

W. H. Johnson

ANNUAL MESSAGE

OF HIS EXCELLENCY

JOEL PARKER,

Governor of New Jersey,

TO THE LEGISLATURE—SESSION OF 1873.

MESSAGE.

Gentlemen of the Senate and General Assembly:—

I congratulate you upon assembling to commence the duties of legislation. In entering upon the business of the session we should give thanks to Almighty God for the many blessings He has bestowed upon us, and for the general prosperity He has vouchsafed to our State during the past year.

It is the duty of the Governor to communicate to the Legislature, at the opening of each session, the condition of the State, and to recommend such measures as he may deem expedient.

FINANCES.

Among the important subjects demanding consideration is that of finance, and to this I first direct attention.

The following general statement gives, in consolidated form, the financial transactions of the State during the last fiscal year:—

Receipts.

Agricultural College Fund.....	\$6,960 00
School Fund (including special school tax).....	1,256,440 23
War Fund.....	376,000 00
State Fund (including Library).....	780,453 21
Balance in Bank to credit of all the Funds, October 31, 1871	125,830 75
Total.....	<u>\$2,545,684 19</u>

Disbursements.

From Agricultural College Fund.....	\$6,960 00
From School Fund (including distribution of special school tax).....	1,201,681 72
From War Fund.....	375,719 88
From State Fund (including Library)...	859,873 34
	<u>\$2,444,234 94</u>
Balance in Bank to credit of all the Funds, October 31, 1872.....	\$101,449 25

In order to legislate intelligently upon financial measures, the sources of revenue and the objects of disbursement of these several funds should be understood.

AGRICULTURAL COLLEGE FUND.

The income of the Agricultural College Fund is derived from the proceeds of landscrip donated to New Jersey by act of Congress of July 2, 1862, for the benefit of agriculture and the mechanic arts. The sum of one hundred and sixteen thousand dollars was obtained by sale of the scrip, and has been invested in State bonds, which are held in trust by the Treasurer. On the fourth day of April, 1864, the Legislature passed an act directing payment of the interest of moneys resulting from the sale of the landscrip, to the trustees of Rutgers College, to be devoted to maintaining, in the department known as the Scientific School, such courses of instruction as should carry out the intent of the act of Congress. The annual interest thereof, amounting to six thousand nine hundred and sixty dollars, is received by the State Treasurer, and paid by him semi-annually to the trustees of Rutgers College for the purpose before designated. It will be observed that the income and disbursements of this fund are and must continue to be the same in amount.

SCHOOL FUND.

In the year 1816, the Legislature first made provision for a School Fund. During that year it amounted to only fifteen thousand dollars, but in the year 1817 it more than doubled, and has since steadily increased until the value of its investments exceeds eight hundred thousand dollars. The fund is securely loaned, and by constitutional provision the principal and all appropriations to augment it, shall remain perpetually dedicated to free school education, for the equal benefit of all the people of the State.

The securities now belonging to the School Fund are as follows, viz. :—

Bonds secured by Mortgage.....	\$384,313 43
Bonds of Railroad Companies.....	199,000 00
State Bonds.....	67,000 00
City Bonds.....	15,000 00
County Bonds.....	8,000 00
United States Bonds.....	7,000 00
Township and School District Bonds.....	6,000 00
Stock of Railroad Companies.....	35,500 00
Bank Stock.....	10,000 00
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	\$731,813 43

Add balance in Bank to credit of this Fund, October 31, 1872.....	60,377 34
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	\$792,190 77
The State Fund owes School Fund.....	75,000 00
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Total securities and moneys of School Fund, October 31, 1872.....	\$867,190 77

The Governor, President of the Senate, Speaker of Assembly, Attorney-General, Secretary of State, and Comptroller are entrusted with this fund, together with accumulations thereto, for the purpose of investment. By virtue of recent enactments, all moneys arising from the sale and rental of land under water belonging to the State, are required to be paid into the School Fund. From this source, during the last fiscal year, there was received by the School Fund in cash and securities, which were proceeds of such grants and rentals, the sum of one hundred and sixty-three thousand two hundred and ninety-four dollars and sixty-three cents. Should this policy be continued, the School Fund will be rapidly increased. Applications already made for grants and leases, and now under consideration, will produce the interest of a sum larger than that received from this source during the past year.

The cash receipts of the School Fund during the fiscal year (including the special State School tax,) were	\$1,256,440 23
Balance in Bank to credit of this Fund, October 31, 1871.....	5,618 83
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Total receipts in cash.....	\$1,262,059 06
The disbursements during the same period (including the distribution of special State School tax) were..	1,201,681 72
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Balance in Bank to credit of this Fund, October 31, 1872.....	\$60,377 34

WAR FUND.

In the year 1861 the Legislature of this State passed an act entitled "An act authorizing a loan for the purposes of war, to repel invasion, and suppress insurrection, and appropriating the same, and providing for the payment thereof." This was the origin of what is called the War Fund. Under this law bonds were issued to raise money for war purposes. The constitution prohibits the creation of a State debt of more than one hundred thousand dollars, except for purposes of war, to repel invasion or to suppress insurrection, and hence this fund could not be mingled with the State account proper. During the war

the principal receipts of the War Fund were from proceeds of State bonds sold, and the disbursements were principally in payment of moneys to families of volunteers and discharged single men, and for advances to the United States government used in raising and equipping troops. It was found necessary after the war closed, to continue the accounts of this fund separate from all others. Although money is no longer raised for this fund by sale of war bonds, the provision to redeem them as they mature, to pay interest on the war loan, and to defray various expenses growing directly out of the late war, must be continued. The income of this fund is now derived from taxes levied under the annual tax law. A part of the moneys assessed and collected is transferred to the War Fund, and the residue is used for State purposes. From the War Fund the Commissioners of the Sinking Fund draw to pay maturing bonds and interest on the war debt, leaving the residue of the annual receipts of the War Fund to be used to support the Home for Disabled Soldiers, the Soldiers' Children's Home, and for other similar objects. The receipts and disbursements of the War Fund during the last year were as follows, viz. :—

Receipts.

From State tax of 1871.....	\$376,000 00
Balance in Bank to credit of this Fund, October 31, 1871,	2,496 70
Total.....	\$378,496 70

Disbursements.

Paid Commissioners of Sinking Fund....	\$271,000 00
Paid Home for Disabled Soldiers..	49,493 53
Paid Soldiers' Children's Home....	36,975 00
Paid State Military.....	17,565 55
Paid Families of Volunteers.....	221 80
Paid Discharged Volunteers.....	219 50
Paid expenses of Commissioners of Sinking Fund.....	175 00
Paid Gettysburg Cemetery.....	69 50
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	\$375,719 88

Balance in Bank to credit of this Fund, October 31, 1872.....	\$2,776 82
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SINKING FUND.

The act creating the War Fund contemplated a Sinking Fund, but no law authorizing the appointment of commissioners was passed until March 25th, 1864. The distinguished gentlemen who were then

appointed Commissioners of the Sinking Fund have been continued in office through all subsequent administrations, and for a compensation so small as to be considered almost nominal, still discharge their responsible duties. These duties have grown so onerous as to require almost constant attention. The investments of money on mortgage are numerous, and great care in investigating title and ascertaining value of the lands offered in security, is required.

At the close of the fiscal year of 1864, there was in the Sinking Fund less than three hundred thousand dollars. On the 31st day of October, 1872, the securities and money in hand belonging to this fund exceeded a million and a quarter of dollars. The following statement represents the condition of the Sinking Fund at the date last mentioned:—

Securities on Hand.

State Bonds at par.....	\$276,400 00
City Bonds at cost.....	20,240 00
Loans secured by Mortgage.....	906,600 00
Add balance in Bank to credit of this Fund, Oct. 31, 1872.....	56,804 35
Total.....	<hr/>
	\$1,260,044 35

The receipts and disbursements of the Sinking Fund during the fiscal year of 1872 were as follows, viz. :—

Receipts.

State Tax from War Fund.....	\$271,000 00
Interest on State Bonds and Special Loans.....	20,505 37
Interest on Mortgages.....	56,560 82
Mortgages paid off.....	97,000 00
Matured State Bonds, property of this Fund.....	60,000 00
Balance in Bank to credit of this Fund, Oct. 31, 1871....	47,872 16
Total.....	<hr/>
	\$552,938 35

Disbursements.

Paid interest on War Bonds.....	\$171,234 00
Paid principal of matured War Bonds....	99,900 00
Money invested secured by mortgage.....	225,000 00
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	\$496,134 00

Balance in Bank to credit of this Fund, Oct. 31, 1872.....	\$56,804 35
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STATE FUND.

The only remaining topic under the financial head to which I shall at this time call attention, is the State Fund. Through this fund the ordinary monetary transactions of the State are conducted. It demands special consideration, and I will therefore first present, fully, its present condition, its sources of revenue, and the demands upon it for disbursements, and afterwards suggest some measures of legislation through which these increasing demands may be met.

The securities now in the State Fund and belonging to it are as follows, viz. :—

2,887 shares of stock of Joint Companies.....	\$288,700 00
Bond of United Companies.....	500,000 00
Bonds of Joint Companies.....	24,000 00
Bond of Jersey City and Bergen Railroad Company....	10,000 00
Bonds of the several counties for surplus revenue of the United States.....	764,670 44
Total.....	\$1,587,370 44

In the year 1836 there was a surplus of revenue in the treasury of the United States, which by virtue of an act of Congress of the 23d day of June of that year, was distributed among the several States. On the 10th day of March, 1837, the Legislature of New Jersey passed a law loaning the money thus received to the counties in the ratio of the State tax paid by each during the then preceding year. The faith of the several counties is pledged for repayment of the money to the State whenever the same shall be required by the Legislature. In most of the counties the interest of this money is divided among the townships and used towards the support of public schools, and it is not probable that the State will ever demand repayment. If the county bonds for surplus revenue, which appear annually in the Treasurer's report, among the securities in the State Fund, be deducted as not available for the use of the State, there still remain in this fund assets amounting, at par value, to the sum of eight hundred and twenty-two thousand seven hundred dollars that are available, and may be used for any purpose the Legislature shall direct.

The following statement shows the income of the State Fund during the last fiscal year, and the sources whence it was derived :—

Receipts.

Tax on United Companies.....	\$298,129 05
Tax on capital stock of railroads.....	186,164 14
Interest and dividends on stocks.....	79,001 50
Assessments on private acts.....	10,675 00

Insurance companies of other States.....	7,120 60
Pedlars' licenses.....	988 00
Civil commissions.....	697 00
Attorneys and counsellors.....	210 00
Fines and forfeited recognizances.....	2,327 50
Commissioners of Deeds for other States.....	715 60
Earnings of State Prison.....	20,000 00
State taxes (including money for Library Fund).....	174,025 42
Balance in bank to credit of this fund, Oct. 31, 1871....	116,394 38
Total.....	\$896,447 59

Disbursements.

The expenditures for the year from the State Fund (in- cluding money paid Library Fund) amount to.....	\$858,407 21
Balance in bank to credit of this fund, Oct. 31, 1872....	\$38,040 38

The items of disbursement from this fund are so numerous, and for so many different objects, as to forbid insertion here, and you are referred for information in reference thereto, to the very full and lucid reports of the Comptroller and Treasurer of the State, herewith transmitted.

Although there was, on the 31st of October last, a balance in bank to the credit of the State Fund of over thirty-eight thousand dollars, yet, it was indebted largely to other funds. It owed the School Fund sixty-five thousand dollars, being the amount of the annual appropriation to schools out of the State moneys for the year 1872, and also the further sum of ten thousand dollars, an unpaid balance of appropriation of the preceding year for the same object. It was also indebted in the sum of fifty-nine thousand six hundred and eight dollars to the State Arsenal for moneys received by the Treasurer in the years 1868 and 1871 for arms and equipments sold, which sum was by law directed to be placed to the credit of the arsenal, to be expended for the purchase of arms and ordnance for the use of the militia. The liabilities of the State Fund above mentioned are one hundred and thirty-four thousand six hundred and eight dollars, with about thirty-eight thousand dollars of cash in hand to pay upon the same. To the liabilities of this fund should also be added unpaid balances of appropriations of 1871 and 1872 to the new Lunatic Asylum of one hundred and eighty-six thousand five hundred and twenty-six dollars and thirty-nine cents, and also an undrawn balance for State House extension of thirty-four thousand dollars, besides other small appropriations.

This condition of the State Fund is due to the fact that former Legislatures have made large special appropriations without providing

means of revenue to pay them. During the past year there has been paid out of the State Fund for extraordinary appropriations, some of which were voted in former years, more than two hundred and fifty thousand dollars. It is evident that such unusual demands on the treasury cannot be met by the ordinary revenue of the State. It should be remembered that the State Fund no longer receives, as formerly, the moneys arising from the sale or rental of lands under water, and with this source of income cut off, how can it be expected that the Comptroller and Treasurer can meet current expenses and pay large special appropriations unless the Legislature furnish more money to this fund? Your attention is earnestly directed to these facts, that the necessity of promptly making provision to lessen expenditures where practicable, and to increase the revenue of the State Fund, may be understood and realized.

The estimates of the Comptroller prove that this fund will require, for ordinary expenses of the current year and payment of past special appropriations, about the sum of nine hundred and fifty thousand dollars, to which should be added three hundred and fifty thousand dollars for the War Fund, making in all about one million three hundred thousand dollars. The income exclusive of taxes is estimated at five hundred and ninety thousand dollars, and with the annual taxes, which, at the same rate of assessment, will yield a larger sum than heretofore on account of the increased value of ratables returned by the assessors will amount to about one million one hundred and ninety-four thousand dollars, leaving a little over one hundred thousand dollars to be provided for, exclusive of special appropriations that may be voted at the present session of the Legislature.

The practical question now arises, how shall the income of the State Fund be increased so as to meet necessary demands upon it, without imposing additional burthens on the people? Several methods are suggested, to some of which I will now refer, and leave to the wisdom of the Legislature the selection of the most feasible plan. The addition of one-quarter of a mill to the rate of State taxation upon the basis of the last return of ratables would produce over one hundred and fifty thousand dollars, and this amount with a reduction in some items of expenditure would probably be sufficient. But even this small increase in the rate of taxation should not be resorted to, if there be any better mode of relief.

Another plan is to have the moneys hereafter derived from grants of lands under water paid into the State Fund while the large appropriations to the new Lunatic Asylum continue, and until the usual revenue of the State be found adequate. The advanced value of ratables reported by the assessors will, without increasing the present rate of taxation, swell the school tax to such a sum that the loss for a few years of the amount of interest flowing from the riparian moneys would scarcely be perceptible.

Still another mode of accomplishing the object is to pay less of the annual State taxes into the Sinking Fund, and more into the State Fund. The Sinking Fund could spare over seventy-five thousand dollars of the annual tax received by it, and yet be able to pay accruing interest and principal of all war bonds long before they mature. Should the Sinking Fund continue to draw annually from the State taxes a sum equal to the principal of the bonds falling due each year and the interest on the whole debt, it will with the accumulations from its own investments, in about ten years be so large as to equal the amount of all the then outstanding war bonds. The last of the bonds will not be due until the year 1902, and as it is not probable that the holders of such good securities as New Jersey bonds will part with them before they come due, unless at a premium, the question arises, what will be done with the immense sinking fund that would be accumulated in 1883? It would be expensive to manage so large a fund for nearly twenty years. Is it wise to draw from the people by taxation more money than is required to pay the debt as it matures? It should also be remembered that, except in a few counties, the mortgages given to this fund operate as exemption from all taxes of the lands on which they rest, to the amount of the mortgages.

Should it be deemed best to continue to pay into the Sinking Fund so large an amount of State taxes, that part of the eight hundred thousand dollars' worth of securities now in the State Fund not producing over seven per cent. might be directed to be sold, and thus prevent increased taxation.

Special attention is directed to that part of the able report of the Comptroller which discusses the means of increasing the revenue.

Although experiencing temporary inconvenience from unusual drafts on the treasury, caused chiefly by the State House extension, the purchase of a site for and the work of construction of a great public institution, imperatively demanded by an unfortunate class, yet the foregoing facts give an encouraging view of the financial condition of the State. They demonstrate that we have no State debt on civil account, and that it is within the power of the Sinking Fund, without increase of taxation, to pay the entire war debt in about ten years, and with the aid of the available securities in the State Fund, in less than seven years. Our State tax, independent of the two mill assessment for schools, is only one mill on the dollar, and nearly one half of that is used to reduce the war debt.

EDUCATION.

The act to make free the public schools of the State of New Jersey, approved April 6, 1871, has had another year's trial, and in accomplishing the desired result has proved the wisdom of the legislators by whom it was enacted.

PUBLIC SCHOOLS.

Under the former system the support of the public schools depended upon the temper of the annual town meetings, and as this could not be foretold, there was no assurance that the schools would be open any considerable portion of the year. The support given to the schools by the present law is certain and uniform, and therefore they are free throughout the State. During the past year the public schools have been kept open an average of about nine and a half months, which is believed to be more than the average time in any other State. The total number of children between the ages of five and eighteen years, as returned in the school census, is two hundred and seventy-nine thousand one hundred and forty-nine, being an increase in one year of thirteen thousand one hundred and ninety-one. Of these about thirty-five thousand attend private schools. The total enrollment in public schools is one hundred and seventy-eight thousand eight hundred and twenty-six. The number of teachers in the public schools is three thousand and seventy-five, being an increase since the last preceding year of one hundred and forty-four. The value of the school property in the State is estimated at about five millions of dollars. The interesting report of the State Superintendent of Public Instruction will give further information upon this important subject. His statements in reference to irregularity of attendance merit special consideration.

The following gives the amount of money expended in the State for the support of public schools during the last year:—

State School Tax and Appropriations by State.....	\$1,268,803 08
Township School Tax.....	44,467 91
Interest of Surplus Revenue in part of counties (others having used the principal for other purposes).....	31,654 92
District and City Taxes for Teachers' salaries.....	331,673 81
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	\$1,676,599 72
To which add District School Taxes for building and repairing school houses.....	586,470 58
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Total.....	\$2,263,070 30

NORMAL SCHOOL.

The law of April 3, 1872, enacted that the school year of the Normal School should thereafter terminate on the last day of June, and therefore the report of the trustees of that institution embraces but three quarters of the school year. During that time eight hundred and thirty-three pupils have attended the Normal, Model, and Farnum Preparatory Schools, the average daily attendance being six hundred

and forty. Every county in this State was represented among the pupils of the Normal School, and from thirteen other States there were scholars who either paid tuition fees, or pledged themselves to teach in the public schools of New Jersey. At the close of the school year thirty-eight pupils were graduated, nearly all of whom are now teaching in this State.

The Normal School was never in a more prosperous condition. A new course of study has recently been introduced, and the standard of scholarship raised. No part of the appropriation for scholarships made by the act approved April 4, 1872, has been drawn from the treasury, and additional legislation is necessary to carry into effect the provisions of that law.

AGRICULTURAL COLLEGE.

The course of study in the Scientific Department of the College for Agriculture and the Mechanic Arts extends through a period of four years. There is also provision for students who do not desire to take a full course. These receive certificates of the attainment made in the studies they pursue. On those who complete a full course, whether in civil engineering and mathematics or in chemistry and agriculture, the degree of Bachelor of Science is conferred. The students receive instruction that fits them for the practical work of engineers, surveyors, architects, chemists or farmers.

A hall for the use of the Scientific and Agricultural Departments has recently been finished at a cost of sixty thousand dollars, and other buildings are now in course of erection. The experimental Farm, containing nearly one hundred acres, and costing about thirty thousand dollars, is used to test various methods of underdraining, fertilizing, cultivation and rotation of crops. The trustees of Rutgers College are executing the trust committed to them in a liberal spirit, and the people are reaping benefits therefrom without cost to the State. During the year fourteen counties have been represented by fifty-three students.

The Agricultural College should be made to contribute to the efficiency of the State Board of Agriculture which has been organized under a law passed at the last session of the Legislature.

DEAF MUTES, ETC.

During the year there was paid to institutions in other States, for the education and maintenance of the deaf and dumb, blind and feeble-minded belonging to this State, the sum of thirty-six thousand five hundred and ninety-six dollars and thirty-nine cents, which is more than four thousand dollars in excess of the expenditure for the same purposes in the year eighteen hundred and seventy-one. It will be necessary to increase the appropriations for these objects. The

number of these unfortunate children is rapidly increasing, and before many years it will be necessary to provide asylums for them in our own State. When the Soldiers' Children's Home shall have fulfilled its mission the buildings can be used for some of these beneficiaries.

MILITARY.

The Adjutant-General reports that in addition to the other business of his office, he is engaged in compiling a roster history of the men who in the late war enlisted from New Jersey in organizations not connected with this State, and that during the year he obtained the final records of more than one-half of those who enlisted in the Navy and Marine Corps, of all who belonged to the First Veteran Army Corps, of all who joined the regiments of other States, and of a large number of New Jersey Volunteers who have been marked "absent at muster," and had remained unaccounted for on the books of his department.

The official record of Jerseymen in the military service of the country during the Revolutionary War has been published, and the register of soldiers from this State engaged in the war of 1812 and in the Mexican War, is now in course of preparation. The official list of our soldiers in the late war will probably be published before the next session of the Legislature.

Further legislation in reference to State claims for arming and equipping troops for the service of the United States under the law of July 17th, 1861, is expected during the present session of Congress, and the Quartermaster-General will soon be able to adjust and collect the balance claimed to be due this State from the United States.

MILITIA.

The estimated number of males in New Jersey between the ages of 18 and 45, liable to perform military duty, and constituting the reserved militia of the State, is one hundred and twenty-nine thousand five hundred and ninety-two. The active militia force, consisting of fifty-seven uniformed companies of infantry and two of artillery, forms "The National Guard." Six of the ten companies of colored infantry authorized by the law of the last session, have been mustered. The several organizations composing the National Guard have been inspected according to law, and each brigade reviewed by the Commander-in-Chief. The excellent discipline and soldierly conduct of the National Guard is worthy of commendation. To keep the several companies up to the legal standard, considerable expense and much personal sacrifice on the part of officers and men are required. The efficiency of the active military force would be increased, if in addition to the sum now allowed a premium were given to each company that should enroll and parade for inspection and review the maximum number of men allowed by law.

From the report of the Quartermaster-General it will be seen that there are in possession of the National Guard three thousand two hundred and ninety-two stand of arms belonging to the State. The alteration of muskets into breech-loaders, authorized by the act of April 17th, 1868, has not been attempted because of a desire to have the alteration conform to the plan that might be adopted for the use of the army of the United States. A model will be adopted by the United States Ordnance Department, soon after which our muskets will be altered and issued to the National Guard. By virtue of an act of Congress passed in the year 1808, over forty-five thousand dollars in arms or their equivalent are due the State of New Jersey from the United States. This indebtedness to the State, together with the amount in the treasury before referred to, and which was received for old arms and accoutrements sold by virtue of the law of 1868, and by that law directed to go "to the credit of the State Arsenal, to be expended in repairs and alterations, and the purchase of such ordnance and ordnance stores as from time to time may be required for the military service of this State," will probably be sufficient to defray all expenses of arming the National Guard with the breech-loading arm that shall be adopted for the United States service.

HOME FOR DISABLED SOLDIERS.

Among the institutions of the State none deserves more generous support than the Home for Disabled Soldiers. I know of no reason to change the views expressed in my annual message to the Legislature eight years ago, in recommending the establishment of a Soldiers' Home.

In May, 1866, the Soldiers' Home of New Jersey was located at Newark, on lands leased at a small annual rental, on which were commodious buildings which had been erected by the United States and purchased of the general government for a nominal sum. The managers are selected from among the most respectable and public spirited citizens who, without compensation, give their personal attention to its affairs. From careful inquiry and thorough personal inspection I am satisfied that its officers are worthy and competent men, and are conducting it with economy. Great care is taken to prevent imposition. Since its opening the Soldiers' Home has received two thousand three hundred and seventy-six beneficiaries. The average number per day cared for during the last year was three hundred, which is a greater number than it has relieved in any previous year. Disease contracted in the field, and wounds received in battle, do not always disable the soldier at once, but they often undermine the constitution as time progresses. The necessity for the Home still exists. When I visited the institution a number of the inmates were confined to the hospital, and one was in a dying condition. Thirty-eight died during the year.

The beneficiaries are divided into inmates and out-patients. The former being unable in any degree to contribute to their own support by labor, or having no home, are clothed, subsisted, and nursed in the buildings at Newark, and the latter are aided at their homes, by means of a small monthly allowance, which supplements the proceeds of the little work they are able to perform. This serves to keep many a poor soldier from the almshouse, a place in which we should never permit a New Jersey soldier to be found.

This is almost the only State that has made adequate provision for the sick and wounded soldier. The United States undertook to furnish the requisite means by establishing large and expensive asylums, and for this reason the States did not generally act on the subject. Some have recently been obliged to organize State asylums. Unless the national institutions be within reasonable distance of the residence of the soldier, he is practically denied the benefits that flow from them. If he has a family he would prefer remaining at his humble home in poverty and want, rather than be obliged to go to a distant section of the country where he can never see the cheerful countenance of kindred or friend. State institutions for sick and wounded soldiers should be substituted for the national asylums. They can be much better cared for, at less expense, nearer home. I recommend the passage of resolutions by the Legislature requesting our senators and representatives at Washington to favor a law of Congress distributing among the States which sustain Homes for Disabled Soldiers their equitable proportion of the money used to maintain national asylums.

I trust there will be no hesitation on the part of the Legislature in voting appropriations sufficient to enable the Soldiers' Home at Newark to continue to perform its humane and patriotic work.

SOLDIERS' CHILDREN'S HOME.

During the year two hundred and forty children have been inmates of the Soldiers' Children's Home. Of these twelve have been provided with employment in respectable families, and thirty-eight have been removed by guardians or returned to their friends, on arriving at fifteen years of age. On the thirty-first day of October last there were one hundred and eighty-eight children in attendance, which number is twenty-one less than on the corresponding date of the previous year.

On the twenty-seventh day of August last the Board of Managers passed a resolution requesting the Governor to appoint a committee to investigate certain charges that had been published in some of the public journals, implying neglect and improper management on the part of the Directors. Deeming it important to ascertain officially the truth or falsity of the charges in order that if true the abuses complained of might be corrected, or if false that the public mind

might be promptly disabused of erroneous impressions and the Directors vindicated, I appointed a committee of gentlemen of high moral standing and integrity to make such investigation and report the facts with conclusions and recommendations. They immediately entered upon the duty assigned them, and after a patient examination presented an exhaustive report giving the origin and history of the Home, the details of its management, making important suggestions, but entirely exonerating the patriotic ladies who for so many years have devoted their time to this labor of love without remuneration except that which proceeds from the consciousness of duty performed, from all charges and insinuations of wrong motive or improper action. The report gives so many facts which had never been published and cannot be found elsewhere recorded, that I recommend the Legislature to order it printed. The institution is commended to the continued confidence of the State.

OTHER STATE INSTITUTIONS.

The insane of the State demand prompt attention and immediate relief.

LUNATIC ASYLUM AT TRENTON.

The Asylum at Trenton is crowded to such an extent as seriously to interfere with its usefulness. It is impossible to increase the number of patients without destroying its efficiency as a curative institution. The testimony of distinguished men who have made the subject of insanity and its treatment a study, is clear and uniform as to the evil consequences resulting from overcrowded asylums. During the last few years the managers and superintendent of the Lunatic Asylum have frequently directed the attention of the Legislature to the necessity of increased accommodations for the insane, and it is much to be regretted that provision for building a new asylum was so long delayed.

On the 31st day of October, 1871, there were seven hundred patients in the Asylum at Trenton. During the year two hundred and twenty-nine were received, and the same number were discharged or died, so that on the 31st day of October, 1872, there were still seven hundred patients, being two hundred in excess of the proper accommodation of the building.

On the eighth day of May last the Board of Managers passed a resolution requesting county authorities to remove some of the supposed incurable, to make room for the reception of new cases of a hopeful character, but it was found impossible to effect the exchange, and during the months of May and June the number increased so rapidly that in the month of July there were seven hundred and sixty-two under treatment. Many of the sitting-rooms were filled with beds so near each other as scarcely to admit passage room between them, and

all the wards and apartments were so crowded as to interfere with the discipline and care indispensable to the proper management of such an institution; and, under these circumstances, the managers were under the necessity of adopting a resolution to refuse the further reception of patients. This they did with great reluctance, and not until all other means of relief had failed.

Much time must necessarily elapse before the asylum building at Morristown will be ready for occupation, and the important and perplexing question now presses itself upon us, how to provide for new cases that require immediate treatment. The mind will often be restored to reason if skillfully dealt with in the early stages of insanity, but if neglected the disease becomes chronic.

Some of the counties are preparing temporary accommodations, while in others no provision has been made, nor is any contemplated. The consequence is that many of this unfortunate class of persons are suffering from want of skillful treatment and suitable accommodations, and some in the violence of derangement are putting human life in jeopardy.

It is evident from the foregoing that it is the imperative duty of the Legislature to take prompt action on this subject. It has been suggested, by some, that pay patients might be removed by their friends to asylums in other States; but this, in a majority of cases, cannot be done. Other institutions of a similar character are full, and even if room could be found the opportunity of removal could not be embraced because of the inability of friends, in many instances, to pay the increased price. A large number of pay patients now in the asylum would be in the indigent class were it not for the self-denial of those interested in their welfare, and the low rates of compensation fixed in such cases. Under these circumstances to require them to leave our asylum would be cruel in the extreme.

Attention is directed to the report of the committee on this subject, made to the last Legislature, and I recommend that one of the plans therein suggested, whereby accommodation can speedily be furnished for two hundred new patients, in connection with the present asylum building at Trenton, at comparatively small cost, be adopted. Should you not coincide with the views expressed by that committee, temporary buildings should at once be provided by the State for all the insane who may be neglected by the counties.

Since the opening of the Lunatic Asylum on the 15th day of May, A. D. 1848, the number of patients who have been received and cared for is four thousand two hundred and seventy, of whom two thousand seven hundred and eight have been discharged, recovered or improved. The superintendent and some of the managers have been connected with it from its organization, and it is but justice to them to state that no similar institution has been more economically conducted or has achieved greater success. The superintendent has devoted twenty-five years of his life to an important and most difficult work, and by pro-

fessional ability, integrity and conscientious discharge of duty, has brought happiness to thousands of households, and reflected honor on the State. Neither he nor the managers of the asylum are responsible for the present emergency.

The treasurer reports the receipts and expenditures for the last fiscal year as follows, viz:—

Receipts.

From State Treasurer.....	\$ 32,789 11
From County Patients.....	130,280 26
From Pay Patients, &c.....	33,283 53
Cash in hand October 31, 1871.....	5,490 07
	<hr/>
	\$201,842 97
Expenses.....	\$192,950 01
Balance in hand October 31, 1872.....	<hr/>
	\$8,892 96

ASYLUM AT MORRISTOWN.

The commissioners having in charge the erection of the Lunatic Asylum at Morristown, report that title to all tracts of land necessary for the use of the institution has been perfected; and that the conveyances to the State include about four hundred acres, purchased at an expense of about seventy-eight thousand dollars. The plan of the building adopted by the commissioners is designed to accommodate six hundred patients. The entire length of the structure will be twelve hundred and forty-three feet, and the depth from the front of the centre to the line of the rear of the extreme wings, five hundred and forty-three feet. The stone used for the exterior walls is granite, quarried on the premises, and brought to the site of the building by means of a gravity railway, and the interior walls will be of brick burned on the ground from clay taken from the excavations for foundation. No wood partitions will be allowed. The details of the plan will be found embodied in the report. A railroad from Morris Plains station to the grounds has been built. This will expedite the construction and lessen the cost of the building, and after the completion of the asylum be of great advantage to the State.

The site for this asylum is perhaps the best that could have been selected. It is near the centre of the population of the State, in a healthy neighborhood, and on elevated ground, commanding a magnificent view. To these advantages is added a supply of pure water from springs which rise on the premises one hundred and fifty-four feet above the level of the first floor of the building, and which even

in a dry season are capable of furnishing over two hundred thousand gallons per day.

The commissioners have labored diligently and with great energy to advance the construction of the building, and when, by reason of the failure of the Legislature to provide moneys to meet the appropriations that had been made, work was about to stop, they raised the necessary amount, in part upon their individual credit, and also from an advance of taxes by the Delaware, Lackawanna and Western Railroad Company, made with my approval, so that there should not be any delay. I have no doubt that the commissioners will strive to finish the asylum building at the earliest possible period.

STATE PRISON.

The question of penal and reformatory treatment of those who are deprived of their liberty by reason of the violation of criminal law, is now attracting the attention of philanthropists in all enlightened nations. In July last an International Congress on the subject was held in the city of London, composed of delegates from Great Britain, nearly all the governments on the continent of Europe, many in South America, twenty-two States of our Union, and from many prison and reformatory associations of England, Ireland and Scotland. The discussions, which were conducted in the English and French languages, were very able and interesting. The State of New Jersey was represented in that Congress by two delegates, who attended at my request. They have made a report of the proceedings, which contains much that is valuable to those whose province and duty it is to legislate on this subject, and I recommend its publication.

The average number of prisoners in the New Jersey State Prison during the year was five hundred and twenty-seven, and at the date of the keeper's report, five hundred and fifty-three. The discipline of the prison is excellent, and its financial management extremely satisfactory. For the first time in many years a surplus of earnings has been paid into the State treasury. The salaries of officers, repairs, and some other expenses have, however, as heretofore, been paid directly by the State, and do not enter into the Supervisor's accounts. It is believed that under the present management, with contracts for labor of convicts more favorable to the State, the prison will in future be made entirely self-sustaining.

The International Congress at London expressed the opinion that while the great object of penal codes is the protection of society, the moral regeneration of the convict should be a primary aim in prison discipline, and to attain this, rewards of good conduct are necessary. For over four years this principle has entered into the prison system of this State, and its beneficial effects are apparent. Experience proves that nothing has contributed so much to induce industry and uniform orderly deportment of prisoners as the law of 1868, which authorizes

remission from the term of sentence for faithful performance of assigned labor, orderly behavior and self-control. This policy places before the convict the most powerful incentive to good conduct that can appeal to his nature.

The Congress also resolved that government should establish a means of aiding discharged prisoners to procure employment. In this respect our law is deficient. Doubtless many a convict not hardened in crime and sincerely penitent, resolves in the desolate hours of his confinement to lead a better life when he shall be restored to liberty, but when released, finding himself without money, deprived of the aid of friendly counsel and unable to obtain work, he yields to temptation and relapses into a life of crime. It is the duty of the State to prevent this by establishing an agency to procure employment for newly discharged convicts. By this means many a man would be rescued from infamy, and many a dollar be saved to the public by the prevention of criminal offences.

The officers of the prison are unanimous in the opinion that a room where public religious services can be held is needed. With the present arrangement the preacher does not see his hearers nor do they see him. Under such circumstances there cannot be that sympathy between speaker and audience which is calculated to affect the heart and produce conviction. Human government has not the right to add to the punishment of criminals deprivation of means of religious instruction.

REFORM SCHOOL FOR BOYS.

The Reform School for Boys was opened in July, 1867. Over three hundred youth have been subjected to its discipline, and at the same time have received religious training and secular instruction. It is gratifying to know that many of those who have been discharged have become respectable and useful members of society, and are giving the best evidence of a reformed life. The deportment of the boys is good. Although not restrained of their liberty by walls or inclosures, they remain upon the premises, apparently happy, working cheerfully, improving the mind by study of those branches of education that will fit them for business, and receiving that moral training which is calculated to make them respectable citizens.

The good that must result from this institution is beyond human computation. It is both a reformatory and a noble charity. It takes unfortunate youth who have been driven to petty crime by neglect of parents, or the bad example of wicked companions, and while the heart and conscience are tender and pliant, appeals to their better feelings, makes them realize that they are responsible beings, endowed with all the attributes of manhood, capable of leading virtuous lives and of attaining positions of influence and respectability, and in a majority of cases reformation is complete. The trustees, superintendent and his family, and the teachers are necessarily subjected to much

care and many trials in the oversight and management of wayward boys when first committed to their keeping, but in the midst of arduous and sometimes annoying duties, they have the consolation of knowing that they occupy a field of labor in which so much can be done to elevate human character and benefit society.

The new family building authorized by the act of March 23, 1871, has been completed and nearly furnished, at a cost within the appropriation. It is used in part as a workshop for the younger boys; who are engaged in caning chairs. It is in contemplation to introduce instruction in other trades as soon as suitable apartments can be prepared. If the number of inmates continue to increase as rapidly as during the past year, another building on the family plan will soon be needed. On the 31st day of October last the number of boys at the Reform School was one hundred and twenty, being thirty-two in excess of the number at the close of the year immediately preceding. The finances are well managed, and the business conducted as economically as possible; but with increasing numbers and corresponding increase of expenses of board and clothing, an appropriation somewhat larger than heretofore must be made, if we expect to maintain the efficiency of the institution.

INDUSTRIAL SCHOOL FOR GIRLS.

An Industrial School for neglected, wayward and criminal girls has been opened within the past year. Convenient buildings and grounds have been leased in a secluded spot near the city of Trenton, where, on the 31st day of October, 1872, there were seventeen young girls well cared for and instructed. They are employed in making their own clothing, and assist in sewing for the Boys' Reform School. The lease of the property is for a short term, and some action should soon be taken preparatory to procuring a permanent location.

GEOLOGY.

New Jersey is rich in mineral wealth, and the Geological Survey has done much to develop it. The labors of the State Geologist during the past year have been directed principally to the iron ore region, in exploring for new mines and examining extensions of former openings. Valuable maps of the mining country have been prepared.

The iron mines in this State are now more extensively worked than at any former period. The high price of iron, the great demand for it, the excellent quality of the ore found in New Jersey, and the completion of new lines of railroad communication have contributed materially to increase the production. The State Geologist estimates the production of all the mines for the year at six hundred thousand tons of ore, which, at five dollars per ton at the mines, amounts to three millions of dollars.

The boundaries of the State of New Jersey, except on the north, are upon sea or river. The north line is not defined by a natural boundary. Over a century ago the boundary between New York and New Jersey was settled by those States to be a straight line beginning on the west bank of the Hudson river, at forty-one degrees north latitude, and having its western terminus at the junction of the Navesink river with the Delaware. Commissioners appointed by each State in the year 1774 traced the line and set stone monuments at the end of each mile, but the result of their work was not recorded in this State. Some of these monuments are down and lie near the places where they once stood, and others are gone. The line as now pointed out is crooked, which fact proves that it cannot be the true boundary. In view of the value of the neighboring lands, and the important question of State jurisdiction which may arise from uncertainty of boundaries, the managers of the Geological Survey have directed the State Geologist, "whenever the means shall be provided, to have the line, as marked by its monuments, surveyed and described, the latitude and longitude of its western end determined, and proper computations made, so as to show the true relations of the monuments to a right line between the two extremities." After the facts are ascertained by survey and reported, it may be necessary to request the authorities of the State of New York to take some action jointly with us to have the line as agreed upon originally again run and marked, in order that a true record of the boundary can be made in both States.

This appropriation of twenty thousand dollars for the Geological Survey, made four years ago, is now exhausted. No work of equal extent and importance has ever been done at less cost. The members of the board have never received compensation, and have not taxed the State even with their personal expenses. The State Geologist and his assistants have labored faithfully for small remuneration. The survey has added millions to the wealth of the State. I recommend that the amount of the former appropriation be continued for four years longer.

WEIGHTS AND MEASURES.

From the accompanying report of the Superintendent and Inspector of Weights and Measures it appears that progress has been made in executing the law of March 25, 1872, under which he was appointed, and that all the provisions of the law will be carried into effect during the current year. The report contains much valuable information, and I refer you to it for details.

STATE LIBRARY.

The number of volumes in the State Library is eighteen thousand four hundred and seven. The increased appropriation made by act of March 13, 1872, will enable the commissioners to add many valua-

ble works to the Library. By authority of a joint resolution passed at the last session, two hundred and forty-eight volumes of miscellaneous books were forwarded by the Librarian to the Home for Disabled Soldiers.

The "Record of the Governor and Council of East Jersey, from 1682 to 1703," the "Minutes of the Council of Safety of New Jersey, 1777," and the "Journal and Votes of the House of Representatives of New Jersey, 1703," authorized to be published by act of 1871, have been printed and delivered to the Librarian, who has sent one copy of each work to the several State Libraries, and to each of the college and public libraries of New Jersey. It will be necessary to provide for the distribution of the remaining volumes.

The act of March 29, 1872, appropriated the sum of three thousand dollars, to be expended under the direction of the New Jersey Historical Society, to procure copies of Colonial documents, papers, and minutes of Council, directly referring to the provincial and colonial history of New Jersey from the State Paper office in the city of London. In the month of May, the Historical Society appointed a committee to procure for the State Library, and for publication, copies of all the public documents, of which the State has now no record, relating to the history of New Jersey prior to the year 1776. The committee promptly secured the services of a gentleman residing in London, who had ready access to the public archives in England, and who had made researches for the Historical Society. For several months copyists have been employed in transcribing, and before the Legislature adjourns the complete annals of New Jersey legislation prior to 1776, together with copies of many other documents, will probably be received. A sample sheet of the work has been forwarded, and may be seen in the State Library. The appropriation already made will not be sufficient to procure all the documents necessary to complete the history of that early period. It is important that all papers that shed light on our early history be examined and copies thereof procured. Questions involving State boundary and jurisdiction sometimes arise which ancient documents alone can solve.

RIPARIAN COMMISSION.

The Riparian Commissioners have acted upon a number of applications for grants or leases. The total principal sum paid or secured during the year as compensation for grants of land under water belonging to the State, including that authorized to be made to the New Jersey West Line Railroad Company, by act of the Legislature, is one hundred and forty-nine thousand eight hundred and seventy-five dollars. In addition to this the rental of lands leased equals the interest of thirteen thousand dollars. All the moneys and securities received from this source have gone to the School Fund. A part of the above amount was paid to the treasurer after the close of the fiscal year.

The final papers in a number of cases that have been acted upon are not completed, but will probably be ready for delivery during the present year. The principal of the grants and leases applied for, acted on and waiting consummation (assuming as principal in case of leases the sum which would produce interest to amount of annual rental fixed,) is four hundred and thirty-seven thousand three hundred and thirty-five dollars. In some of the cases it is not known whether a grant or lease will be taken, and therefore it is impossible to state with certainty how much of the last mentioned amount will be cash or its equivalent, and how much will be represented by rental.

By an act of the Legislature, approved April 4th, 1872, a portion of the land under water in Communipaw bay was granted to Jersey City for public uses upon the payment of such compensation as the Riparian Commissioners should determine; and under that act the commissioners, in consideration of the public purposes for which the property was to be used, and the benefits that would result to the people of other sections of the State, as well as to the inhabitants of Jersey City, by the construction of large public docks at so important a commercial centre, fixed as compensation the small sum of one thousand dollars to be secured by a bond, as an equitable sum for the grant. At the date of the commissioners' report the authorities of Jersey City had not taken final action on the subject.

The engineer's map, which accompanies the report of the commissioners, gives the exterior pier line in that part of Hudson river near Castle Point, as recently extended and straightened to accommodate the increased length of ocean steamers of a new line about to harbor on the New Jersey side of the river. The length of the vessels will be four hundred and seventy-five feet, and as the space between the line of solid filling and the line for piers established under the law of 1864 was at the point referred to only four hundred feet, the aforesaid action of the commissioners was necessary to the accommodation of an important transatlantic line, which will be the seventh steamship line engaged in European trade using the water front of New Jersey. This change of pier line does not interfere with the exterior line, nor does it obstruct in the slightest degree the navigation of the river, which at that place attains the greatest width.

PILOTAGE.

The New Jersey pilots have piloted in and out the harbors of New York and Jersey City, during the year, two thousand three hundred and seventy vessels, of which two hundred and ninety were steamships. Nine hundred and eight of these vessels were spoken on "off-shore ground." The law of 1855, which makes provision for extra compensation for such hazardous service, has been found beneficial to the interests of commerce.

The pilots have from time to time reported observations of lights on the coast for the information of the United States Light House Board.

FISHERIES.

The Commissioners of Fisheries recommend that laws be passed to prevent the taking of fish by poison, the explosion of cartridges of giant-powder, or by any other enginery of destruction, and recognizing the seine, line and spear as the only lawful modes of taking fish from the waters of this State.

A quarter of a million of salmon spawn have been procured without expense to the State, for the purpose of stocking our rivers with that delicious fish. It is believed that salmon will thrive in our waters. They are more vigorous and less timid than shad, and the dams which cross many of our rivers will not be an insurmountable obstacle to their ascending the stream.

Experiments in other States prove that rivers can be replenished with shad by means of artificial propagation. On the fourth day of April last the Legislature of this State passed an act appropriating the sum of three thousand dollars for the purpose of propagating shad in the river Delaware, to be expended under the direction of the Commissioners of Fisheries, provided the Legislature of the State of Pennsylvania should appropriate a like sum for the same object. Pennsylvania having failed to pass a similar law the money has not been drawn. The increase of this valuable fish, even to the number formerly found in that river, would cheapen food and give employment to thousands of our people.

During the last fishing season the fish-wardens were zealous in the discharge of their duties. Through their exertions fish-baskets, racks, brush-weirs, and other fixed means of catching fish have almost disappeared from this side of the river. They report the catch of fish larger than that of the previous year. They found very little opposition to the fishing laws among our own people, but some were resisted in the execution of those laws by a few residents of Philadelphia, who with violence assaulted the officers sent to arrest them. Efforts have been made to bring to justice the guilty parties.

It is hoped that the Legislature of Pennsylvania will, at its present session, pass such laws as will aid New Jersey in protecting and augmenting the common fishing interest of the two States in the Delaware. As the city of Philadelphia is the market to which nearly all the fish caught in that river are taken, it would seem to be the true policy of her people to use their influence to have an efficient code of fishing laws in each bordering State.

In the month of May last I received information that twenty-two citizens of New Jersey, while engaged in fishing in the river Delaware east of the middle thereof and nearly opposite the boundary line of the counties of Salem and Gloucester, were arrested and taken as

prisoners out of this State. Upon obtaining an authentic statement of the facts from the fish commissioner, who resides in the southern part of the State, from which it appeared that the fishermen were arrested by persons claiming to be officers acting under authority of laws of the State of Delaware, and that they were arraigned before a magistrate in the city of Wilmington charged with the violation of the fishing law of Delaware, by fishing in the locality before mentioned without the license of that State, I issued a proclamation claiming for the State of New Jersey jurisdiction over the river east of the middle line, declaring that persons conforming to the fishing laws of this State have the right to fish there, and warning all persons not to arrest any citizen of New Jersey within her jurisdiction unless by virtue of her lawful process. This prompt action by proclamation was taken because the arrests had interrupted and threatened to destroy the business of a large number of our citizens who were accustomed to pursue the avocation of fishing in that part of the river, and whose livelihood depended upon their uninterrupted enjoyment of the fishing season. Otherwise I would have opened a correspondence with His Excellency the Governor of the State of Delaware before issuing a proclamation.

On the day that my proclamation issued I wrote to the Governor of Delaware and enclosed a copy. A correspondence followed, which with my proclamation before referred to, are herewith submitted. It will be seen that His Excellency Governor Ponder claims for his State exclusive and paramount jurisdiction over the waters of the Delaware river to low water mark on the eastern side, within a circle, the radius of which is twelve miles as measured from New Castle as a centre, and also the right to demand and collect a license fee for fishing therein. My absolute denial of the legality of this claim and the reasons given to sustain the position taken in my proclamation, are fully stated in the correspondence.

It is not my purpose, nor would it be proper under the circumstances, to discuss in this communication to the Legislature the questions at issue. Subsequent to the correspondence and growing out of the same, I had a conference with His Excellency, the Governor of Delaware, at which the Attorney Generals of both the States were present, and which, after a free interchange of views, resulted in an agreement that no further arrests should be made under the fishing law of Delaware east of the middle of the river, and that we would recommend to the Legislatures of our respective States the appointment of commissioners to agree what the jurisdiction of each State should be in the Delaware, the soil and islands thereof, and the right of each to the products thereof, the same to be valid if confirmed by the States. I therefore recommend that an act be passed as speedily as possible, providing for the appointment of three commissioners on the part of the State of New Jersey to meet a similar commission to be appointed on the part of the State of Delaware, for the purpose aforesaid. It is hoped that a settlement of the question will soon be

consummated, in a manner satisfactory to the people of both States, and that the friendly relations that have always existed between them will be continued.

CONSTITUTIONAL AMENDMENTS.

The present constitution of the State of New Jersey was adopted nearly thirty years ago. The convention by which it was framed was composed of able men, among whom were many distinguished jurists, and the work which came from their hands was thought to be as good as human wisdom could devise; but experience proves that with increasing population, wealth and enterprise, and with new subjects of legislation constantly arising, some amendments to our organic law are needed.

It will be admitted by all reflecting persons that there should be such radical reform in our system of legislation as cannot be secured under the present constitution. The necessity of providing every possible safeguard to secure the Legislature against imposition is obvious, if we consider that when an act has been certified as passed, by the signature of the presiding officers of each House, approved by the Governor and filed in the office of the Secretary of State, it becomes law, the exemplification of which under the Great Seal of the State is conclusive evidence as to its existence and contents, and that no evidence to prove that the act signed varies from the act voted upon is admissible in a court of law. So important are the interests affected by legislation, that in view of the decision of our Supreme Court on the subject we owe it to the public and to the fair fame of the State that such constitutional checks should be provided as will prevent the possibility of fraud or interpolation.

Haste in legislation is a great evil which requires correction. The brief session to which the Legislature is now virtually limited by the constitution, does not give opportunity for the proper consideration of the business which under the present system is brought before it. If all bills were presented on the first day of the session the time would scarcely suffice, but a large majority are introduced at so late a period that it is impossible even to read them with the deliberation necessary to a full knowledge of their contents, much less to discuss their provisions. That part of our constitution which limits the pay of members of the Legislature to a mere pittance after the period of forty days is unwise as well as a standing imputation upon the honor of the representatives of the people in every Legislature that assembles under it. It should be stricken out, and a reasonable annual salary paid, without limit as to the duration of the session. If legislation be necessary, sufficient time to deliberate and act understandingly should be given. Either the session should be longer or the business less.

But this is not the only or the most important change required to

prevent hasty legislation. Other amendments to the constitution may be made that will enable the Legislature thoroughly to examine and discuss every measure brought before it, without extending the session beyond the period heretofore usual in this State. The constitution should require general laws, and forbid the enactment of all special or private laws embracing subjects where general laws can be made applicable. This would dispense with at least nine-tenths of the business brought before the Legislature under the present system. The general public laws passed at the last session are contained in about one hundred pages of the printed volume, while the special and private laws occupy over twelve hundred and fifty pages of the same book. If made comprehensive and liberal, why should not cities, towns, corporations of all kinds, and associations of individuals organize and act under general laws? Those heretofore passed in this State have not answered the desired object because the constitution permits special legislation on the same subjects, and so long as this is permitted there will be those who will seek such legislation.

Should it be deemed advisable not to provide for general laws, haste in legislation could be prevented by a constitutional amendment requiring the preamble of every private or special bill containing the substance of its important provisions to be published, and the bill itself filed in the office of the Secretary of State, for public information on or before the first day of the session; and providing further that if a bill pass without these requirements having been observed, it shall be held void, and of no effect by any court of competent jurisdiction before which its validity shall be questioned, upon certificate of the Secretary of State that the same was not filed as above stated in his office. This would give employment to the Legislature at the commencement of the session, enable each member to inform himself of the contents and ascertain the merits of each bill before being called upon to vote upon it, and prevent the sudden introduction of important and exciting measures near the close of the session when pressure of business necessarily prevents due consideration. All efforts to confine the introduction of bills to the early part of the session by means of statutes or rules of the Houses, which can be repealed or suspended, are fruitless. A constitutional amendment such as I suggest would prove effectual. It would be attended with incalculable good, and little or no evil could result, for it is not probable that occasion would arise after the Legislature convened for the passage or amendment of a private or special law, the necessity for which would not previously be known, and which could not without prejudice be postponed for a year.

There are other evils besides that of hasty legislation that might be cured by an amended constitution. The power of cities and other municipalities to contract debts should be limited. A court having special and exclusive jurisdiction over all cases of condemnation of lands and assessments for improvements should be provided for. In

acts to amend existing laws, the section or sections to be amended should be required to be inserted. No law should be permitted to take effect until the expiration of a reasonable fixed time after the close of the session in which it is passed, unless in case of emergency, which emergency should be expressed in the bill, and determined to exist by the recorded votes of at least two-thirds of the members of each House.

It would also be well to provide for the system of minority representation in the General Assembly.

If general laws be not required, and special laws be allowed, the constitution should be so amended as to prohibit and declare void all acts that shall pass which are included in the following classes of legislation, viz. :—

Acts which purport to make irrevocable grants of special privileges or immunities to individuals or corporations.

Acts that violate the principle of equal and uniform taxation, by exempting property of individuals or corporations (except that always exempted by the general tax law) from State or local taxes of any description which the people at large are required to pay; or by prescribing a rule of assessment different from the general rule, and making discriminations as to the subjects of taxation.

Acts chartering railroad, turnpike or transportation companies, that do not require the rates of travel or transportation to be uniform, and which allow differential rates that tend to build up one city or section of the State to the injury of another.

Acts authorizing a municipality to tax the people for subscriptions to the capital stock of railroad or turnpike corporations, or for donations or loans of its credit thereto.

Acts which appoint and authorize persons named therein, and not chosen by the people, to project and construct public improvements, or exercise governmental power in a city or other municipality.

Should you concur in the views herein expressed, and desire to incorporate any of them, or any others that may suggest themselves, in the organic law of the State, two modes of effecting the object exist. An act may be passed providing for the election of delegates to a convention to prepare a constitution for the government of the State, and for submitting the same to the people for ratification or rejection; or specific amendments may be proposed and referred to the next Legislature, to be submitted to the people in accordance with Article IX of the present constitution. An objection to the latter mode is that in the haste attending a short session, with the minds of the members engrossed by other business, some needed changes may not be provided for, and the amendments proposed may not be maturely considered and digested. To obviate this objection a bill

could be passed during your session authorizing the appointment from each Congressional District of two persons, who shall be members of different political parties, to meet soon after your adjournment, and in open session consider, prepare, and put in proper form such amendments to the constitution as they may deem necessary, and report them to the next Legislature. The press would doubtless print their proceedings, opportunity would be given to the people to discuss the various changes proposed, and when the Legislature convened the members would be prepared to act with due deliberation and in accordance with the views of their constituents.

The time is favorable for a calm consideration of this important subject. If action be now taken, no exciting political canvass to inflame or prejudice the public mind will intervene before the completion of the work.

NATIONAL CENTENNIAL.

The one-hundredth anniversary of American Independence will be celebrated in the city where the immortal Declaration was adopted and first proclaimed, by an International Exhibition of arts, manufactures, and products of the soil and mine. This is a fitting mode of demonstrating the wonderful progress of the country in the first century of its existence under a republican form of government.

The people of New Jersey should feel and manifest a deep interest in this celebration. On her soil the decisive battle of the Revolution was fought. Her sons, amid much privation and suffering, by their wisdom and valor, displayed both in council and on the field, contributed vastly to the success of American arms, and the establishment of national independence. We who enjoy the fruits of the patriotism and courage of those who laid the foundations of our government, should express our gratitude by taking a conspicuous part in commemorating the memorable event which gave birth to the nation.

CONCLUSION.

The events of the last year demonstrate that the exciting questions growing out of the war are settled. The recent amendments to the Constitution of the United States are everywhere recognized, accepted and obeyed as the law of the land. The representatives of the great opposing political parties of the country, in national conventions assembled, have so declared. That these topics are removed forever from the arena of discussion is cause for congratulation. Opportunity is now given to direct the public mind to a living question of vital interest, which involves the constitutional relations between the general and State governments.

Our country is rapidly growing in population and wealth. Her system of government is the best ever devised; but, with all its advantages, it is subject to peculiar danger. This danger springs from a

prevailing disposition to ignore the true line of demarcation between Federal and State jurisdiction. The peril increases as the domain of the country is extended, and the already large patronage of the general government accumulates, so that it is most threatening and most to be feared in the hour of the nation's greatest apparent prosperity and power. Propositions urged upon Congress to inaugurate a vast system of public improvements, and to vest in the general government the control of the railroad and telegraph lines throughout the country, involving the expenditure of an immense amount of money and the employment of hundreds of thousands of operatives, whom circumstances would necessarily subject to powerful influence; together with interference in the determination of elections contested between candidates for State offices, which is peculiarly a subject for the decision of State tribunals, prove that there is a growing tendency toward centralization. While yielding to the general government all power and jurisdiction delegated by the constitution, we should not hesitate to raise the voice of protest against any infringement of the clearly reserved rights of the States, if we would preserve unimpaired the system created by the founders of the Republic, and transmit to posterity the blessings of free government.

JOEL PARKER.

EXECUTIVE CHAMBER,
TRENTON, N. J., Jan. 14, 1873. }