By the report of the Adjutant General there appears to have been no improvement during the year in the practical organization of the militia of the state, nor in the brigade returns required by law. In consequence of which it is impossible to report the number of militia or the condition of their equipments, and the state is moreover subjected to a loss in the quota of arms drawn by it from the national government. It is for you to consider whether any and what means may be used to remedy such defects as there may be in the militia system, or to enforce its regulations.

The report of the Quarter Master General exhibits the state of his department.

The New Jersey pilots, it is pleasing to say, continue to possess, and it is believed to merit public confidence. By the report of the Commissioners it seems that they have had in service four cruising pilot boats and one station boat, with twenty-one branch pilots and four deputy pilots, who have brought into port six hundred and seventy-five vessels, and taken five hundred and ninety-seven to sea. The system commends itself to the fostering care of the state.

Your attention is invited to the compensation allowed to the judges of the Court of Errors and Appeals. Being a court in the last resort in all causes, the service of its members is usually arduous, and always highly responsible. To the appropriate duties of Chancellor and Justices of the Supreme Court, much additional and sometimes severe labor is thereby added. The other judges are presumed to have been selected for their firmness and integrity, their intelligence and discrimination, their knowledge of men and correct habits of business; qualifications that in the usual occupations of life, would command the greatest return for diligence and labor. They are obliged to leave their homes and their business, at times when frequently their presence there is most required, and there is no propriety in asking them to serve the state for an allowance that but a little more than covers their expenses. They should be so paid as to be saved from any pecuniary loss, while serving the public. It does not comport with the dignity of the state to ask the service of her citizens for a compensation inadequate to their qualifications and services. I submit to you the propriety of increasing the allowance of those officers.

The small lot at the north-west corner of the State House yard is so situated as greatly to mar the beauty of the public grounds, and to offend good taste. To the state it is desirable, and if a good title to it can be obtained at a fair value, I respectfully recommend its purchase.

By virtue of the joint resolution of the 9th of March last, authorising the Governor, Secretary of State, and Committee on Education of the House of Assembly, to cause to be published at the expense of the state, such number of copies as they may deem proper, of all manuscripts, letters and other matters now in the State Library and office of the Secretary of State, as they may select—there has been published of the matter selected, a volume of about four hundred pages, one thousand copies of which are now nearly ready for distribution. The whole credit of selecting, arranging, preparing and publishing these papers is due to the Committee on Education, and particularly to its chairman, whose industry and zeal in the work have re-



lieved the other officers from all the labor and responsibility of the publication. The report of the committee, herewith transmitted, will show more particularly what has been done in the premises.

Pursuant to the request of the concurrent resolution "presenting the thanks of the legislature to Major-General Winfield Scott, and the brave army under his command, for their brilliant achievements and admirable campaign from the landing at Vera Cruz to the capture of the city of Mexico," I transmitted to that distinguished officer, then in Mexico, a copy of the resolution, and have subsequently received his acknowledgment of the same by letter, a copy of which is herewith submitted to you.

In accordance with the joint resolution of the 25th of February, 1848, M. Alexandre Vattemare has been appointed the agent of this state at Paris, in France, for the purpose of receiving and transmitting such works as may be the subject of international exchange. His first report is commended to your favorable consideration.

With this is transmitted to you a communication recently received from the secretary of the Delaware and Raritan Canal and Camden and Amboy Railroad and Transportation Companies, together with a pamphlet containing grave charges preferred by "A Citizen of Burlington," against the company and its officers, and a copy of the report of a committee appointed by the board of directors of the joint companies to investigate those charges. By this communication the board of directors proffer themselves ready and desirous to meet a re-investigation of the charges before any tribunal that the Executive or the legislature may see fit to designate. These charges involve the crimes of perjury, false entries and false reports, and embezzlement of the funds of the state and of the stockholders. They are made against persons who have heretofore sustained the highest character for integrity, and enjoyed the entire confidence of the public. The state has a deep interest in a prompt, full and impartial scrutiny of the conduct of the persons accused, and in the truth or falsehood of the accusations; and

for this purpose I recommend the immediate appointment of a joint committee of your two houses, with power to send for persons and papers, that speedy and exact justice may be done in the matter.

That your deliberations will be characterised by that wisdom and propriety which become the representatives of a free people, I confidently believe; and that they may be guided by Him in whose hand are the hearts of all men, I sincerely pray.

DANIEL HAINES.

DATED TRENTON, January 10, 1849.