

VETO MESSAGES

OF

Hon. Edward I. Edwards

Governor of New Jersey

TO THE LEGISLATURE—SESSION OF 1922

TRENTON, N. J.

MACCRELLISH & QUIGLEY CO., STATE PRINTERS.

1922

VETO MESSAGES

OF

Hon. Edward I. Edwards

Governor of New Jersey

TO THE LEGISLATURE—SESSION OF 1922

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

TRENTON, N. J.
MACCRELLISH & QUIGLEY Co., STATE PRINTERS.

1922

VETO MESSAGES.

SENATE BILL No. 8.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 15th, 1922.

Senate Bill No. 8 is returned unapproved principally because it creates officers which I regard as unnecessary, viz., a budget director and two assistants.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

SENATE BILL No. 47.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Assembly Committee Substitute for Senate No. 47. This is a measure to extend Route No. 2 of the State Highway System by adding thereto a spur extending from the property line of the Tacony-Palmyra Ferry Company to the Burlington Pike at Five Points, a distance, I understand, of about a mile and a quarter. I am unalterably opposed to any extension of the State Highway System. I think the State has already taken over mileage enough to deal with for many years to come.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

SENATE BILL No. 64.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 14th, 1922.

Senate Bill No. 64 is one of a series of three bills (Nos. 64, 65 and 66) intended to abolish boards of managers of various

county institutions in counties of first class in this State, and to restore to the board of freeholders of such counties complete control over these institutions. I am informed that the board of freeholders of Essex county is not in agreement with the boards of managers of institutions located there. These measures, of which Senate Bill No. 64 is one, constitute legislation which I think is wrong in principle, being of a "ripper" character, and for which reason I have vetoed other measures at this session. For that reason I have withheld my approval of this bill.

Respectfully,
EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,
Secretary.

SENATE BILL No. 65.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT, }
March 14th, 1922. }

To the Senate:

I return Senate Bill No. 65 for the reason stated in the disapproval of Senate Bill No. 64.

Respectfully,
EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,
Secretary.

SENATE BILL No. 66.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT, }
March 14th, 1922. }

To the Senate:

I return Senate Bill No. 66 for the reason stated in the disapproval of Senate Bill No. 64.

Respectfully,
EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,
Secretary.

SENATE BILL No. 72.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 6th, 1922.

I return unapproved Senate Bill No. 72. This measure is an amendment of the act creating the Department of Labor.

In my judgment this is simply a camouflaged attempt to validate a promotion and increase in salary of the two persons affected, independently of the Civil Service Commission.

If the beneficiaries of the act desire a different designation from that now held by them and an increase in their compensation, they should present their cases to the Civil Service Commission.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

Secretary.

SENATE BILL No. 105.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 14th, 1922.

Senate Bill No. 105 is returned unapproved. It is popularly known as the Full Crew Repealer. The effect of this measure is to shift from the railroad companies operating in this State the burden of applying to the Public Utility Commission for a reduction in the number of a trained crew under chapter 94, P. L. 1917, and place upon either the Public Utility Commission or others who may be interested in preventing such reduction. I take it, it is the purpose of the railroad companies, if this bill becomes law, to reduce the size of train crews. Relief, of course, from such action may be obtained under the bill by application to the Utility Commission. But it is hardly necessary to point out that the burden of proof will no longer be upon the companies but rather upon the men who have been dismissed. Pending the determination of the propriety of the reduction the companies will operate with the reduced number. That means, of course,

during the period consumed in a hearing before the Public Utility Commission and judicial review of any order made by it.

I see no good reason for this change in the law. As it now stands, full opportunity is given the railroad companies under section 3 of chapter 94, P. L. 1917, to apply to the Public Utility Commission for a reduction in the size of any train crew and that is all this bill accomplishes other than to shift the burden of

934 proof and to place the obligation to initiate the proceeding upon someone other than the companies.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

SENATE BILL No. 147.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 14th, 1922. }

Committee Substitute for Senate Bill No. 147 is returned without approval. This measure amounts to a practical revision of the act passed last year creating the State Police and authorizes a considerable increase in the size of the force. If enacted, it will mean an additional expenditure of about \$100,000, I am informed. Aside from any question of principle involved in the creation of the State Police, it is my judgment that the Department should continue for a considerable longer period than one year before any attempt is made to substantially increase it. It is still in the experimental stage and it may be found later that it can furnish all required service with its present force.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

SENATE BILL No. 211.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 7th, 1922.

Senate Bill No. 211 is returned herewith without approval. The effect of this measure is to carry Routes Nos. 3 and 6 of the State Highway System through the city of Camden to the approach therein of the bridge proposed to be constructed over the Delaware river by the State of Pennsylvania and this State.

I am opposed to any extension of the State Highway System at this time. To pay for the cost of the System as now planned means the assumption of a very heavy burden and unless we rigidly adhere to the policy of restricting extension of the system, the people of this State will be called upon to shoulder a cost which will be appalling.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor,

J. HARRY FOLEY,

Secretary.

SENATE BILL No. 251.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 15th, 1922.

I beg to advise that I have this day approved Senate Bill No. 251, being an act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30th, one thousand nine hundred and twenty-three, and regulating the disbursement thereof with these exceptions:

1. Item in line 4, page 28, under caption E-2, Commissioner of Education, "Business Manager—\$5,500", but which item is approved for \$5,000.
2. On page 44, under caption G—Military, lines 10 and 11—purchase and distribution of 1,000 copies of "History of the 29th Division—\$4,500."

The first item is unapproved because it amounts to an increase of \$500 for an official who, I understand, is highly paid for whatever service he renders to the State.

The second item is unapproved because no useful purpose will be served by purchasing the work in question. Many citizens of New Jersey served in many divisions, but a small percentage served in this division, and if that volume is purchased I fear it will lead to similar requests.

Respectfully,
EDWARD I. EDWARDS,
Governor.

By the Governor.
J. HARRY FOLEY,
Secretary.

SENATE JOINT RESOLUTION No. 2.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the Senate:

March 14th, 1922. }

Senate Joint Resolution No. 2 is returned unapproved for these reasons: It accepts the provisions of the Act of Congress familiarly known as the Sheppard-Towner act. Mature consideration has led me to the conclusion that this State should not take such course. I regard the Sheppard-Towner act as paternalistic and as another evidence of the rapidly developing tendency of the Federal Government to encroach upon the police powers of the States.

The care and welfare of mothers and children is a State problem to be dealt with by the State, and as one who believes in preservation of the rights of the sovereign States as distinguished from centralized government, I feel that every measure which tends to weaken or destroy that distinction should be defeated.

Respectfully,
EDWARD I. EDWARDS,

By the Governor.
J. HARRY FOLEY,
Secretary.

Governor.

ASSEMBLY BILL No. 1.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Assembly Bill No. 1, I return unapproved. Its purpose is to authorize the issuance of bonds of the State in the sum of forty million dollars for the purpose of paying the cost of constructing a State Highway System. The bonds are to run for a period not exceeding fifteen years for such portion as may be issued for highways and for a period not exceeding thirty years for such portion as may be issued for reconstruction of bridges.

While I recognize that the completion of the State Highway System is a matter of great importance, it seems to me that the highway program can, nevertheless, be proceeded with to completion without adding forty million dollars to the debt of this State. If there is one thing from which the people of this State and of the country generally are suffering, it is taxes. Business in this country may be described to be in a convalescent stage, after having gone through a very serious attack. The people of New Jersey are more fortunate than the rest of the country, and while prosperity, no doubt, is on its way back, in the vernacular, the people should be given a chance to catch their breath before being asked to assume a forty million dollar debt. Were I confronted with choosing between giving up the State highway program altogether or asking the people to shoulder an additional debt of this size, I would unhesitatingly choose the first course, but I do not believe such a choice is involved. It is far better to progress with the State highway development more slowly and pay as we go than to load this proposed debt on the State.

I might call your attention to the fact that had the Legislature passed either the Blair bill, No. 463, or the Gaede bill, No. 448, imposing a tax of one per cent. per gallon upon gasoline sold for use in motor vehicles, the State would be in receipt of approximately two million dollars a year therefrom. Such a revenue would have either obviated the necessity of any bond issue at all or would have materially reduced the amount of such issue. I cannot conceive of any justification for the failure to pass either of these bills and forcing upon the people in their place a forty million dollar debt.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 5.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly: February 20th, 1922. }

Assembly Bill No. 5 is returned unapproved by me.

This bill is intended to abolish the First Judicial District Court of the county of Camden.

My veto of this measure is based upon objection made by the Camden County Bar Association to the effect that litigants would be unduly inconvenienced and delayed through the submission of their law suits to the District Court in the city of Camden.

Furthermore, no provision seems to be made for pending cases. If the court is abolished without some such provision, the fees which litigants have paid will be entirely wasted.

Respectfully,

(Signed) EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 6.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly: February 20th, 1922. }

I return to you, without my approval, Assembly Bill No. 6. This measure creates four additional clerkships to your body and calls for additional expenditure of \$1,400.00.

I am not in sympathy with the measure because I believe your body has sufficient clerical assistance.

Respectfully,

(Signed) EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 8.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT, }
To the General Assembly: February 13th, 1922.

I return herewith without my approval, Assembly Bill No. 8, submitted to me in accordance with the provisions of the Constitution on February 7th, 1922, for these reasons:

Considerable opposition to this measure has been manifested by a number of members of the State Militia, who fear that the effect of the bill is to take the State Militia into politics. It is charged that the introduction of the bill is the result of a partisan desire to force upon the Militia as a whole the views of a clique therein concerning the propriety of the appointment of a former officer. I concur in the opinion that the effect of the measure would be to inject politics into the Militia and to weaken and impair the morale, efficiency and discipline of the men.

Further, it is my conception that the proposed act is materially at variance with the organic law as set forth in Articles III, IV and VII of the State Constitution. The act purports, as the title implies, to supplement an act entitled "An act to amend an act entitled 'An act concerning the Militia of the State,' approved March fourth, one thousand nine hundred and eighteen,"

As I understand it, an act amending an act when finally enacted, becomes a part of the original law and if a supplement is intended the supplement should apply to the law as amended and not to an act designed wholly to amend that original law. That in itself would appear to violate paragraph 4, section 7, Article IV, which provides that "every law shall embrace but one object, and that shall be expressed in the title." Assembly Bill No. 8, however, does not begin to express in its title the purpose of the act, which is, as stated in the first section, to disband the Fifty-seventh Infantry Bridgata, place its officers on the reserve list and organize a new brigade designated in section 2 as the Fifty-seventh Infantry Brigade.

Article VII of the Constitution, in paragraph 1, section 1, says "The Legislature shall provide by law for enrolling, organizing and arming the Militia." There appears to be nothing in the article authorizing the Legislature by a special act, which this unquestionably is, or otherwise, to arbitrarily disband one brigade of the Militia and create another, and this is what Assembly Bill No. 8 purports to do when it says "the new brigade shall be formed and organized in conformity with the laws governing the army of the United States and the regulations issued by the

Secretary of War to be designated and stationed," etc. Therefore, the entire makeup of the brigade, including its title and location, is determined by the act leaving little of anything for the properly constituted National and State officials to have to say in the matter.

Article V of the Constitution designates the Governor as the Commander-in-Chief of all the military and naval forces in the State. Section 5 of this bill seeks to make the Governor subordinate to the Legislature for this specific purpose and directs him to file a request and obtain the consent of the President of the United States for the disbandment.

The same section expresses more solicitude for legislative rights when it provides for the foregoing action, "shall not be construed in any way as a waiver or limitation of the right of the Legislature," to exercise its Constitutional function as provided in Article VII. The act goes further and leaves its operation contingent upon some future action of the President of the United States.

It may be well for the Legislature to remember that Article II of the Constitution is still in force and has a very decided bearing on the rights of the Legislature as set forth in articles IV and VII and that of the Governor in Articles V and VII.

Very truly yours,
(Signed) EDWARD I. EDWARDS,
Governor.

By the Governor.

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 12.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly: February 20th, 1922.

I return without my approval Assembly Bill No. 12, being "An act authorizing mayors of certain cities to appoint commissions to change the lines and boundaries of wards and election districts, and to increase or decrease the number thereof."

I withhold my approval of this measure for these reasons:

1. I believe the bill to be unconstitutional, because

(a) It violates the prohibition of the Constitution in reference to special legislation—applying to only a very limited class of cities.

(b) It contains more than one subject, namely, the redistricting of the cities contemplated by the act and the election of councilmen or other officers in new wards which will be created. Furthermore, if the act can be said to embrace but one object, such object, in my judgment, is not sufficiently expressed in the title.

2. It is frankly conceded, I believe, that the measure is designed to apply only to the city of Elizabeth, where there exists a deadlock owing to a division in the Council between the two dominant parties. This measure is intended to permit the deadlock to be relieved for partisan reasons and along partisan lines.

Respectfully,

(Signed) EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

ASSEMBLY BILL No. 14.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

February 20th, 1922. }

I return without my approval Assembly Bill No. 14. I do not approve this measure because it is designed to apply only to the city of Elizabeth and for partisan reasons is intended to permit the mayor of that city to break a deadlock which exists in the City Council.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 48.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

February 28th, 1922. }

I return herewith without my approval Assembly Bill No. 48, submitted to me in accordance with the provisions of the Constitution on February twenty-second, for the following reasons:

Wholly apart from the merits of this measure its enforcement is provided for in a summary manner, which our Court of Errors

and Appeals held void in determining the validity of the Van Ness act. It seems unwise at any time to add to our volume of laws a statute of doubtful legality.

Respectfully,

EDWARD I. EDWARDS,
Governor.

By the Governor.

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 51.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 6th, 1922. }

Assembly Bill No. 51 is herewith returned without my approval.

This is another measure professing to be in the interests of a higher standard of efficiency in the profession of undertaking and embalming.

I am of the opinion that this bill is also too exacting, as stated in vetoing Assembly Bill No. 98.

Respectfully,

EDWARD I. EDWARDS,
Governor.

By the Governor.

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 53.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

February 28th, 1922. }

I return herewith without my approval Assembly Bill No. 53, submitted to me in accordance with the provisions of the Constitution, on February twenty-second, for the following reasons:

The Court of Errors and Appeals in holding void the Van Ness act, held that penalties such as Assembly Bill No. 53 carries implied a crime for which the offender could not be denied the right of jury trial. Existing law seems to afford game wardens as much protection as police and other officers. Members of the

Commission are hardly any more in need of special protection than the Health, Highway, Utility or other Commissions.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 98.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly: March 6th, 1922. }

Assembly Bill No. 98 is returned without my approval. It is "An act to amend an act entitled 'An act regulating the business of undertaking and embalming and the disposal of dead human bodies,' approved May twelfth, one thousand nine hundred and six; the title of which said act was amended to read as above set forth by an act approved April eighth, one thousand nine hundred and eight."

The expressed purpose of this measure is to raise the standard of qualifications for those who desire to practice undertaking and embalming in this State. The bill does that, but it seems to me too exacting in its requirements.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 107.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly: March 14th, 1922. }

Assembly Bill No. 107 is returned without approval. It is "An act to provide for the appointment of probation officers and to define their duties and powers (Revision, 1922)." The objections which I find to this measure are these:

No discretion is left with the board of freeholders of counties of first and second class as to the number of probation officers

which may be appointed or as to the salaries to be paid either to the chief probation officer or the assistant or other probation officers. In these counties the judges of the Common Pleas Court are empowered under this measure to appoint as many assistant probation officers as they conclude may be needed, and to fix such salaries for such positions as they may deem wise.

The bill is in the nature of mandatory legislation which I am opposed to in principle. In my judgment the responsibility for the creation of officers and the fixing of compensation should be left with the body which is responsible for the people.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 115.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 6th, 1922. }

I return without approval Assembly Bill No. 115, being "An act to apportion the members of the General Assembly among the several counties of the State."

This measure is in conflict with Article IV, section 3, of the Constitution, which provides for an apportionment of members of the General Assembly by the Legislature at its first session after the then next and every subsequent enumeration or census, which apportionment shall remain unaltered until another enumeration shall have been taken.

The last census of the United States was taken in 1920, hence the Legislature has not complied with the mandate of the Constitution.

This measure should have been enacted at the Session of 1921.

Respectfully,

EDWARD I. EDWARDS,

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 172-A.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Committee Substitute to be known as Committee Substitute No. 172-A for Assembly Bill No. 172 is returned unapproved. This is a companion measure to Committee Substitute No. 172-B for Assembly Bill No. 172 and prevents the State Highway Commission from making any contract with any city and other municipalities therein named for the construction, reconstruction or improvement of any portion of the State Highway System. The same objection applies to this bill as to the Committee Substitute No. 172-B.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 172-B.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Committee Substitute to be known as Substitute No. 172-B for Assembly Bill No. 172 is returned herewith unapproved. The effect of this measure is to prevent the State Highway Commission from entering into any agreement or contract with any county for the construction, reconstruction or improvement of any portion of the State Highway System. The principle of this bill in my judgment is bad. The Legislature should not attempt to hinder or restrict the State Highway Commission in what may be regarded as administrative matters.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 275.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Assembly Bill No. 275 is returned without approval. This supplements the Disorderly Persons act by providing that any pool room, billiard parlor, or any place or room where any malt or brewed liquors, or any other liquid or liquor that contains alcohol, is sold for beverage purposes, shall be so maintained that a clear view of the entire interior thereof may be had from the street, and shall be free from any screen or other device which may obstruct or interfere with such view.

It seems to me this bill is an unwarranted interference with the freedom of the people. It would apply to all of the social clubs throughout the State which lawfully sell liquors containing less than one-half of one per cent. of alcohol, and also to such clubs which do not sell liquors, but which maintain pool rooms or billiard parlors. I take it that the measure is a part of the general program of those interested in seeing that the Eighteenth Amendment to the Federal Constitution is enforced.

It is quite in line with the policy of such organizations, which is that this particular law shall be enforced above all others and regardless of whatever rights of the people may be trampled upon.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 330.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Assembly Bill No. 330 is returned to you without approval. It is a supplement to the School act. If enacted, it will change the law in respect of the power of appointing members of the board of education in cities of the first class, and also legislate out of office the present members of those boards in such cities.

Such a measure is popularly known as a "ripper" act. The

principle of the bill is bad. If there are members in any board of education misconducting themselves in office, there is an appropriate remedy for that. However, I cannot accede to the practice of legislating individuals out of office because they or some of them are not acceptable to a new appointing power.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 351.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the House of Assembly:

March 15th, 1922.

Assembly Bill No. 351 is returned without approval for these reasons: It authorizes the exchange of reciprocal or inter-insurance contracts among individuals, partnerships and corporations. Under the measure, operation by reciprocal concerns would be permitted from other States—the office of the attorney or exchange being permitted, under the bill, to be maintained at such place or places as may be designated by the subscribers. Considerable inconvenience and confusion may result therefrom in the adjustment of claims arising in this State.

I do not believe the measure furnishes sufficient protection to such subscribers as may become interested, inasmuch as the bond which is to be given to protect them may be executed by individual sureties. Such sureties at the time of the execution of the instrument may well be worth the sum of the bond, but the subscriber would have no guarantee that such individuals would continue to be financially responsible.

My information is that during 1921 many reciprocals operating in Missouri, Texas, Illinois and Indiana were thrown into the hands of receivers, due to inadequate rates charged and mismanagement, with consequent loss to the subscribers. I am fearful that the experience of our sister States will be repeated here should this bill become law.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 403.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly: March 14th, 1922. }

Assembly Bill No. 403 is returned unapproved. It is a supplement to the Home Rule act and is intended to authorize contracts between municipalities and counties for the improvement of municipal roads. I disapprove of the measure because, even if enacted, it would be inoperative for the reason that the contract contemplated by the bill is to be made by and with the consent of the State Commissioner of Public Roads. There is no such official.

Respectfully,
EDWARD I. EDWARDS,
Governor.

By the Governor.
J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 464.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly: March 14th, 1922. }

Committee Substitute for Assembly Bill No. 464 is returned herewith unapproved. It is a supplement to the act establishing the Department of Agriculture and is intended to provide a procedure authorizing the searching of any premises where it is expected there is being violated any of the provisions of the acts which that department is charged with enforcing. Jurisdiction is given to District Courts as well as to justices of the peace and police justices to issue search warrants authorizing the searching of any building except dwelling houses and the entering upon any public or private lands. I am not in sympathy with the principal of this bill for two reasons, first, the District Courts are courts constituted for the trial of civil causes and the procedure sought here is quasi criminal in its nature. Secondly, this measure is a typical illustration of the constant effort of those in power to invade the privacy of the individual.

Respectfully,
EDWARD I. EDWARDS,

By the Governor.
J. HARRY FOLEY,
Secretary. *Governor.*

ASSEMBLY BILL No. 477-A.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 15th, 1922.

Committee Substitute "A", to be known as No. 477-A for Assembly Bill No. 477, is returned unapproved.

This bill is what is known in legislation as a "ripper" bill. It ends the terms of office of the present members of the New Jersey Interstate Bridge and Tunnel Commission and substitutes therefor a new personnel. The real purpose of the bill is to take from the Governor power of appointing to this commission. Its ostensible purpose is to get rid of Mr. T. A. Adams, chairman of the commission, because of certain alleged activities of his which are said to be objectionable.

I have examined into such charges and am satisfied that they are without foundation in fact.

Were the bill based upon any ground other than partisan reasons, it seems to me the bill would have provided for the reappointment of all the Democratic members of the commission except Mr. Adams, and against whom no charge or intimation of any kind was made.

The fact is, however, with the exception of one person, the remaining Democratic members of the Board have been dismissed without any reason being given at all. No provision is made in the bill for filling of vacancies or for the appointment of successors to those named in the bill. I regard the measure as an invasion of the executive power of appointment, and therefore bad in principle.

Respectfully,

EDWARD I. EDWARDS,

By the Governor.

Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 477-B.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Committee Substitute "B," to be known as 477-B for Assembly Bill No. 477, is returned unapproved.

This bill, while drawn in general terms, is special legislation and violative of the spirit of our Constitution. It is not fair or

just to Jersey City. It provides for the taking from Jersey City of any of its public streets and the giving of them to the Erie Railroad, without the government of Jersey City having anything to say in the matter. It makes no provision for compensation to be paid for such streets. It is simply another one of the long line of legislative acts by which the whole of the Jersey City water front has been taken from the people and given to the railroads. It would be hard to conceive of legislation more violative of the theory of "home rule" or more vicious in principle.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor,

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 478.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922. }

Assembly Bill No. 478 is one of a series of four bills providing for the enforcement of the Eighteenth Amendment to the Federal Constitution, "Nos. 478, 480, 481, 482." I return Assembly Bill No. 478 without approval because I am convinced that the problem of enforcing the Eighteenth Amendment should not be thrust upon the several States.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor,

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 480.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922. }

I return Assembly Bill No. 480 without approval. This is one of the bills to which reference is made in the disapproval of Assembly Bill No. 478. I regard this bill as particularly vicious. No property right or privilege of any kind seems to be safe against assault by those who feel that in the enforcement of the Eighteenth Amendment lies the panacea for all ills. The bill declares that any building or place where the law is habitu-

ally violated shall be held to be a nuisance and jurisdiction is conferred upon the criminal courts of this State to abate such nuisances by directing that the building or place where the nuisance was maintained be closed and disused for a period of time not exceeding one year. There are many laws which may be habitually violated in buildings, but which have no relation either to the enforcement of the Eighteenth Amendment or to any moral dereliction. To punish the owners of property for the habitual violation, "and two instances. I think, might be held to be habitual," of such laws, seems to me is clearly an invasion of the constitutional protection against cruel and unusual punishment. To illustrate, it is the law of this State that in tenement houses lights shall be kept burning at certain locations between certain hours. Is it conceivable that one who violated such law, habitually if you will, should be punished by having this property closed for a year? The fact that the Legislature of New Jersey would enact such a law makes one contemplate what the end is going to be.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,

Secretary.

ASSEMBLY BILL No. 481.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922. }

Assembly Bill No. 481 is returned without approval, and is another of the series of bills referred to in the disapproval of Assembly Bill No. 478. It confers a right of action to any person who shall be injured in person, property, means of support or otherwise by any intoxicated person. The action runs against the one who unlawfully sold or unlawfully assisted in the procuring of intoxicating liquor and who thereby contributed to the intoxication. The right of action is made to survive against the estate of the person who sold or assisted in the procuring of the liquor. The measure also marks another substantial departure from the policy of the law of this State in respect of the amount of damages to be awarded in death cases. Our theory is to award only such damages as will represent the monetary loss occasioned by reason of the death and under this measure exemplary or punitive damages may be awarded as well.

This is about the last word it seems to me that can be said on the subject of prohibition enforcement. This bill, when read by one who has regard for the conservativeness and sanity of the jurisprudence and laws of New Jersey must produce a feeling best described as naseau.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,
Secretary.

ASSEMBLY BILL No. 482.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

To the General Assembly:

March 14th, 1922.

Assembly Bill No. 482 is returned without approval, and is the last bill of the measures referred to in the disapproval of Assembly Bill No. 478. I disapproved this measure because, as I have stated, the enforcement of the Eighteenth Amendment should not be the duty of the several States.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,
Secretary.

N.J. STATE LIBRARY

P.O. BOX 520

TRENTON, N.J. 08625-0520

ASSEMBLY JOINT RESOLUTION No. 1.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

To the Senate:

March 6th, 1922.

I return Senate Substitute for Assembly Joint Resolution No. 1 without approval for this reason:

It seems to me the character, efficiency, regulation and constitution of party organizations may be safely left to such organizations.

The appointment of the Commission called for by this resolution will simply mean another waste of money in the printing of a report which nobody will read.

Respectfully,

EDWARD I. EDWARDS,

Governor.

By the Governor.

J. HARRY FOLEY,
Secretary.

N.J. STATE LIBRARY

P.O. BOX 520

TRENTON, NJ 08625-0520