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# INAUGURAL ADDRESS

OF

## HON. A. HARRY MOORE

### GOVERNOR OF NEW JERSEY

TO THE

### ONE HUNDRED AND FIFTIETH LEGISLATURE OF NEW JERSEY

January 19th, 1926

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## Inaugural Address.

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This great seal of New Jersey, which, with reverence, I take into my possession today, does it signify that power of self-government, that ability to rule its own affairs by the State of New Jersey, in the same way and manner, as when the State of New Jersey was born, from a colony ruled from Europe into a great State, which with twelve other States had flung open a continent to mankind? I do not think so. The power of the State of New Jersey to make her own laws has been so encroached upon by Washington that now in every direction she is ruled, instead of ruling.

### STATE RIGHTS.

The people of the State, declared by the State Constitution to be possessors of all political power in the following terms: "All political power is inherent in the people," are shorn of the power to rule themselves, and the State's rights—so clearly defined in the Federal Constitution—are whittled away by Congress, supported by decisions of the United States Supreme Court, until State government becomes merely a shell. An outstanding example of this is Prohibition, in which Washington regulates, or attempts to regulate, innocent social conduct.

Federal Courts overrule State Courts and fix trolley fares, water rates, the price of public necessities. The Federal Government is even reaching out to control education, and, having attempted in the Eighteenth Amendment to regulate the throats of the people, now, in the proposed Twentieth, would regulate the minds of the young.

What has become of the declaration of the original compact in the United States Constitution, which said, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people"?

These were the fine words of self-governing communities who were free and would remain so. Now it's in some bureau or board created by Congress and functioning in Washington, unaware of local conditions, which makes laws which the people of a State must obey and which the Legislators elected by the people of that State are powerless to alter or repeal.

"An indissoluble Union of indestructible States" is rapidly becoming an indissoluble Union of impotent States.

Let us have a meeting of all the Governors in an effort to stop this tide that is bearing us away to a centralized distant government.

So complete is Washington's control growing, that you even hear of a censorship of the radio.

It is dangerous to be governed from afar. It is the people of each State exercising home rule who should do the governing. The best governed are the least governed.

Let "Restoration of State's Rights" be our watchword.

#### PROHIBITION.

The Eighteenth Amendment is the crowning act in a series of recent developments, all tending to destroy State Rights and State Government and to set up Federal control where State control ought to be left unimpaired.

While it is true that neither the Governor nor the Legislature can control the subject of Prohibition, yet there are certain things that we can do. I would be untrue to my obligations to the public and to my personal convictions if I did not urge you to memorialize Congress to modify the Volstead Act.

The present State Prohibition Act is against the spirit of the American law that a person should not be twice punished for the one law violation. I urge the repeal of this act.

The Research Bureau of the Federal Council of Churches is only one of many agencies that have directed attention to the deplorable features of the prohibition situation. The official organ of the National Lutheran Church joins in the plea for Volstead Act modification. Clergymen and laity in increasing numbers are regretting the enactment of a law that has created an

army of criminal bootleggers and produced a situation far worse than previously existed.

#### ANTI-SALOON LEAGUE.

In this general connection, I cannot refrain from saying that the Anti-Saloon League is, as a body, inimical to popular government. It should be compelled by law to make its finances and activities and personnel public. A well organized, well financed clique, intent on writing its own notions into law, contemptuous always of the rights of the people under popular government, if allowed to act, should be carefully regulated by law.

#### FEWER LAWS.

So many questions of compelling importance are before us that we cannot in justice to our duty wander far afield. Fifty or sixty laws would probably cover the platform pledges of both parties and an equal number more to take care of any other necessary legislation would form an enviable record for this session and be a relief to the people who sent us here.

I am impressed with the thought that a time limit should be set for the life of all laws that have been passed and when that limit is reached, the law to become automatically repealed, unless re-enacted. We work on the principle that lack of knowledge of a law is no defense, and yet to just read the laws of the United States would take eight years and four months, reading eight hours every day, including Sundays and holidays.

#### SERVICE.

Seeking no further political preferment, I am not warped by political expediency whisperings. I would hesitate to approach the task before me, did I not do so with a profound faith in the guiding and sustaining power of Almighty God. I have learned from the many years I have given to the service of the public that the best party man is he who gives his best thought to the furtherance of the people's interests. I know that you are as sincere as I am. Let's do it.

After all, we were not sent here because the people were anxious to do us honor, nor yet because they believed we were abler and more brilliant than thousands of others of our fellow-citizens; nor were we sent here to gain strategic advantage for our respective parties, but only to do the will of those who sent us. To my mind, this thought comprehends our whole duty and here I might well stop, leaving the consideration of specific problems to special messages, which I shall address to you from time to time. But I shall ask your indulgence while I, as briefly as possible, discuss a few of the many matters vital to the people. For, after all, New Jersey will not long remember what we say here, but it will be vitally affected and interested in everything we do hereafter.

During the campaign we were all deeply concerned with the heavy burden borne by the taxpayer and solemnly promised to lighten that burden. Consolidation and coordination of departments may be a means to this end but such a reformation will take considerable time and much careful thought and, at best, promises no immediate relief. The abolishment of an odd job here and there means very little in the way of economy, when the total budget runs into millions.

I respectfully suggest that we pause and give New Jersey a chance to take a long breath and let us get together and be true to our promise to reduce the burden of taxation.

We are beset on all sides by organizations, both private and public, who are insistent for State appropriations for selfish ends. There is need of an organization to further the general interests of the State, and, I take it that this is our job.

If I mistake not the temper of the people, their demand at this time is for simplified and less expensive government, for less interference on the part of the government with purely personal affairs, and for the development of our State under a policy that will not be afraid to embark in great enterprises where prudence, common sense and reasonable certainty of ample returns justify the venture.

There is no inconsistency in urging the steady development of our interstate bridge and vehicular tunnel projects and the working out of other pressing transportation problems at the

same time that we urge the abolition of the present State Road Tax of a dollar per thousand ratables and the Special State Institutional Tax of fifty cents per thousand ratables.

#### TAXATION.

The tax which people feel the most is the direct tax; the tax which the State writes into the municipal tax bill and which every taxpayer must dig down in his pocket to pay.

Our first opportunity may be found in revising the methods now pursued in raising moneys for meeting our obligations with regard to the development of the road system and the interest and sinking fund requirements of the road bond issue.

The Legislation imposing a Mill State Road Tax, (Chapter 262, Laws of 1922) is an apt illustration of the vice of using a fixed arbitrary tax rate. Under the law that rate must be imposed until 1927 upon the ratables of the State. Designed primarily and substantially only for the purpose of raising the moneys necessary to meet the sinking fund and interest requirements of the road bond issue, the Statute has resulted, because of increasing ratables, in raising a tremendous surplus or excess each year.

For illustration, to date there are but \$24,000,000.00 of such bonds issued. To meet the sinking fund and interest payments for 1926, only \$2,100,000.00 will be needed. Yet this tax will raise \$6,000,000.00—approximately \$4,000,000.00 more than is needed for the purpose. No matter how honest or efficient a public body may be, the existence of money in its treasury is a constant and irresistible temptation to the spending thereof. To continue, were the full authorized issue of bonds now out, only \$3,600,000.00 in round figures would meet the annual sinking fund and interest charges; yet almost twice that sum is now raised under that Statute.

In like manner, the amazing increase in number of motor vehicles in use in this State has brought to the State a revenue never anticipated. In round figures, the income for the past few years from motor vehicle fees follows:

1922, .....	\$7,000,000.00
1923, .....	7,000,000.00
1924, .....	8,000,000.00
1925, .....	10,000,000.00
1926 (Estimated), .....	11,000,000.00

The proceeds of such moneys, together with the surplus from the mill tax, has not only made it possible for the State to reimburse the counties for all moneys advanced under the Acts of 1918 and 1921, but has created in the past substantial surpluses and for the present year will create, as of July 1, 1926, an estimated balance in the road fund of over \$9,000,000.00.

Here is a real chance to do something for the taxpayer. It may not be possible, in view of the language of the bonds issued under the Road Bond Act of 1922, to repeal the mill tax, but certainly the minds of the legislators should be directed toward utilizing the foregoing facts so as to reduce the tax burden to some extent, which, in my judgment, can be done without hampering the splendid work being done by the Highway Commission.

It is my intention to seek the opinion of the Attorney-General upon the right of the State to deal with the situation and I invite your co-operation.

Another direct tax upon the pocketbooks of the people is the one-half mill tax for construction work in the Department of Institutions and Agencies. This tax for 1926 will amount to \$2,650,000.00, most of which, I understand, will be devoted to some new colony project at Totowa, which when completed, will cost approximately \$4,000,000.00 and an additional \$1,000,000.00 to operate. In the first place, I do not believe in this method of financing capital improvements. It is not fair to make the people pay in two years the complete cost of buildings whose life will be forty years. The people of tomorrow will derive as great benefit, if indeed any benefit there be, and should bear their share of the burden. The head of that department, having recently resigned, his successor, if there is to be a successor, may not consider this great scheme at all necessary. I refer you to the report of your own estimable investigating committee, where it is pointed out that the heads of the State Hospitals at Trenton and at Morris

Plains differ absolutely as to the methods of treating the mentally afflicted.

Then the third reason for this year omitting the half-mill levy, is that the Institutions of the State will not suffer in the slightest degree, nor will its wards. Sufficient money has been appropriated and is now in hand—(\$679,363.00 for this Totowa project alone from the 1925 tax)—to work at least two years in the completion of buildings authorized and, with a business administration, while this is going on, I am persuaded that sufficient surplus can be accumulated within the next three years to guarantee direct appropriations from the general funds of the State to complete that part of the building program absolutely essential.

So I urge that the money in hand for the Totowa project be diverted to complete the immediate necessary improvements at Morris Plains and other already existing institutions.

Here again, by eliminating this tax, you will save the taxpayer \$2,650,000.00 and thus reduce the tax rates in the municipalities.

#### INSTITUTIONS.

Then again, your own Legislative Committee has seriously criticised this department. Whether or not your Committee is right or wrong, is for you to determine. The report is worthy of your thoughtful consideration and action; otherwise, your body might just as well have thrown the ten thousand dollars, which this Committee has spent, into the sewer, for all the good it will have accomplished. We have some fifteen or more institutions, each one of which has a board of managers, composed of eminent citizens, who give their services freely; there is a general board of control, and, in addition, each Institution has a paid director or manager; in still further addition, there is a salaried general commissioner with a corps of assistants.

While I do not know as much about these Institutions as I intend to know, yet it would seem obvious that such an organization is top-heavy and the controlling and arbitrary powers are such as to make the individual boards of managers merely figure-heads. Our larger cities and counties have many similar

institutions, which are efficiently serving the people without any such involved management as exists in the State Department.

#### ELECTION REFORM.

While we should aim to cut down the burdens of the people, we should not overlook the necessity of keeping control of public affairs and public servants in the hands of the voters but should make it easier, not harder, for the electorate to rule and govern. It is well known that an attempt is being made to destroy the direct primary method for the making of nominations and to return to the old convention system, at least so far as it affects the nominations of candidates for Governor and United States Senator. If the blow now aimed at direct primaries succeeds, it will not be long before the direct primary system is abolished all along the line.

Should these plans be carried out, all the beneficial results achieved by the agitation of this subject during the past twenty years will be lost, and we shall revert to the old system by which a few powerful men, representing great financial interests, will be able to control the nominations of both political parties and elect to high and important offices people who will act only in the interest of these powerful manipulators, whose dummies they will be.

Going hand in hand with this scheme to kill the direct primary system, is the plan to extend the terms of Governors hereafter chosen from three to four years and to so time the gubernatorial elections that they all be held in the same years that the President of the United States is chosen. In that way, State elections would always be mixed up with national elections and the voters would be deprived of the opportunity of settling State policies apart from national issues. If the pending State Constitutional Amendment providing for such a mix-up of State and National elections is passed by this year's Legislature and sent to a referendum election next summer or fall for ratification, I believe the popular sentiment of the State will be powerful enough to kill the proposal and prevent such an Amendment from becoming part of our State Constitution.

In this connection, I urge the repeal of the June Primary law and a return to the tried and satisfactory plan of having the direct primaries in September.

About twenty years ago some political organization leaders, annoyed by the fact that in Assembly Districts independent men were able to beat the organization and obtain the nomination and election to the Assembly, conceived the idea of having the courts decide that the language of the Constitution did not mean the laying out of Assembly Districts and the election of Assemblymen from those districts, but it did mean that all of the Assemblymen should run throughout the county. Our courts decided in favor of this construction and thus, by judicial legislation, gave an interpretation of the Constitution of 1844 contrary to that held by those who adopted it.

The effect of such judicial legislation has been to make it more difficult in our larger counties for independent-minded men to be nominated and elected to the Legislature.

Under the district system any man of standing in his district could easily carry on a campaign by which he would reach every voter in his district and no organization could prevent him from getting nominated. It is impossible, however, for such men to carry on a campaign throughout our larger counties. The expense and other obstacles are too great.

The result has been that the picking out of Assembly candidates in our larger counties has become largely the function of the political organizations and which have every advantage in a contest of this kind.

I propose a Constitutional Amendment restoring the old system of election of Assemblymen by districts.

#### COAL.

Another important matter which I wish to bring to your attention is the question of the anthracite coal monopoly. The industries and the people of New Jersey are vitally concerned with an uninterrupted and cheap supply of anthracite coal. The coal fields being so near our State and the natural supplies of coal in the ground being so far in excess of the needs of the

community for hundreds of years to come, there is no reason why anthracite coal should not be delivered to our people without interruption and at a much cheaper price than has prevailed in recent years.

The anthracite coal business is controlled by perhaps the most odious monopoly that ever arose among a free people. This trust maintains its power by the possession of two privileges: It has acquired control or ownership of ninety-eight per cent. of all the anthracite coal in Pennsylvania, which means the country. It is impossible for successful competition to be set up against the trust, no matter how high the price or how profitable the production of coal, because of the fact that competitors cannot obtain any coal lands. The lands thus owned by the trust are not needed for the production of coal, but have been acquired and are held out of use for the sole purpose of preventing competition and sustaining the monopoly.

The other privilege enjoyed by the trust is that through the related organizations they control all the railroads leading out of the anthracite field. They have driven out practically all of the independent operators through the control of these railroads by discriminating against them in transportation. They have delayed deliveries and charged excessive freight rates and thereby made it impossible for existing coal companies to compete and have compelled them to sell out to the trust, until now the trust controls, directly or indirectly, nearly all of the operating mines. These practices have been brought before the Federal Trade Commission and the United States Court and have been denounced by both parties. The Sherman law has been invoked in vain. To attempt to break up the monopoly by regulation has completely failed. In the meantime the monopoly so grinds down the miners that they, from time to time, are forced into strikes against intolerable labor and living conditions. When this happens the strikers upon one side and the operator on the other, engage in a bitter struggle, production ceases and there is no machinery by which the public interest can be protected.

This is an intolerable situation. Primarily it is the business of the national government but the White House holds that the Constitution renders the President helpless, yet the Declaration

of Independence says that men are endowed by their creator with at least three inalienable rights, "life, liberty and the pursuit of happiness", and that to secure these rights our Government was formed. Surely people are not happy when their little ones are cold or breathing the foul air of coal substitutes or when the illness of their loved ones terminates in death, due to lack of fuel, or when their city must purchase coal substitutes, as mine does, and distribute it by the bag from the fire houses. A bountiful God placed the coal in the earth for the use of man and what a terrible commentary it is upon our Government that a few powerful men who had nothing whatever to do with the placing of it there can snap their fingers in the face of this, which we are pleased to believe is the greatest government on earth.

While this is not primarily a State problem, yet, if forced to do so, it is entirely feasible to work out a remedy by State action.

With the cooperation of New York and Pennsylvania, a tri-State commission could be set up with power to condemn—acting through the State Courts of Pennsylvania—a sufficient amount of lands containing coal to set up competition against the Trust. These lands could be leased on very moderate royalties to operators willing to develop the mines in competition with the Trust. A coal railroad could be then constructed from the mines to tidewater in New Jersey. This plan would absolutely destroy the anthracite coal monopoly and would bring to our people and industries a never-failing supply of coal at a price which it is estimated to be not in excess of ten dollars a ton.

We have precedent for such action in the Camden Bridge, which is being constructed jointly with Pennsylvania, and the Hudson River Tunnel by joint action with New York—the cost of which will be upwards of fifty millions of dollars. The plan I suggest could not reach this sum. The plan to classify the business as a public utility and subject to regulation is impractical. The policy of regulation has completely failed to secure reasonable rates to our people for public utility service, such as transportation, telephone and electric light rates, and there is no ground for belief that it will succeed in this connection.

A government which allows its people to freeze demonstrates its failure as a people's government.

There are other subjects of importance, concerning which it is easy to generalize, but I do not intend to generalize and will deal with these subjects later in special messages to the Legislature as occasion demands. The subjects I have in mind are the protection of the water supplies, education, labor, highways, State expenditures, passenger transportation, public utilities, giant power, agriculture, Constitutional Convention, protection of competitive passenger transportation, crime and the administration of criminal law, and bridge tolls.

#### CO-OPERATION.

In closing may I say that I should be woefully lacking in knowledge of human nature and human values, did I not realize what valuable service you can be to New Jersey; of what incalculable assistance you can be to me, not as an individual, but as Governor of our sovereign State. I need your co-operation and frankly ask for it. I also covet the advice and suggestions of all interested citizens. The Ship of State will sail steadier and farther as the result of common sense views exchanged at the conference table, as the result of conscientious team-work, than it will by intermittent puffs of blatant oratory, acrimonious debates and jockeyings for petty political advantage.

The present Legislature has great opportunity to serve the people. As servants of the people we are neither Republicans or Democrats. In this service, I will take it as a duty to always uphold your hands.

Let me remind you that being neither children nor gods, but men and women, we should lay aside every weight and hindrance unselfishly and acquit ourselves like big, broadminded men and women to the glory of our State and to the advancement of the best interest of its people. God help me, this shall be my aim.