MESSAGE

FROM THE

GOVERNOR OF NEW JERSEY,

TO

BOTH HOUSES

OF

THE SIXTY-FOURTH LEGISLATURE,

AT THE

COMMENCEMENT OF THE FIRST SESSION.

October 23, 1839.

TRENTON:
PRINTED BY SHERMAN & HARRON.
1839.

MESSAGE.

To the Legislative Council
and General Assembly of the State of New Jersey.

GENTLEMEN:

Another year has rapidly passed away with its many anxieties and cares. You are again met as the representatives of the people, to transact such business as the necessities of your constituents and the general interests of the State, may require. How much will be demanded at your hands of a private character, is not of course within my knowledge; but I am persuaded that you will find no occasion for the passage of many public acts. There is a common feeling pervading the State that few changes in our system of laws should be made, and those which are made should be of the most pressing necessity. I anticipate, therefore, in your behalf, no very prolonged detention from your ordinary avocations and pursuits.

Whatever differences of opinion may exist among us concerning the various obligations which rest upon us as citizens, I feel well assured that we must all desire to unite in devout acknowledgments to that superintending Providence whose paternal care has so signally blessed us during the past year. At no former period have we as a people shared more largely in his bounties; in the abundant productions of the earth, or in the enjoyment of general health. While we are thus bound together in common benefits, I may surely cherish the hope that we may be duly impressed with a just sense of our common obligations, and that in the exercise of this spirit your

impartial and undivided attention will be given to the promotion of the common welfare.

A course of legislation that embraces in its scope all the great interests of society, that encourages schools and fosters improvements, cannot fail to throw around our institutions walls of defence that must ever protect them from domestic dissensions or foreign pressure. The three great branches of industry, Agriculture, Manufactures and Commerce, are at all times especially entitled to the fostering care of government, for their prosperity and advancement include the progress and happiness of society. With us the farming interest must ever be a leading object of concern; and in recurring to the history of the year, I refer with much pleasure to the formation of an Agricultural Society in the centre of the State, under favorable auspices, as an indication of an increasing interest on the subject. This may, and I trust will, be productive of much public advantage. Associations of this description bring together the substantial men of the country, cultivate a friendly interchange of views, promote a wholesome emulation, encourage industry, and recompense useful talent and enterprise, by pecuniary and honorary rewards. With these encouragements, agricultural improvements may be quickened, and husbandry maintain its proper rank among the arts of life. If the aid of the Legislature can in any way promote these great ends, I hope it will be cheerfully granted. A committee on Agriculture has been recently constituted in each house and should be continued.

I could wish it were in my power to speak in the same encouraging tone of our manufacturing and commercial interests. These great branches of industry which embrace a large body of our population, suffer in a peculiar degree from the derangements of the times, and in a special manner need the care and protection of the government. Exposed to great fluctuations, they should be treated kindly, and their interests guarded with a sustaining hand. I feel it to be the special duty of public men every where, to consider seriously the causes of their depression, and to lend all possible aid to the means for their re-establishment. For myself, I despair of any

successful enterprise in business until the facilities for carrying it on, can be rendered permanent and uniform, and mutual confidence be restored. Some mode must be devised by which the exchanges of the country can be effected with ease and economy. The government must help, or I see no way in which either commerce or manufactures can ever flourish. In other times the government and the producing classes had a common feeling of dependence on each other, and harmonised in action. It is in fact, the very design of our government to secure and advance the individual prosperity of its citizens. There are, there can be no separate or independent interests. The whole constitution of society is indeed, but an exemplification of the law of mutual obligation. All branches of industry, and all conditions in life, are more or less dependent upon each other, and hence the embarrassment of one must sooner or later affect every other. The merchant cannot, at this day, sell his goods to a southern or western State, or the manufacturer the labor of his hand without paying as much or more in the difference of exchange, than the whole amount of his profits. To remedy this evil, the value of money must, in some way, be made equal in the different portions of the Union. This was once the case in the United States, and it is in vain that we look for the restoration of business, until our public men, forgetting all minor considerations, shall unite in an earnest effort to bring about this all important, this indispensable result. I am aware that this is a subject beyond your province as a State Legislature. Congress is alone competent to provide a remedy. But it is wise and proper, at all times, to discuss every national interest which deeply affects our prosperity.

During the past year it became my duty to give certificates of election to the members of the twenty-sixth Congress from this State. The contest had been unusually warm. The friends of the respective candidates had made great exertions in their support, and felt a deep interest in their success; and it could not, therefore, be hoped that any decision would be satisfactory to all, or escape the censure of those who should be disappointed by the result. It would have been agreeable to my feelings, could the necessity for action on my part, have

been dispensed with altogether. The duty however, was imperative, and there was no choice but to discharge it according to law. The whole subject was laid before all the members of the Legislative Council, summoned as a Privy Council, was discussed at large, and resulted in a recommendation, by a majority of that body, that the certificates must be granted under the then existing laws of the State to the persons to whom they were subsequently given, and the whole merits of the controversy left to the decision of Congress. This result not being satisfactory to those persons who did not receive the certificates, they and their friends have taken such course as they thought proper to do respecting it, and whether that course has been well or ill chosen, all will be permitted to judge according to their habits of thinking and acting. Every review of the opinion expressed at that time, has only confirmed me in the belief that the law was faithfully declared, and beyond that, for myself, I feel no concern. In counting the votes, the Governor and Council are ministerial officers, having no judicial power. The township officers make their returns to the clerks of the different counties, and those officers to the Governor. The clerks base their return exclusively upon the returns made to them by the township election officers. They cannot modify or alter them in any way, and the Governor and Council in this respect, as counting officers of a higher grade, must rest also only on the returns made to them by the clerks, and cannot vary or depart from them. So far as any difficulty is created by the return itself, as by mistakes in addition, mis-spelling the name of a candidate, the omission of a letter, or by any other irregularity appearing on the face of the return, the facts being before the Governor and his Council, may be and should always be counted in such way as to carry out the clear intention of the voter. In the present instance every vote was given to the candidates according to such intent, so far as the same could be ascertained by the returns before us. We refused to go out of the returns made by the clerks, from a conviction that we had no power by law so to do. Such was the advice given me by my constitutional advisers, and in their opinion I did then and do now coincide. Was it ever intended

to give to the Governor any power over the returns which the clerks should make? Has he the right to reject any return, or to require or dictate any modification of it? No such power ever was, in my opinion, confided to him, and none such I trust, will ever be placed in the hands of one man. This would be a dangerous delegation of power, and one which I would resist in common with every other citizen of the State. He must count the votes as the returning officer sends them, without exercising any controlling influence. Great importance has been attached to the words in the law which require the Governor and Privy Council to determine the six persons for representatives, "who have the greatest number of votes from the whole State." What votes are here referred to? Clearly those contained in the returns of the clerks. The act itself so declares. What else could govern the counting officer? Is he to be guided by rumor, by the statements of individuals, by certificates of township officers; or must he be governed by the returns made by the officers appointed by law? It seems to me there cannot rest a doubt on the question. The return made by the clerk of Cumberland, was a general one, in strict conformity to the act, giving the aggregate vote for each candidate in the whole county, without specifying the townships, and purported to be a full return of all the votes of the county. Was this return to be rejected, and if so, for what reason? The return of the clerk of Middlesex specified the townships, and as to the township of South Amboy, declared that no return had been made to him from that township according to law. Had the Governor and Council a right, in such case, to say to the clerk, your return is false; the township officers at South Amboy have made a return to you according to law? It is idle to talk of any such power; the exercise of it would violate the whole spirit and intention of the act. Is it not perceived that such a construction would make the Governor and Council, who by law are mere counting officers, the arbiters of the whole election, and if they may go this length without the sanction of law, they may, with the same propriety, hold a grand inquest over the whole election and sit in judgment upon the entire canvass. So arbitrary and illegal an act on the part of your executive offi-

cers, would receive universal condemnation. It has been further insisted that the Governor was bound by law to send to the clerk of Middlesex for a return of the votes of the township of South Amboy, which by his certificate appeared not to have been made to him according to law. I have searched in vain for any such law. None such exists. The only case provided for by the statute is where the clerk of a county makes no return *at all.* In such case the Governor has authority to send for his return, and only in such case. There were returns made by the clerks from every county before the count was made, and by law we were bound to accept and act upon them. The precedents were found on enquiry to be all in conformity with this view of the case. There is not a single instance where any Governor and Council ever went beyond the clerk's return, or ever acted upon any other evidence than his certificate. On the contrary, there are many cases which sanction the construction which was adopted. Several of the members of Council had been members two years before, when the very same questions arose in a case from Somerset county, and the rule was considered as settled by that case.

You will perceive that I place myself and those gentlemen who acted with me, upon the single ground of having faithfully executed the law. If we live under a government of laws, we must follow them, implicitly, without fear or favor; and all good citizens will sustain their public officers in so doing. If any injustice has been done, the remedy is a plain one. The power is with Congress; they alone have the right to rectify the error if any exists.

So far as the conduct of the clerks of Middlesex and Cumberland is concerned, it does not become me to speak. That they acted as faithful public officers under a solemn sense of obligation, and with a higher regard for the authority of law than the praises or censures of men, I never had a doubt.

It is much to be regretted that this question should have assumed a mere party aspect. From that moment all reason and argument ceased, and were followed only by denunciation and passion. If I could believe that I possessed one secret spring of action that looked like a desire to usurp either the

personal or political rights of the humblest citizen of the state, I should hold myself unworthy of further public confidence. No, gentlemen, nothing is farther removed from my wishes or intention, and I feel it right thus publicly to assure you that all the allegations which have been made, of any interference on my part, either direct or indirect, with the clerk of any county, as to the nature or form of the return which he should make, are utterly without foundation.

I am led to this explanation in this place, not so much from a belief that it is at all necessary, as from an habitual respect for the opinion of my fellow citizens. No single subject in New Jersey was ever made a more direct question before the people, at an election, than this has been. They have rendered their judgment, and while I have reason as a public officer to feel as I do feel, highly gratified at the result, I have no desire to appropriate it to myself as a personal consideration, but shall always regard it as the testimony of a noble and intelligent people, in favor of the laws and their faithful execution. I leave this whole subject with a single remark, which the history of all governments proves to be true, that the rights and liberties of a people will never be in danger from any man, however great his power or exalted his station, who exercises the authority conferred upon him within the prescribed limits of law, and that they are never safe in the hands of any who transcend those limits.

It was naturally to be expected, that amid the conflicts of parties often times nearly balanced, defects would be discovered in the law regulating elections. The laws of this State on that subject, had been passed at different times and were scattered through the statute book, so that it required much investigation to ascertain on any disputed point what the law really was. This rendered it necessary that they should be compiled and brought together in a single view. The principle was conceded by all that the law should be so framed as to enable the counting officers to give certificates in the first instance to those who should have the largest numerical vote, leaving the other party, if so inclined, to urge his claims before the constitutional tribunals. The examination made by the last Legislature in de-

ciding the contested election in the county of Cumberland, had shewn great abuses of the elective franchise ; so great as to have changed the representation from that county in the Legislature if not corrected ; and the public voice in many parts of the State required of their representatives to provide a remedy for the difficulties and defects which experience had shewn to exist.—These considerations led to the passage of the act at your last session, entitled "an act to regulate elections." I am not aware that that law makes any material alterations in the principles which have always prevailed in our elections. It does alter the mode of conducting them. The qualifications of the voters are nearly the same, and the requirements respecting aliens only a declaration of what the law was before. The only legal evidence of naturalization has always been the record or a duly certified copy. Before this act different rules obtained on this subject at different polls. At some the production of a copy of the record was required and at others not. The rule must now be uniform, and I am satisfied that experience will prove it to be right. The law was never intended to interfere with the rights of any legal voter, but only to prevent frauds. The stranger who seeks among us a home, whether from oppression or choice, has a right to full protection the same as a native citizen. His person and his property are as sacred. When naturalized he has the same privileges as a voter, and all have a common interest in preventing this privilege from being exercised by those who owe allegiance to foreign powers. It was to have been expected that there would be individual cases of hardship arising under the law when first carried into effect, which will never occur again, and I cannot but believe, that if correctly administered, it will meet the wishes of the people. You have been able to observe what has been its practical operation in your respective counties, if it be calculated to deprive by any of its features the legal voter of the exercise of his privileges, it should be promptly altered; but the safeguards which it has placed around the ballot-box should be adhered to as the security of the citizen. Unless these are maintained, it is but mockery to continue the forms of an election.

In compliance with the direction contained in the last of a

series of resolutions, passed at the last session of the Legislature, in relation to the public lands, I forwarded shortly after their passage copies of the resolutions, together with the report on that subject to each of the Senators and Representatives in Congress, from this State, and to the respective Governors of the several states of the Union. The interest of the old states in this immense inheritance, earned by the valor of our fathers, can never be surrendered without a struggle. It was time for New Jersey to declare her sentiments on the subject; and I have no doubt that the report and resolutions meet the decided approbation of the whole body of our citizens. There certainly can be no sound reason why the new states which have come into being since these lands were acquired, should have the exclusive benefit of them. They are the common property of the whole, and any act by the Federal Government which should alienate the share of any portion of it would be grossly unjust.

The law of 1838 makes it the duty of the Treasurer of the state, as soon as his accounts shall be audited, to submit to the Legislature a balance sheet, exhibiting the general items of expenditure, the amount of receipts, and the sources whence they have been received. Also the indebtedness of the State if any, and how and where; together with a full statement of the condition of the School Fund. This report will be furnished to you, by which you will have a correct and connected statement of the finances of the State. I do not deem it necessary to anticipate this report, and will only state generally that I am informed by the Treasurer, that when his accounts shall be exhibited, they will show that the receipts into the Treasury, applicable to the current expenses, for the year, amount to about the sum of $80,000; and that the current expenses of the year will fall rather short of that sum.

You will find that no money has been expended except such as was directed by the Legislature. For my own part I observe one rule on this subject, and sign no drafts on the Treasury unless there is a law to authorize it. There will be sometimes claims against the State presented, which are just and reasonable in themselves, but it is safer that they should wait your action before they are paid. We have much reason to fe-

licitate ourselves upon the state of our finances, the economy of our expenses, and freedom from debt, except to a small amount, at a time when so many of our sister states are involved by large foreign obligations, in the embarrassments which prevail throughout the commercial world.

The School Fund, after deducting $30,000, the present yearly appropriation amounts at this time to about $285,000.

There are in the institutions in the cities of New York and Philadelphia, for the instruction of the deaf and dumb, eighteen children supported at the expense of the State, and ten at the institutions for educating the blind. The term allowed for the instruction of these children having in several instances run out during the year, others have been substituted in their place. The selection has always been made in the order of the applications.

The report of the Quarter Master General herewith enclosed, will shew the number and condition of the arms and equipments belonging to the State. I feel that you would be richly paid by a visit to the Armory, at the same time that you would be giving encouragement to the commendable spirit and perseverance of the officer who has the charge of this department.

I hoped that Professor Rogers would have been able by this time to complete his report of the geological survey of the State, but I learn recently from him that this must be deferred to the beginning of February next. I enclose his communication that you may see the reasons which have occasioned the delay.

It appears by a report recently made to me by the keeper of the State Prison, that the number of prisoners at this time is 161, being two less than at the same period last year. By this it would seem that crime has not increased among us, but the number of convicts is still lamentably great. The earnings of the Prison in the same report for the past year, are estimated at $9,961 95, and the expenses not including the salaries of the officers, at $8,901 74.

You may expect a report from the Trustees of the School Fund during your session. The subject of common school education is at all times entitled to your highest consideration. It

can never fail to interest us all, intimately connected as it is with the intelligence and virtue of the people, on which alone our institutions securely stand. I invite your attention to an improvement in our system suggested in the last Report of the Trustees of the School Fund, that some mode should be adopted for educating teachers and qualifying them for the discharge of their responsible duties. It is decidedly better to have no School in a district, than to have one under the government of an illiterate or immoral teacher.

A commission of five gentlemen residing in different parts of the State was constituted during the year, agreeably to a joint resolution at the last session, to make certain enquiries in relation to the Lunatics in the State. As the compensation fixed by the resolution was small, I was obliged to rely upon the benevolent zeal of certain gentlemen in order to attain the object of the resolution. I am informed that they have performed this service, and will be able to furnish you during the session with the result of their investigations. The number of this unfortunate class will, I am persuaded, surprise those who have not turned their attention to the subject. If there be any thing in human affliction which should excite our sympathy and succor, it is found in the deplorable condition of that portion of our fellow men, who have in the inscrutable decrees of Providence been deprived of their reason. Let me bespeak for this interesting subject that liberal action which shall be worthy of a feeling and a christian people.

WM. PENNINGTON.

Trenton, October 22, 1839.

DOCUMENTS

ACCOMPANYING THE GOVERNOR'S MESSAGE.

(No. 1.)

To His Excellency, William Pennington, Governor and Commander in Chief of the State of New Jersey.

The undersigned begs leave respectfully to

REPORT

"The number and condition of the arms and equipments and camp equipage belonging to the state of New Jersey, at present in the state arsenal," viz:

2	New	Brass 6 lb. Guns, Carriage and Harness.
4	"	Iron " " " "
1	"	" " " " marked "Cumberland."
2244	New	Muskets, suspended in armory.
1438		" which have been in service.
5734	"	" in boxes, in order.
560	Old	" repaired and in order.
583	"	" undergoing repairs.
350	New	Rifles suspended in armory.
460	"	Pistols " and in boxes.
210	"	Pair of Holsters.
210	"	Sabres.
210	"	Sabre Belts and Plates.
349	"	Rifle Powder Flasks.
350	"	" Pouches.
42	"	Artillery Swords and Belts.
1	Old	Ammunition Chest and Wagon.
325		Canister and Strap Shot.
200	Old	Cavalry Cartridge Boxes.
2340	"	Infantry " " and Belts.
1005	"	Knapsacks, in good condition.

2137 Old Bayonet Belts.
1380 " " Scabbards.
267 " Bayonets.
1 Marquee with cords &c. in order.
106 Common Tents " "
121 Camp Kettles and Mess Pans.
450 Canteens.

This statement includes 40 boxes containing 20 muskets each, received from U. S. Arsenal, Frankfort, Pa. August 29, 1839, under act of Congress of 1808.

Also one iron 6 lb. Gun, 265 old muskets, and 232 bayonets received from Cumberland Brigade, August 19, 1839, and delivered by Gen. Titsworth.

Also 47 old muskets and 35 bayonets, received from Warren Brigade, Sept. 21, 1839, delivered by Lieut. McMiller.

Since the undersigned had the honor of presenting his last Annual Report to your Excellency, there have been delivered out at the Arsenal, upon sundry requisitions, secured by bonds under the statute, as follows, viz:

May 11, 1839. To Capt. George W. Tunis, of the "Warren Guards," Warren Brigade:

40 Bright Muskets with Bayonets.
40 Cartridge Boxes and Scabbards.

May 27, 1839. To Capt. Jacob Shirts, of the "La Fayette Guards," Warren Brigade:

40 Bright Muskets.

Sept. 21, 1839. To Capt. John Miller, to use of "The Flying Artillery," Warren Brigade:

40 Pistols.
40 pair Holsters.
40 Housings.
40 Sabres Belts and Plates.

Sept. 21, 1839. To Capt. John Miller, to use of "The Harmony Fencibles," Warren Brigade:

40 Bright Muskets with bayonets.
40 Cartridge Boxes and Scabbards.
4 Artillery Swords and Belts.

Sept. 27, 1839. To Lieut. Hugh McMiller, to use of "The Hope Rifle Corps," Warren Brigade:

70 Bright Muskets with Bayonets.

70 Cartridge Boxes and Scabbards.

The undersigned also begs leave respectfully to submit, that he has information of two Brass French 4 lb. Guns, belonging to the State, out of use and dismounted, near Bridgeton, Cumberland.

Also two others, of like calibre, and in like condition, at New Brunswick.

Also that twelve Marquees, forty Tents, and three Gun Tents, with their apparatus, being some years since delivered out under a Resolution of the Legislature, have become transferred, and are now in possession of "The Union Blues," Essex Brigade, touching all which, application has been repeatedly made, without satisfactory reply.

There are also, as informed, very many Muskets abroad among different individuals heretofore enrolled members of uniform corps of militia, now disbanded.

All which is respectfully submitted.

SAM'L. R. HAMILTON,

Q. M. Gen. of New Jersey.

N. J. State Arsenal, Trenton, }
October 15, 1839. }

(No. 2.)

Philadelphia, October 17, 1839.

To His Excellency Wm. Pennington:

Dear Sir,—I hasten to reply to your letter of the 14th inst., requesting some report from me respecting the Geological Survey of the State, to be laid before the Legislature.

I beg leave to reiterate the pledge which I last year transmitted to the Legislature, stating that I should complete my final report on the Geology of the State during the approaching

winter. I am now actively engaged upon the work, both the authorship and the chemical analysis connected with it, and shall spare no zeal to effect the early publication of the Report, and to place the same in the hands of the Legislature, I hope about the beginning of next February.

It will take until about that time, I find, to complete the whole, embracing the coloring of the Geological Map of the State, and other drawings, all of which are now in the hands of the artist.

The numerous chemical investigations are what have chiefly retarded me; but I was loth, knowing the great practical utility of this branch of the work, to pass it over without affording to it ample time and care.

With sentiments of great esteem, yours truly,

HENRY D. ROGERS.

(No. 3.)

To His Excellency the Governor of the State of New Jersey:

Sir,—In compliance with your notice of last week, permit me to state that there were on the 30th September, 1839, one hundred and sixty-one prisoners in the New Jersey State Prison, which is two less than the number reported in the preceding year.

The earnings of the Prison amount this year to nine thousand nine hundred and sixty-one dollars and ninety-five cents; its expenses to eight thousand nine hundred and one dollars and seventy-four cents, exclusive of the salaries of its officers.

Yours with great respect,

JOSEPH A. YARD,

Keeper N. J. Prison.

October 16, 1839.

REPORT

OF THE

TREASURER

OF THE

State of New Jersey.

November, 1839.

TRENTON:

PRINTED BY PHILLIPS AND BOSWELL.

1839.

REPORT, &c.

To the Honourable the Legislative Council and General Assembly of the State of New Jersey.

By the law, passed in 1838, it is made the duty of the treasurer, immediately after his accounts shall be audited by the committee appointed for that purpose, to submit to the legislature a balance sheet exhibiting the general items of expenditure—the amount of receipts, and the sources whence they have been received; the indebtedness of the state, if any, how and where; the amount of school fund, and how invested; the amount of bank tax, and the sum applied to common schools, and how disposed of, &c.

In obedience to the requirements of this act, I have the honour to present the accompanying statement.

By this statement it will appear that the receipts into the treasury during the present year amount to one hundred twenty-six thousand five hundred ninety-seven dollars and sixty-seven cents.

Of this sum about forty thousand dollars have been applied to the payment of the public debt and interest; about fifteen thousand dollars have been paid on account of the state prison, for completing it, for the salary of the officers, and for transportation of prisoners, and costs of conviction; and about sixty-two thousand dollars have been appropriated to the payment of the ordinary expenditures of the government, leaving a balance in the treasury of nine thousand two hundred and thirteen dollars and eighteen cents.

It will also be observed that there has been a considerable increase in the item of expenditures for costs on conviction of criminals. The great diversity in making out and taxing these bills of cost by the clerks of the different counties, seems to me to show that some legislative provision is necessary on the subject, the bills in some instances varying from ten to forty per cent. The act which makes it the duty of the treasurer to examine all bills of costs presented for payment, and to return them to the court to be re-taxed, if any items are

charged contrary to law, is difficult as well as unpleasant in its execution—difficult because the law provides that no item or items shall be allowed when the services have not actually been performed, and shall so appear on the minutes of the court—and yet in no one instance has a copy of the minutes of the court been furnished; and unpleasant, because although taking the law alone as my guide in the discharge of my duty, I have frequently been met with the plea of hardship, and even the charge of injustice, where no allowance was made for services which were alleged to have been performed. But the unequal effect of this law will be made more apparent when it is observed that one of the counties of the state has drawn from the treasury, during the present year, upwards of eighteen hundred and fifty dollars, a sum more than equal to the amount drawn by one half of the counties, while some have not drawn a dollar.

It likewise appears that errors have heretofore existed in some of the counties in making out the bills of cost on inquisitions, by which considerable sums of money have annually been drawn from the treasury not warranted by law, as I understand it. An effort has been made to correct these errors, and I have the satisfaction to add, that in most cases it has been successful.

I think it proper, also, to mention that some difference of opinion has existed between the officers of the Camden and Amboy Railroad and Transportation Company, and those of the New Jersey Railroad and Transportation Company, and myself, with regard to the construction of some of the provisions of their acts of incorporation, and the supplements thereto, respecting the amount of transit duties required to be paid to the state; and as the amount derived from those companies does and must continue to form a very material item in the permanent revenues of the state, it becomes important that a fair, liberal, and equitable construction should be put upon these acts of incorporation.

The faithfulness of the state in protecting those companies in their rights and privileges should, and it is fair to presume will, at all times be met by a readiness to fulfil, on their part, what the law requires. The attention of the legislature is respectfully solicited to this subject.

By the annexed statement it will be seen, that although the expenses of the government for the present year have been increased a little over the preceding year, that this has principally arisen from the investigation of the Cumberland election, the increased expenditure on account of deaf, dumb, blind, and insane, of revolutionary pen-

sioners, and of costs on convictions. But if the balance remaining in the treasury, and the twenty thousand dollars state tax, that will be paid during the coming months of December and January, be applied to the public debt (the purpose for which the tax was ordered to be collected) the debt during the present year will be reduced upwards of forty thousand dollars, after meeting all the expenditures of the government.

With regard to the school fund, it is proper to remark, that notwithstanding ten thousand dollars have been appropriated to the use of common schools, in the present, over former years (except the preceding one), yet there will be added to that fund about ten thousand dollars.

I take the liberty, before closing this communication, again earnestly, though respectfully, to call the attention of the legislature to the unprotected condition of the papers and documents in the treasury department; and, if it be thought inexpedient at this time to incur the expense of erecting an office, it is hoped that authority will be given to purchase a safe or iron chest, in which the most valuable papers and evidences of the public funds may be preserved from destruction by fire or otherwise. The increased responsibility of the treasurer, in consequence of the repeated instances of fire and burglary, I trust will be a sufficient apology for again recurring to this subject.

All which is respectfully submitted.

ISAAC SOUTHARD, *Treasurer.*

TRENTON, November 4, 1839.

Dr. ***Balance Sheet, or General Statement of the***

			Dolls. Cts.
1839.	Outstanding debts due:		
Oct. 23,	Loan from school fund, (*See* Statement, 1838),	$70,865.06	
	Interest on that sum for one year,	4,251.90	
	Loan from Trenton Banking Co.,	2,000.00	
	Interest on that sum for one year,	120.00	
			77,236 96
	Loan from sundry banks,	$20,000.00	
	Loan from school fund, (*new*),	3,442.17	
			23,442 17
	Cash received:		
	Balance in treasury,	$8,209.63	
	Received from Camden and Amboy Railroad and Transportation Company,	43,491.88	
	From Delaware and Raritan Canal Company,	5,495.00	
	From New Jersey Railroad and Transportation Company,	4,847.00	
	State tax,	40,000.00	
	From First Presbyterian Society, Paterson,	140.00	
	Pedlers' licenses,	186.62	
	Old iron, sold at state arsenal,	147.95	
	Balance surplus revenue,	637.42	
			103,155 50
			203,834 63
	Balance due,		77,236 96

We, the auditing committee, do hereby certify that the foregoing balance sheet is correct, as appears by the books and vouchers in the treasurer's office.

WM: IRICK,
FRANCIS PRICE, } *Com. of Council.*

E. SANDERSON,
ABRAHAM BRITTIN,
JOHN MOORE,
JAMES CRAIG,
ARTHUR V. P. SUTPHEN, } *Com. of Assembly.*

Condition of the Treasury, October, 1839. Cr.

			Dolls.	Cts.
1839.	By the following disbursements:			
	Paid state account,		6,088	29
	Legislative expenses,		24,207	23
	State officers' salaries,		12,010	00
	Incidental expenses,		3,980	96
	State prison—salary of officers,		6,659	55
	Appropriation for completing state prison,		2,657	11
	Costs and transportation of criminals,		5,424	59
	State arsenal,		1,031	21
	Instruction and support of blind,		2,856	28
	" " deaf and dumb,		3,157	85
	Lunatics and idiots,		500	00
	Revolutionary pensions,		1,866	29
	Military officers,		420	00
	Inquisitions,		1,071	33
	Printing account,		3,688	68
	State house property,		380	24
	Postage account,		1,090	19
	Premium on silk,		34	15
	State library,		296	87
	Constables attending supreme court,		143	75
	Sundry loans,		38,000	00
	Interest on loans,		1,819	92
	Cash deposited:			
	In Mechanics and Manufacturers Bank, Trenton,	$8,670.67		
	State Bank at Newark,	95.86		
	Trenton Banking Company,	100.40		
	State Bank at Camden,	31.00		
	Due from First Presbyterian and St. Pauls Church, Paterson,	315.25		
			9,213	18
	Balance,		77,236	96
			203,834	63

Dr. ***Balance Sheet, or General Statement of the***

1839.	STOCKS.		Dolls.	Cts.
October,	Amount of fund invested in stocks:			
	40 shares Cumberland Bank,	$2,000.00		
	20 shares Sussex Bank,	1,000.00		
	159 shares Trenton Bank,	4,770.00		
	250 shares New Jersey Railroad and Transportation Company,	12,500.00		
			20,270	00
	LOANS.			
	Loan to New Jersey Railroad and Transportation Company,	$100,000.00		
	Morris and Essex Railroad and Transportation Company,	30,000.00		
	Newark city,	30,000.00		
	Sussex county, on mortgage,	8,000.00		
	Anderson Lalor, do.,	12,000.00		
	State of New Jersey,	78,559.13		
			258,559	13
	TAXES DUE.			
	From N. B. Bank, Mechanics Bank, Paterson, and Washington Bank, doubtful,		1267	30
	CASH RECEIVED.			
	Balance in treasury,	$5,831.21		
	Bank tax received,	24,432.44		
	Dividends on stock received,	1,285.80		
	Interest on loans received,	9,900.00		
			41,449	45
	Cash on deposit,		7,191	18
			328,737	06
1839. Oct. 29,	Balance due, being total amount of school fund,		287,287	61

We, the auditing committee, do hereby certify that the foregoing balance sheet is correct, as appears by the books and vouchers in the treasurer's office.

WM: IRICK,
FRANCIS PRICE, } *Com. of Council.*

E. SANDERSON,
ABRAHAM BRITTIN,
JOHN MOORE,
JAMES CRAIG,
ARTHUR V. P. SUTPHEN, } *Com. of Assembly.*

Condition of the School Fund, October, 1839. Cr.

			Dolls.	Cts.
1839.	By the following disbursements:			
April,	Paid incidental expenses,		66	35
	Collector of Gloucester, for common schools,		2,184	00
	Essex,		2,664	00
	Passaic,		768	00
	Bergen,		1,615	50
	Morris,		2,352	00
	Sussex,		1,518	75
	Warren,		1,638	75
	Hunterdon,		2,326	50
	Somerset,		1,882	50
	Middlesex,		2,049	75
	Monmouth,		2,792	25
	Mercer,		1,710	00
	Burlington,		2,857	50
	Cumberland,		1,189	50
	Salem,		1,617	00
	Atlantic,		349	50
	Cape May,		484	50
	Profit and loss—Belleville Bank tax,		749	75
	Amount loaned to state,		3,442	17
			34,258	27
	On deposit:			
	In Newark Banking and Ins. Co.,	$4,443.25		
	Mechanics and Manufacturers Bank Trenton,	62.13		
	State Bank at Camden,	1,300.00		
	State Bank at Newark,	500.00		
	Trenton Banking Company,	190.80		
	Cumberland Bank,	60.00		
	Sussex Bank,	35.00		
	Due from Newark city,	600.00		
			7,191	18
	Balance,		287,287	61
			328,737	06

Condition of the School Fund, October, 1839, &c.

		Dolls.	Cts.
1839.	By the following disbursements:		
April,	Paid incidental expenses,		08
	Collector of Gloucester, for com-		
	mon schools,	2,184	00
	Essex,	2,001	00
	Passaic,	708	00
	Bergen,	1,815	50
	Morris,	2,324	00
	Sussex,	1,518	76
	Warren,	1,658	76
	Hunterdon,	2,336	50
	Somerset,	1,882	50
	Middlesex,	2,040	75
	Monmouth,	2,792	25
	Mercer,	1,710	00
	Burlington,	2,857	50
	Cumberland,	1,180	50
	Salem,	1,077	00
	Atlantic,	319	50
	Cape May,	164	50
	Profit and loss—Bellsville Bank,	740	75
	Amount loaned to state,	4,412	17
		31,955	27
	On deposit:		
	In Newark Banking and Ins. Co.,	31,112	25
	Mechanics and Manufacturers		
	Bank Trenton,	62	19
	State Bank at Camden,	1,800	00
	State Bank at Newark,	500	00
	Trenton Banking Company,	100	80
	Cumberland Bank,	60	00
	Sussex Bank,	36	00
	Due from Newark co.,	600	00
		7,191	18
	Balance,	287,287	61
		326,787	06

WM. HOYE,
THADEUS PHILIPS,
} Comm. of Canal.

E. SANDERSON,
ABRAHAM BRUSTER,
JOHN HOUSEL,
JAMES GRANT,
ARTHUR S. C. SUTFELL,
} Comm. of Assembly.

REPORT

OF

THE JOINT COMMITTEE

OF

COUNCIL AND ASSEMBLY

ON THE

State Prison Accounts.

November 5, 1839.

TRENTON:

PRINTED BY PHILLIPS AND BOSWELL.

1839.

REPORT, &c.

Report of the Board of Inspectors of the State Prison, for the year ending September 1, 1839.

To the Honourable the Legislature of the State of New Jersey:

In conformity with the act of February, 1838, the board of inspectors of the state prison respectfully REPORT:

That at the commencement of the year there were in the prison 163 criminals, and that 77 have been received since, making 240. Of these 41 have been discharged upon the expiration of the terms of their sentences, 37 have been pardoned by the governor and council, and 2 have died, amounting altogether to 80, and leaving in confinement on the 30th of September 160. Of these 93 are white males, 59 coloured males, 1 white female, and 7 coloured females. When they were received at the prison, 21 were between 10 and 20 years old, 69 between 20 and 30, 39 between 30 and 40, 20 between 40 and 50, 9 between 50 and 60, and 2 between 60 and 70.

Ninety-seven are natives of New Jersey, 10 of Pennsylvania, 3 of Delaware, 6 of Maryland, 1 of Michigan, 1 of Massachusetts, 1 of Vermont, 1 of Connecticut, 17 of New York, 1 of Lower Canada, 1 of Upper Canada, 1 of Indiana, 9 of England, 8 of Ireland, 2 of Scotland, and 1 of Germany. Two were received in the year 1830, three in 1831, two in 1832, six in 1833, two in 1834, nine in 1835, three in 1836, twenty-five in 1837, fifty-three in 1838, and fifty-five in 1839. Forty-one were committed for the crime of burglary, 27 for larceny, 11 for misdemeanors, 15 for grand larceny, 2 for assault and battery, 1 for assault and battery with intent to commit a rape, 2 for rape, 11 for burning, 4 for forgery, 8 for atrocious assault and battery, 2 for assault and battery with intent to kill, 2 for assault with intent to rob, 1 for assault with an attempt to commit a rape, 1 for an atrocious assault and battery with intent to commit a rape, 1 for polygamy, 1 for sodomy, 3 for high misdemeanors, 6 for passing counterfeit bills, 2 for breaking jail, 1 for receiving stolen goods, 6 for horse

stealing, 5 for manslaughter, 1 for assaulting an officer, 1 for selling counterfeit bills, 1 for an atrocious assault and battery with intent to kill, 3 for robbery, and 1 for murder in the second degree.

Four were sentenced for 6 months, six for 1 year, two for 1 year and 1 day, three for 1 year and 6 months, thirty-four for 2 years, four for 2 years and 6 months, twenty for 3 years, one for 3 years 6 months and 2 days, eighteen for 4 years, twenty-eight for 5 years, six for 6 years, one for 6 years and 9 months, eight for 7 years, two for 8 years, one for 9 years, eleven for 10 years, one for 10 years and two days, three for 12 years, three for 15 years, two for 20 years, one for 24 years, and one for life. 132 were committed for the first offence, 23 for the second, 2 for the third, 2 for the fourth, and 1 for the fifth. 32 were sent from the county of Essex, 12 from Bergen, 4 from Sussex, 15 from Morris, 2 from Warren, 1 from Somerset, 15 from Middlesex, 13 from Monmouth, 5 from Hunterdon, 13 from Burlington, 10 from Gloucester, 9 from Salem, 1 from Cape May, 12 from Passaic, 2 from Atlantic, 2 from Cumberland, 9 from Mercer, and 3 from the borough of Elizabeth.

The only disease which has proved mortal during the year is the consumption, by which two prisoners have died. One of these deaths occurred near the beginning of the year, and was included in the physician's report of last year, whereby a discrepancy appears between the physician's and the inspectors' reports for both this year and the last.

For the names of those who have been pardoned and discharged, and all other statistical information required by law and not included in the foregoing part of this report, the board begs leave to refer your honourable bodies to the schedule hereunto annexed. They would at the same time suggest for your consideration the question, whether it is not unnecessary to print this schedule together with this report, whereby the records of the infamy of those whose names are mentioned will be multiplied and widely disseminated in the community, to the great mortification and discouragement of those among them who may desire to lead hereafter a virtuous life and gain an honest reputation.

The earnings of the prison during the past year have been sufficient, as appears from the keeper's report hereunto annexed, to meet its expenses, exclusive of the salaries of the officers, which, by a statutory provision, are drawn from the state treasury, and do not enter into the accounts of the institution. There has, also, been an increase in the furniture, stock, and available funds of the prison of $1075.39.

Last year there was a similar increase in the stock, &c., but much greater in amount, being $7734.23. Thus there is this year a falling off of $6658.84. This is caused, in some degree, from an increase in the expenditures (for an explanation of which see keeper's report) of $1263 for provisions, $137.42 for fuel, and $199.19 for furniture, the aggregate of which is $1599.61; but it is principally to be attributed to the diminution of the earnings of the prisoners in two departments. In the chair-making account there is a diminution of $4116.37, and in the account of miscellaneous labour, technically called the sundries account, a further falling off of $1648.21, amounting in the whole to $5764.58. The diminution in the chair-making account arises from three causes. 1st. For six months of the last year the chair-makers were employed by a contractor, at fifty cents a day, a sum which the prison has not been able to realize upon their labour since the failure of that contractor. 2nd. The account of the earnings of the chair-makers was last year swelled, apparently by the profit made by the prison in purchasing the tools and steam machinery of the contractor at a very low price, at sheriff's sale. 3d. The stock on hand at the close of the last year was valued in the inventory at the prices at which it had been previously sold, but on account of the depression of the market these prices could not be obtained this year. Chair-seats were sold for much less, and a corresponding loss was thrown, apparently, upon the operations of this year.

The miscellaneous labour of the prisoners, or the sundries account, embraced all the work done by convicts upon the new prison. For this work, in pursuance of the law, the institution received a credit of 75 cents a day for each convict, amounting in the aggregate to a large sum. This source is now almost entirely cut off; the item of miscellaneous labour is reduced almost to nothing, and the convicts who were engaged in it, and who were unfit to be employed in the other departments of labour, are returned upon the institution unable to earn more than the most scanty wages.

The board has experienced during the year no diminution of confidence in the system of solitary confinement. Another year has developed, perhaps, more fully the peculiar effects of this system upon the minds and health of the prisoners, and the board are satisfied that it has, to some degree, an impairing influence upon both. Indirectly, too, the system exerts a deleterious influence upon both mind and body through the medium of the practice of onanism, a vice ascriba-

ble to solitary confinement, and which prevails among the convicts to a very considerable extent.

Yet we are fully satified that, by preventing the contaminating influence of evil communications, the solitary system is far superior to the former mode of imprisonment. This prison is not a school of vice. The novice in crime gains here no instruction from hardened villains in the mysterious arts of wickedness. The accomplished rogue has here no opportunity to boast of his former crimes to admiring and applauding listeners, or to take counsel with his associate rogues for future and more cunning or bolder assaults upon the peace of the community; the only influence felt by those immured in these cells is a virtuous influence, and they cannot possibly come out from these walls more wicked than they entered them.

But we would go farther. From observations upon the conduct and conversation of a prisoner in his cell, however penitent or reformed he may profess to be, it is very difficult to decide how sincere that repentance is, or how lasting that reformation will prove, after he goes out again to try it in the world. It is an easy thing, comparatively, to be virtuous here, and he who undertakes it will find all things in his favour. Temptations beset him rarely, and the particular temptation by falling into which he was brought here will probably never occur to him. He has, therefore, little schooling in the necessary art of resisting temptations, and it may be that when they are presented to him after he goes out into the world his virtuous principles, like a hot-bed plant, will wither at the touch. But, with all these melancholy misgivings, we do suppose that vicious habits are here broken up, and virtuous propensities grow weak for want of exercise. Virtue is constantly presented in her own beauteous garb, and virtuous impressions are made upon the mind. Obstinate, indeed, and intractable are the dispositions with which we have to do, but reason and experience both authorize us to hope that of the apparent reformations so often wrought here, some, when tested hereafter, will prove to have been real.

In this connection the board would acknowledge the obligations they so sensibly feel to the clergy of Trenton, who without intermission, as without remuneration, have laboured for the moral and religious instruction of the convicts. We believe that such instruction is as necessary to the attainment of the great objects of the instituiton as any one thing can be; and if provision were made to bring mild, moral, and religious suasion to bear oftener upon the sour and irri-

tated minds of these convicts, unhappy in the consciousness of their guilt, we venture to hope that happy results would follow.

For further information, as to the influence of solitary confinement, we beg leave to refer your honourable bodies to the report of the physician, hereunto annexed.

The board have not found it necessary to adopt any other rules for the regulation of the prison than those previously reported to you.

All which is respectfully submitted.

By order of the board of inspectors.

JAMES T. SHERMAN, *Secretary.*

New Jersey Prison, November 4, 1839.

PHYSICIAN'S REPORT.

Gentlemen of the Board of Inspectors:

The report of this year, if it merely embraced the number of sick and the deaths would be very brief. An unusual degree of health, with but few aggravated cases of disease, and but one death, would be all that I would be able to lay before you. But, gentlemen, this is not all that is expected from an office that gives such opportunities to investigate some of the effects of solitary confinement. The physician stands in a position to observe the influence of a mode of punishment which is yet but an experiment, and which gives him means to analyze the results of solitary confinement in some of its most important bearings.

In the last report it was stated that there was a tendency among the convicts to glandular obstructions; that sun-light and air were indispensable to their health; that *post mortem* examinations had revealed a condition of the organs corroborative of the effects that might have been anticipated; and further, that every year of a prisoner's confinement in the cells would show a decline of his physical powers. The experience of the year now ended has confirmed what was then reported, as well as what was anticipated. In this region, the past year has been one of almost unprecedented health, and no disease has prevailed within the prison that may not be expected during the most favoured seasons. It has been the best opportunity to observe the sole influence of solitary confinement upon the health of the prisoners. The enervating influence that has been felt during the time is what will ever be experienced; it is a part of the punishment that attaches to it, and ought to be considered in the term of sentence.

There are some among the convicts who came from the old prison. While there they were in strong health, and for the first two years in this penitentiary complained but little; now they have become debilitated, are languid, and exhibit decided symptoms of a decline of their physical powers. Some pains have been taken to inquire into these changes, and from the information of the prisoners themselves, as well as from their visible condition, it is conclusive that confinement in cells is not as conducive to health as that imprisonment which admits more air and sun-light to the convict.

Another subject for observation, and which has not usually been assigned to the physician, is the intellectual state of the prisoners. This properly falls within his province. When the mind becomes sensibly disordered he is called upon to restore the wandering faculties, and in every stage of obvious mental aberration, from the vacant stare of the idiot to the phrensy of the maniac, his science is looked to for aid. It is not to these extreme cases, points conspicuous by their deformity, that medical observation ought to be confined. It is the forming stage, the first weakening of those powers which hold the mind in a state of sanity that he must detect. He must, from the derangement of the bodily organs, notice the encroachments of mental disease, and gather from appearances that are unnoticed by others his prognostics. In the prison he will see minds that, subject to the common perceptions of out-of-door life would be as astute as others, indulge in the amusements of the child, wasting their time after their daily task is over upon toys; from all that can be perceived, engaged in no thought that is not immediately associated with the things around them ; incapable of abstract reflection, or, if showing any evidences of this higher operation of the faculties, it is more the wandering of the visionary than the operation of a well-balanced mind. Thus situated with respect to the prisoners, it would be but an imperfect report of the medical attendant if he did not make known to you this, the most important part of his observations.

Among the prisoners there are many cases of insanity. Some on their admission showed symptoms of derangement, and since then have continued in the same state. Almost all the cases that have occurred in the prison can be traced to onanism. Among the prisoners there are many who exhibit a child-like simplicity, which shows them to be less acute than when they entered. In all who have been more than a year in the prison, some of these effects have been observed. Continue the confinement for a longer time, and give them no other exercise of the mental faculties than this kind of imprisonment affords, and the most accomplished rogue will lose his capacity for depredating with success upon the community. The same influence that injures the other organs will soften the brain. Withhold its proper exercise, and as surely as the bandaged limb loses its power will the prisoner's faculties be weakened by solitary confinement. And here it may not be improper to hint at the treatment that ought to be extended to the prisoners. Now they are managed under the most favourable circumstances the nature of their confinement admits. Every privilege the law allows is given them. Kind usage, religious

and moral instruction, every thing that is calculated to exercise their minds in the way of reformation and improvement, is practised or imparted to them. If their minds be weakened by confinement, the sentiments most exercised under the present discipline, and which will be most likely to remain with them when they depart from the prison, are of a character that will tend to make them better citizens. Were another course pursued in this institution, and the superintendent possessed of no sympathy for the convict nor desire for his reformation, feeling satisfied if he tasked him to the full amount of his ability to labour and gave him food at the appointed times, in less than a year the New Jersey penitentiary would be a bedlam.

The practice alluded to in the last report, and which seems to be an evil hard to prevent, is, perhaps, not so general as it was at that time. Every opportunity has been taken to warn the convicts against the evils of onanism. The keeper has lectured to them in the hall, on proper occasions, and, by presenting the effects of this vice in strong colours, has done something towards a reformation. The derangements and deaths that have resulted from the practice have become a warning to many, and caused a partial relinquishment of the habit. As may be expected where so many are confined there is still much of this solitary vice.

There is a portion of the year, a few weeks before the furnaces for warming the cells are in operation, that bears hard upon the prisoners. Catarrhs, some cases of pleurisy, and such complaints as a damp chilly air engenders, are prevalent at that time. The only death that has occurred since the last report was hastened on, if not occasioned, by this circumstance. The patient had a cough when he entered the prison. The immediate cause of his death was a violent inflammation of the lungs, that might have been treated with better success had he been in a warmer apartment. The propriety of having the cells warmed much sooner in the season, and better warmed during the winter, is presented for your consideration.

The opinion expressed in the last report, that the cells on the north exposure of the ranges were the least healthy, has been strengthened by this year's observation. So plain is the difference, that it has become the practice to remove sick persons to the south side for the benefit of the greater degree of sun-light that is received into them.

There are generally from ten to twenty on the sick list. Some of them are predisposed to consumption, and two or three have the disease in its confirmed state, and will die in prison unless they are pardoned out. Of all the cases that occur, those disposed to consump-

tion are the most unmanageable in solitary confinement. The greater number of cases on the list are those forms of debility that depend on glandular obstructions, and seem peculiar to prisons. They do not threaten immediate death, but rather a gradual destruction of health. The cases of mental disease and onanism have already been referred to: in a word, the convicts generally are as healthy as under the most favourable circumstances we might expect to find persons in their situation.

These observations, gentlemen, have been made with no predilection for any kind of prison discipline. If there be more disease in solitary confinement, it is of a peculiar character, slow in its work upon the system and important in its effects upon the mind. It is for others to determine whether the old discipline, hardening the vicious in their crimes while it preserves the body in its full vigour, so that at the expiration of the sentence the convict may go forth a more accomplished rogue than he entered the prison, is to be preferred to another, which, while it subdues the evil passions, almost paralyzing them for want of exercise, leaves the individual, if still a rogue, one who may be easily detected.

Your obedient servant,

JAMES B. COLEMAN.

Report of the Keeper of the New Jersey Penitentiary to the Board of Inspectors.

To the Board of Inspectors of the New Jersey State Prison:

The keeper respectfully reports—That

The whole amount of earnings during the year is	$9960.86
and that the expense, exclusive of the salaries, is	8885.47
leaving a balance in favour of the prison, for the present year, of	$1075.39
being the amount over and above the expense of keeping the prisoners, for the year ending 30th September, 1839, exclusive of salaries.	
If to take into the account the amount drawn from the treasury (which is not chargeable to our accounts) for the salaries of officers, which is	6659.55
it would leave a balance against the prison of	$5584.16
The amount of transportation for the present year is	$1255.25
and that of the taxed bills of costs	4392.86
as appears on the prison book of record.	

There were in confinement on 1st October, 1838, 163 convicts. Since that period we have received 77, making together 240, and discharged during the same period, by pardon from the governor and council 37, by expiration of sentence 41, and by death 2, both of which died with consumption, (one on the 1st October, 1838, and the other 22d December following) leaving in confinement on the 1st October, 1839, 160 prisoners, which shows a diminution of three this year.

In relation to the difference of the operations of the prison between this and the two former years, it may be accounted for in the high price of provisions, the reduced price of convict labour, a reduction on the prices of stock on hand, the increased number of men for a short time, and a number of convicts who have not earned their bread, who in the old prison could labour at something, but not having a capacity to learn a trade, such as idiots and insane, are mere paupers on the institution, together with the extreme pressure of the

times and deranged state of the currency, have affected us as all other manufacturing establishments.

By the following statement it will be seen that, notwithstanding all the difficulties of the past year, the earnings of the prison are more this year than any former one for the last fifteen years, except the years 1837 and 1838, in which years we had the particular advantage of employing the men in building and finishing the prison, and having a contract for a number of convicts, at 50 cents per day, at the chair manufacturing.

In 1825,	the earnings were	$1320.49,	and the expenses	$4515.83
1826,	"	1690.72,	"	2743.02
1827,	"	2074.15¾,	"	3200.30
1828,	"	2634.91,	"	3122.90
1829,	"	3427.98,	"	3043.52
1830,	"	4571.92,	"	6219.46
1831,	"	6084.25,	"	5266.99
1832,	"	7145.74,	"	5244.17
1833,	"	9177.01,	"	5124.39
1834,	"	9826.15,	"	4954.83
1835,	"	8769.85,	"	4764.13
1836,	"	8806.39,	"	5824.95
1837,	"	13146.73,	"	6798.03
1838,	"	15357.42,	"	7623.19
1839,	"	9961.95,	"	8901.74

In the above exhibit you will perceive that there has been an increase of labour, and a corresponding increase of expense. We have done considerable work on the building during this year by convicts, for which no charge is made in our accounts since the closing of the commissioners' account.

When labour shall be in demand, and we can get contracts at fair prices, we believe the prison will be able to pay all its expenses; but we find ourselves subject to the fluctuations of business as well as all other manufacturing establishments.

In regard to the moral state of the prisoners, we have only to say, that every means in our power have been used for their benefit. The clergy of the different denominations in Trenton have attended alternately, and almost every Sabbath during the year we have had preaching; and in addition to this the convicts have the Bible and religious books to read. As it respects their health, you are referred to the physician's report.

In reference to the heating pipes, I have found them to be too small to give sufficient heat in the coldest weather in winter, although I have made every effort to increase the heat by alterations that seemed probable to effect the same; and I would suggest that an examination be made of the heating apparatus, as I have not fixed our heating apparatus for the winter, believing some alteration ought to be made.

All of which is respectfully submitted.

JOSEPH A. YARD, *Keeper.*

September 30, 1839.

Report of the Joint Committee on the State Prison accounts.

The Joint Committee appointed to settle the accounts of the State Prison, respectfully REPORT:

That they have carefully examined the books and accounts of the prison, and the vouchers relating thereto, and find them to be correct. They have prepared, and submit herewith, several statements designed to exhibit accurately the present situation of the affairs of the prison, and also to correct a mistake, which appears to have existed in the public mind in reference to the application of the balances heretofore reported in its favour. The causes which have rendered the statement of this year less favourable than those of former years are mentioned in the report of the inspectors, to which the committee respectfully refer for further information.

The committee repeat the recommendation made by the committee of last year, that the accounts against individuals, which are of long standing and probably worth little or nothing, but which have been brought forward from year to year, and thus serve to lengthen and embarrass the accounts, should be charged to profit and loss, and that the charges against the state for the labour of convicts done in the erection and repair of the new prison be stricken from the accounts. They also recommend that the inspectors or the keeper be authorized to sell such articles of furniture and such tools and fixtures as are not needed for conducting the operations of the prison. There is a considerable quantity of such articles, many of them purchased for the old prison, which are wholly useless and are depreciating in value.

All which is respectfully submitted.

Dated November 5, 1839.

A. ARMSTRONG, } *Committee of*
JNO. H. LAMBERT, } *Council.*

JAMES H. ROBINSON,
WILLIAM ROSCO,
GARRET HIERS,
WM. BLACK,
MOSES RICHMAN, Jun., } *Committee of Assembly.*

Statement A.

Showing the earnings and expenditures on account of the Prison from Oct. 1, 1838, *to Oct.* 1, 1839.

Earnings from the labour of convicts:		
Weaving department,	$3,898.98	
Cordwainers' "	2,477.88	
Chair-making "	3,352.71	
Sundry manufactures department,	166.25	
Cooperage "	14.01	
Interest,	51.03	
		$9,960.86
Expenditures, exclusive of salaries:		
Provisions,	$5,873.53	
Clothing,	475.84	
Incidental,	950.43	
Fuel,	1,259.84	
Hospital,	105.08	
Furniture,	220.75	
		8,885.47
The gain in the operations of the prison is during the past year, provided the stock on hand produces its present valuation.		$1,075.39

Statement B.

A comparative view of the operations of the Prison from Oct. 1, 1836, *to Oct.* 1, 1839.

The profits estimated from Oct. 1, '36, to Oct. 1, '37,	$6,348.70	
The profits estimated from Oct. 1, '37, to Oct. 1, '38,	7,734.23	
The profits estimated from Oct. 1, '38, to Oct. 1, '39,	1,075.39	
		$15,158.32

This amount of profit has been principally absorbed as follows, *viz:*

The amount of stock and tools Oct. 1, '36, was	$4,360.57		
The amount of stock and tools Oct. 1, '37, was	8,103.58—increase	$3,743.01	
The amount of stock and tools Oct. 1, '38, was	15,739.19—increase	7,635.61	
The amount of stock and tools Oct. 1, '39, was	16,214.35—increase	475.16	
		$11,853.78	
Add amount of losses by bad debts, *viz:*			
Since Oct. 1, '36, on notes of individuals,	$1,305.48		
Since Oct. 1, '36, on accounts of individuals,	1,415.09		
		2,720.57	
			$14,574.35

This statement shows that, notwithstanding there were apparently yearly profits to a large amount, the salaries of officers could not be paid by the prison funds.

The amount of salaries on account of the new prison since Oct. 1, '36, including the quarters ending Jan. 1, '37, and Oct. 1, '39, is		$17,631.83
The profits, as estimated during the same period, is	$15,158.32	
Losses by bad debts, already ascertained, to be deducted,	2,720.57	
Leaving a balance of profit for three years of		12,437.75
and showing a loss in the operations of the prison for the same time of including salaries.		$5,194.08

Statement C.

A view of the effects of the Prison Oct. 1, 1836.

Debts owing the prison,	$23,092.43	
Stock on hand, per inventory,	4,360.57	
		$27,453.00

Deduct amount owing by the prison,	$428.36	
Amount of articles destroyed by fire in old prison, November 26, '35,	1,269.31	
Amount of charges for repairs to the prison,	443.44	
		$2,141.11
		$25,311.89
Add amount of profit reported Oct. 1, '37,	$6,348.70	
Amount of profit reported Oct. 1, '38,	7,734.23	
Amount of profit reported Oct. 1, '39,	1,075.39	
		15,158.32
This is the amount of the prison effects, as appears on the balance sheet, Oct. 1, '39, as per *Statement D*,		$40,470.21

Statement D.

Exhibiting the accounts of the Prison, as appears on the books Oct. 1, 1839.

Cash on hand,	$28.31	
Bills receivable,	4,807.36	
Labour done by convicts in building the prison,	17,426.74	
Individual accounts due the prison,	6,224.21	
Charges to the state for bell and repairs to the prison,	242.99	
Tools and prison furniture,	6,763.38	
		$35,492.99
Stock on hand, *viz:*		
Provisions,	$1,036.40	
Fuel,	499.50	
Medicines in hospital department,	75.76	
Weaving account materials,	2,134.98	
Cordwainers' account materials,	519.18	
Chair-making account materials,	4,490.58	
Sundry manufactures account materials,	694.57	
		9,450.97
		$44,943.96
Deduct amount of debts owing by the prison,		4,473.75
Balance in favour of the prison, as appears by the books, including bad debts, &c.,		$40,470.21

[For a more particular statement of the unavailable effects of the prison, see *Statement E.*]

Statement E.

An estimate of the present condition of the Prison effects.

Amount of bad debts, from '20 to the present time, an account of which appears in the schedule hereto annexed,	$4,306.13	
Amount charged on the books for labour done at the prison in its erection,	17,426.74	
Amount charged on the books for a bell and repairs at the prison,	242.99	
		$21,975.86
Balance in favour of the prison, consisting of items enumerated in *Statement F*,		18,494.35
Amount of balance, per *Statement D*,		$40,470.21

Statement F.

A view of the available effects of the Prison Oct. 1, 1839.

Tools and prison furniture, inventoried at		$6,763.38
Stock on hand, *viz:*		
Provisions,	$1,036.40	
Fuel,	499.50	
Medicines in hospital department,	75.76	
Weaving department materials,	2,134.98	
Cordwainers' " "	519.18	
Chair-making " "	4,490.58	
Sundry manufactures dep. materials,	694.57	
Bills receivable, considered good,	2,609.56	
Individual accounts, considered good,	4,115.88	
Cash on hand,	28.31	
	$16,204.72	
Deduct amount of the liabilities against the prison, as appears in *Statement D*,	4,473.75	
		11,730.97
The balance of this statement is		$18,494.35

and is the amount of the property belonging to the state in the prison, including the amount of tools and prison furniture at $6763.38, as above stated, or, exclusive of tools and prison furniture, $11,730.97.

A list of debts due the Prison, and estimated as unavailable, per Statement E.

John T. French,	note, dated September 30, 1820,	$33.75
John B. Sartori,	balance on note, dated March 30, 1822,	48.16
Do.	note, dated March 30, 1822,	196.49
Do.	note, dated March 6, 1826,	77.77
John T. French,	note, dated September 30, 1826,	95.86
John Peir,	note, dated December 27, 1830,	28.33
Wilson & Macpherson,	check, dated January 31, 1831,	349.30
William Vanhart,	balance on note, dated July 15, 1836,	62.66
Do.	note, dated June 15, 1837,	255.51
William M. Thorp,	note, dated July 1, 1837,	308.25
Do.	note, dated August 1, 1837,	388.22
Do.	note, dated September 1, 1837,	353.50
		$2,197.80

On book account:

Thomas White,	6.00
Richard Hunt,	.12½
John Mount,	41.83¼
John R. Savage,	185.82½
John T. French,	27.80¼
Martin Howe,	.80
Daniel Bowman,	2.50
Gabriel Allen,	1.50
Richard Jaques,	5.12½
Isaac Pearson,	8.62½
F. C. & T. Plummer,	47.53
John E. Smith,	9.20½
John B. Sartori,	25.65
Lucius H. Stockton,	3.50
William Costner,	8.63
William West, deceased,	.87
Mrs. Harvey, "	6.37
Joseph West,	12.12
Riley Allen,	.70
Joseph Hill,	11.05
Robert Stockton,	1.00

Robert Cunningham,		$23.80
Elijah Ellis,		4.80
Jane Wilson,		3.50
Stacy A. Paxson & Co.,		19.47
George W. Richards & Co.,		16.88
Abraham Woodruff,		159.14
William M. Thorp,		1,144.29
Swain & Gill,		270.80
Sundries account, personal, consisting of old scraps of debts,		58.89
		$4,306.13
Commissioners of New Jersey state prison, for convict labour,	$17,426.74	
State of New Jersey, for a bill and repairs to the prison,	242.99	
		17,669.73
		$21,975.86

REPORT

OF THE SELECT COMMITTEE OF THE

HOUSE OF ASSEMBLY,

TO WHOM WERE REFERRED THE

ANNUAL STATEMENTS OF THE SEVERAL BANKS

OF THE

STATE OF NEW JERSEY.

February 21, 1840.

TRENTON:
PRINTED BY PHILLIPS & BOSWELL,
PRINTERS TO THE HOUSE.

1840.

REPORT, &c.

The select committee to whom were referred the statements of the banks of this state, made under the oath or affirmation of a portion of their officers, agreeably to the law on that subject, beg leave to REPORT—

That they have had the same under consideration, and have carefully examined the same, and believe said statements to be correct and in conformity to law; and have made a tabular statement of said reports, which is herewith transmitted. The committee would also, from a sense of duty, state that they have learned with deep regret, that some of the banks have suspended specie payments; but as the committee have no authority under the reference to recommend any action in the matter, they therefore deem it inexpedient to offer any opinion, but recommend the attention of the House to that subject. Your committee believing it to be greatly necessary, for the information of the citizens of the state, to have said reports published, therefore offer the following resolution:

Resolved, That two thousand copies of this report be printed.

(*Signed*) HENRY H. WILSON,
ABRAHAM BRITTIN,
THOS. E. COMBS,
JOSEPH GREER,
THOMAS P. HUGHES, } *Committee.*

Belvidere Bank,

To bills discounted (all considered good),		$123,179	47
Manufacturers Bank at Belleville,		685	
Banking house and lot, at cost,		4,088	17
Paper, plates, and bank furniture,		1,000	
Current expenses since 1st October, including tax,		662	26
Deposited in other banks,	$39,412.07		
Notes of other banks, considered good,	3,958.00		
Specie in vault,	20,464.14		
		63,834	21
		$193,449	11

Sworn to and subscribed by

Burlington County Bank,

To amount of notes and bills discounted,	$87,197	69
No bills or notes bought.		
Specie on hand, the property of the bank,	10,731	84
Balances due from other banks,	16,889	37
Bank notes and checks on other banks,	3,335	60
Banking house and lot, at fair valuation,	3,338	30
No other real estate.		
Bank note plates, paper, furniture, &c.,	1,035	77
Incidental account,	26	31
Assets, all deemed to be good,	$122,554	88

Attested, under affirmation, by

Commercial Bank of New Jersey,

Bills discounted,		$43,088	85
Real estate,		2,245	54
Merchandise,		316	36
Active capital, *viz:*			
In specie,	$1766.89		
Bank notes and drafts,	1850.80		
Deposited in New York,	1326.98		
Total amount of active capital,		4,944	67
		$50,595	42

Bank furniture, bank note plates, and paper, $1000.

Sworn to and subscribed by

BELVIDERE, January 1, 1840.

By capital stock paid in,		$85,450	
Surplus fund,		22,199	90
Discount received since 1st October last,		2,546	61
Dividends unclaimed,		403	90
Deposit at the credit of the state treasurer,		1,524	48
Belvidere notes in circulation,		64,408	
Amount due to sundry banks,		780	94
Deposits on account of individuals,		16,125	38
		$193,449	11

J. KINNEY, Jun., *President*, JOHN STEWARD, *Cashier.*

MEDFORD, January 1, 1840.

By capital stock actually paid in,		$70,000	
☞ None of the stock pledged or responsible for notes or bills discounted.			
None of the stock owned by the bank.			
Notes of this bank in circulation,		28,357	
Dividends unpaid,		132	50
Due depositors,		21,807	31
Surplus fund, or profit and loss account,		1,664	83
Discount received,		593	24
		$122,554	88
There are no other debts due from this bank, except a bill to the engraver, of about $370.			

BENJAMIN DAVIS, *Prest.*, J. OLIPHANT, *Cashier.*

PERTH AMBOY, January 1, 1840.

Capital stock paid in,		$30,000	
Balance due to banks and individual depositors,		5,148	63
Bank notes in circulation,		10,122	
Profit and loss account,	$5140.29		
Discount and interest received,	184.50		
Total surplus,		5,324	79
		$50,595	42

HERMAN BRUEN, *Prest.*, JAMES A. NICHOLS, *Cashier.*

Cumberland Bank,

Capital stock paid in,	$52,025
Profit and loss, surplus,	28,447
Bank notes in circulation,	98,289
Dividends unpaid,	1,665
Due to banks,	1,955
" to state treasurer,	320
" to other depositors,	27,328
	$210,029

Sworn to and subscribed by

Farmers & Mechanics Bank,

Capital stock paid in,	$130,000	
Dividends unpaid,	1,538	51
Bank notes in circulation,	24,326	
Due to other banks,	8,425	09
Due the treasurer of New Jersey,	650	
Due individual depositors,	23,166	23
Profits on hand,	2,555	26
	$190,661	08

Sworn to and subscribed by

Farmers & Mechanics Bank,

Capital stock,	$68,220	
Balance due to banks,	1,181	14
Circulation,	36,591	
Depositors,	11,916	28
	$117,908	42

Sworn to and subscribed by

BRIDGETON, January 1, 1840.

Bills discounted,		$123,295
Stock of the State Bank at Camden,		500
" " " Cumberland Bank,		6,950
Specie,		16,241
Notes of other banks,		12,330
Due from banks,		43,312
Real estate, banking house and lot,	$4018	
" taken in payment of debts,	3152	
		7,170
Protests,		30
Deficient accounts,		201
		$210,029

DANIEL ELMER, *Prest.*, J. C. READ, *Cashier.*

RAHWAY, January 1, 1840.

Bills discounted, deemed good,	$156,805.93		
" " doubtful,	1,846.03		
		$158,651	96
Bonds and mortgages, (good),		3,635	
Bank fixtures, plates, &c.,		1,277	31
Due from other banks,		13,819	80
Bank notes and checks of other banks,		1,195	38
Specie on hand,		10,873	78
Expense account,		1,207	85
		$190,661	08

WILLIAM EDGAR, *Prest.*, J. F. KING, *Cashier.*

NEW BRUNSWICK, January 13, 1840.

Bills receivable,	$64,288	87
Real and personal estate,	19,124	75
Stock of this bank,	18,000	
Balance due from banks, &c.,	1,813	08
Notes of other banks,	4,465	
Specie on hand,	8,323	90
Profit and loss,	1,892	82
	$117,908	42

ABM. SUYDAM, *Prest.*, J. L. CARMAN, *Cashier.*

Mechanics and Manufacturers Bank,

Capital stock paid in,		$124,080	
Due to non specie paying banks,		3,428	62
Due to specie paying banks,		217	60
Notes of this bank in circulation,		33,299	
Profit and loss account,		4,772	42
Dividends unpaid,		437	75
Due depositors,		23,663	03
		$189,898	42

Sworn to and subscribed by

Farmers and Merchants Bank,

Capital actually paid in,		$25,000	
Notes of this bank in circulation,		16,378	
Due to individual depositors,	$11,361.38		
Deposited to meet notes discounted,	1,020.98		
		12,382	36
Balances due to other banks,		1,500	44
Bills payable, to fall due 8th February,		3,000	
Surplus fund, undivided profit,	$583.09		
Interest and discount, do.	907.24		
		1,490	33
		$59,751	13

There is none of the capital stock owned by the bank, but all held and owned by individuals. There is none of the capital stock pledged to the bank for loans made. No other debts due, or to become due.

Sworn to and subscribed by

TRENTON, January 1, 1840.

Bills discounted, considered good,	$122,340.84		
Do. do. do. doubtful,	11,850.00		
		$134,198	84
Due from specie paying banks,	$7,070.50		
Specie on hand,	12,836.85		
Notes of specie paying banks on hand,	6,240.00		
		26,147	35
Due from non specic paying banks,	$13,665.72		
Notes of non specie paying banks,	4,860.25		
		18,525	97
Certificate of city of Trenton, payable on demand,		2,500	
Capital stock, belonging to bank,		1,748	
Real estate, being banking-house, &c.,		6,637	95
Protest account,		140	31
		$189,898	42

WILLIAM GRANT, *Prest*,, CHARLES PARKER, *Cash.*

MIDDLETOWN POINT, January 1, 1840.

Bills and notes discounted, thought to be good,	$45,172.04		
Do. do. do. doubtful,	266.00		
		$45,438	04
Notes of and drafts on other banks, believed good,	$719.37		
Do. suspended and doubtful,	398.25		
Specie in vault,	2,685.71		
Cash on deposit in bank in New York,	4,625.46		
		8,428	79
Real estate, banking-house, lot, &c.,	$4,860.78		
Fixtures, vault, iron chest, plates, &c.,	771.50		
		5,632	28
Incidental expenses paid since dividend,		252	02
		$59,751	13

WILLIAM LITTLE, *Prest.*, ELIHU BAKER, *Cashier.*

Farmers Bank of New Jersey,

Capital paid in,	$100,000
Notes in circulation,	63,725
Discounts received,	2,372
Dividends unpaid,	655
Profit and loss account,	34,437
Suspense account,	67
Due to banks,	1,990
Due to depositors,	50,081
	$253,327

Attested, under affirmation, by JNO. BLACK, *Prest.*

Mechanics Bank,

Bills discounted,	$500,679	95
Real estate, at cost,	28,719	30
Bond of the New Jersey Insurance Company, secured by mortgage on house and lot No. 273 Broad street,	15,000	
Due from sundry banks on hand,	67,795	83
Notes and checks of sundry banks on hand, deemed good,	12,908	36
Specie,	30,725	77
	$655,829	21

The assets of the bank, as stated above, are all believed to be good. Of the capital stock, one hundred and seventy shares are hypothecated to the bank, as collateral security, and there is but one stock note in the bank, the amount of which is twelve hundred and fifty dollars. In addition to the assets named in the foregoing statement, the bank has also fixtures in the banking-house, plates, and bank bills.

Sworn to and subscribed by

Mechanics Bank,

To capital paid in,	$40,000	
Notes in circulation,	73,416	
Interest received,	2,907	57
Due to other banks,	1,029	86
Due to depositors,	17,752	26
	$135,105	69

Attested, under affirmation, by WILLIAM R. ALLEN, *Prest.*

MOUNT HOLLY, January 1, 1840.

Bills discounted, outstanding,		$140,314	
Specie in bank,		14,399	
Notes and drafts of other banks, good,	$18,794		
Do. do. doubtful,	164		
		18,958	
Due from other banks,		31,025	
Bonds and notes on interest,		10,790	
Mortgages,		4,416	
Bank stock,		6,460	
Expenses paid,		872	
Due from sundry persons,		878	
Real estate,		25,215	
		$253,327	

Sworn and subscribed by J. BEATTY, *Cashier.*

NEWARK, January 1, 1840.

Capital stock,	$500,000	
Profit and loss, including discount and interest received to this date,	45,377	84
Dividends unpaid,	1,054	56
Notes in circulation,	34,662	
Due to sundry banks,	20,154	19
Due to depositors,	54,580	62
	$655,829	21

truck off, amounting in value to $3000. The real estate was purhased in 1836, and a building repaired and fitted up for the use of he bank, which is worth its cost to the bank, from its peculiar locaon and adaptedness to our business. In the present depressed state f the country it is out of our power to say what the property would ell for, or to fix any other value than its cost.

JOSEPH A. HALSEY, *Prest.*, MATTHIAS W. DAY, *Cashier.*

BURLINGTON, January 1, 1840.

By bills discounted,		$61,304	38
Bonds and mortgages,		1,400	
Mechanics bank stock,		460	
Due from other banks,		39,283	51
Fixtures, banking-house,		650	84
Notes of other banks,	$15,629.00		
Specie,	14,474.64		
		30,103	64
		$135,105	69

Sworn and subscribed by ARCH. BURNS, *Cashier.*

Morris County Bank,

Bills receivable,	$89,521	24
Checks and sundry other cash papers,	6,509	80
Specie on hand, the property of the bank,	4,843	78
Deposited in a specie paying bank in New York city,	5,353	60
Notes of specie paying banks on hand,	5,391	31
Amount due this bank from other banks in the state of New Jersey,	401	74
	$112,021	47

Sworn and subscribed by,

Newark Banking and Insurance Company,

Bills receivable,	$627,261	40
Specie on hand the property of the bank,	42,222	75
Notes of sundry banks,	11,827	78
Due from sundry banks,	74,914	53
Real estate at cost (its estimated value now),	14,078	70
	$770,305	11

Of the capital stock, there has been pledged, or hypothecated to the company, the sum of eighty-eight thousand nine hundred and fifty dollars.

The company own forty-three shares of its capital stock, amounting

Sworn and subscribed by

Orange Bank,

Capital stock,	$102,500	
Bank notes in circulation.	12,187	50
Discount received,	2,995	06
Due to other banks,	1,925	38
state of New Jersey,	520	
individuals,	7,728	70
for dividends,	191	56
	$128,048	20

The amount of mortgages (collateral) held by the bank at this time is $10,000.

Sworn and subscribed by

MORRISTOWN, January 1, 1840.

Capital stock paid in,	$80,250.00		
Of this amount there has been taken for debts due the bank,	29,250.00		
		$51,000	
Notes in circulation,		18,147	
Due to the North River Bank, payable 13th March, 1840,		42,000	
Tax of the bank, due the treasurer of New Jersey,		401	25
Due several township collectors in Morris county,		3,322	89
Due the collector of Morris county,		219	87
Due several banks in New Jersey,		4,723	24
Due to individual depositors,		20,936	74
Profit and loss account,		1,270	48
		$112,021	47

H. A. FORD, *Prest.*, JAMES WOOD, *Cashier.*

NEWARK, January 1, 1840.

Capital stock subscribed and paid in,	$508,650	
Dividends unpaid,	18,069	75
Notes in circulation,	80,376	
Due to sundry banks,	51,799	16
Due to individuals,	57,196	22
Profit and loss,	54,213	98
	$770,305	11

to twenty-one hundred and fifty dollars.

The amount of debts deemed doubtful is seven thousand seven hundred and sixty dollars and thirteen cents, and bad, two hundred seventy-two dollars and eighty-eight cents.

SILAS CONDIT, *Prest.*, A. BEACH, *Cashier.*

ORANGE, January 1, 1840.

Bills discounted,	$109,615	21
Banking-house and grounds,	5,081	35
Contingent expenses,	936	02
Due from other banks,	4,398	17
Bank notes and checks on other banks,	3,213	20
Specie,	4,804	25
	$128,048	20

STEPHEN DAY, *Prest.*, WM. MUNN, *Cashier.*

New Hope Delaware Bridge Company,

Bridge,	$73,170	15
Toll-house and real estate,	2,000	
Personal property, viz. furniture, plates, &c.,	2,141	05
Protest account,	47	50
Over-drafts,	69	65
Real estate in Philadelphia, taken in payment for debts due company, its present real value not known,	23,669	65
Bonds and mortgages, (good),	1,050	
Bills receivable, (good),	152,747	16
do., (doubtful,)	76,312	08
do., (bad),	52,517	82
Due from other banks, (good),	16,967	05
Notes of other banks on hand,	7,865	
United States Bank post notes, due April 12th, 1840, payable in New York,	6,000	
United States treasury notes, bearing interest at six per cent. per annum,	9,000	02
Specie on hand,	10,033	
	$433,590	13

Sworn and subscribed by

Peoples Bank,

Capital stock,	$75,000	
Surplus fund,	9,783	72
Dividends unpaid,	48	50
Due other banks,	2,061	31
Circulation,	33,288	50
Deposits,	9,631	39
	$129,819	50

Upon the assets reported doubtful, the bank holds stocks and other collateral securities, the true value of which have not yet been determined.

Sworn to and subscribed by

LAMBERTVILLE, January 1, 1840.

Capital stock,	$400,000		
Less amount received in payment debts due co.,	70,540		
		$329,460	
Profit and loss,		51,487	46
Dividends unpaid,		1,351	60
Bills in circulation,		40,215	
Depositors,		11,076	07
2151 shares of stock pledged for security on bond.			
		$433,590	

MARCUS WILBUR, *Prest.*, JON. FISK, *Cashier.*

PATERSON, February 12, 1840.

Bills receivable (good),	$56,861.83		
(doubtful),	35,957.69		
		92,819	52
Bonus to the state,		1,000	
Real estate (fair valuation $3000) cost,		2,333	32
Hamilton stock, par value,		2,675	
A debt for which the bank holds bonds, mortgages, and real estate, believed to be ample,		6,871	10
A debt for which the bank holds a claim for a deposit of $10,000 in the New York Banking Company, on which claim a suit is now pending; also, certificates of stock of a New York city bank for twice the amount of said debt,		8,400	
Due from the bank of New York,		6,758	56
Bills and checks of other banks (good),		2,855	38
Specie on hand, actually in possession and the property of the bank,		6,100	62
		$12,9813	50

H. C. STINSON, *Cashier.*

H. N. BUTLER,
PLINY LAWTON,
ELIAS B. D. OGDEN, } *Directors.*

Princeton Bank,

Capital stock paid in, (Notes A & B),	$90,000	
Notes in circulation,	84,452	
Discounts and interest received,	1,410	03
Surplus fund, (Note C),	1,154	12
Dividends unclaimed,	1,102	10
Due to other banks,	3,226	45
Due to depositors,	65,746	96
	$247,091	66

Note A. By the act incorporating the bank, "no transfer of stock of the said corporation shall be valid and effectual until any debt or debts which may be due to said company from the person or persons transferring shall be discharged."

Note B. No part of the capital stock is owned by the bank.

Sworn and subscribed by

State Bank,

Capital stock,	$200,000	
Profit and loss,	19,697	48
Due treasurer of state of New Jersey,	1,000	
Dividends unpaid,	598	50
Due to other banks,	6,123	83
Notes in circulation,	46,302	
Deposited by individuals,	36,489	11
	$310,210	92

Sworn and subscribed by

State Bank,

Bills and notes discounted, including exchange purchased, deemed good,	$418,080.24		
doubtful,	2,491.40	$420,571	64
Real estate, valued at cost, estimated to be worth 50 per cent. more, or thereabouts,		10,075	67
Stock, Newark Mutual Fire Assurance Company, deemed good for 80 or 90 per cent.,		140	
Specie in possession, the property of the bank,		33,428	47
Bank notes of other banks and companies,	$9,858		
Certificate of notes Manufac's Bank, Belleville,	662	10,520	
Due from Mechanics Bank, New York, (good),		21,576	30
" " other banks and companies, (good),		27,078	46
Contingent expenses,	$794.51		
Taxes,	76.17		
Tax on capital,	2000.00	2,870	68
		$526,261	22

Sworn and subscribed by

C. J. GRAHAM, *Cashier.*

PRINCETON, JANUARY 1, 1840.

Loans deemed to be good,	$181,425	25
Do do doubtful,	1,105	
Real estate, being the cost and fair valuation,	10,088	65
Personal property, bank note plates, furniture, &c.,	2,000	
Incidental expenses paid,	369	31
Due from other banks,	20,553	30
Notes of other banks and checks,	16,311	22
Specie on hand, actually the property of the bank,	15,238	93
	$247,091	66

Note C. It will be perceived that the surplus fund amounts to more than the doubtful assets, so that, without taking into account any interest which has accrued, the capital (after paying all other liabilities) is deemed unimpaired.

RICHARD S. FIELD, *Prest.*, LOUIS P. SMITH, *Cashier.*

ELIZABETH, JANUARY 1, 1840.

Bills and notes discounted,	$253,107	06
Banking-house,	15,236	20
Due from other banks,	22,274	49
Bank notes of other banks,	4,202	
Specie in the vault,	15,391	17
	$310,210	92

JAMES CRANE, *Cashier.*

NEWARK, JANUARY 1, 1840.

Capital stock subscribed and paid in, of which 551 shares, of $50 each, are pledged for payment of $14,950 bills discounted. No other shares are held or owned by the bank,		$400,000	
Profit and loss, (being surplus),		9,540	51
Discounts received,		5,900	62
Exchange received,		7,024	95
Dividends unpaid,		1,199	23
Bank notes in circulation,		31,079	
Due to other banks,		13,455	65
Due to depositors, *viz:*			
I. Southard, Treasurer N. J.,	$95.86		
" School Fund,	2,500.00		
Archer Gifford, Coll'r U. S.,	1,429.34		
Individuals,	54,036.06	$58,061	26
		$526,261	22

EPH. BOLLES, CALEB CARTER, Jr., JEPTHA BALDWIN, *Directors.*

State Bank,

Bills discounted,		$140,958	07
Of this amount there is doubtful,	$4,674.90		
And bad,	395.04		
Specie in vault,		2,946	03
Bank notes of other banks,		2,638	
Due from other specie paying banks,		2,530	74
Real estate, consisting of banking-house and 320 acres of land in Sussex county,		10,000	
Personal property, consisting of furniture, bank note plates, &c.,		500	
Expense account,		711	36
		$182,028	20

Sworn and subscribed by

State Bank,

To capital stock,	$118,125
Profit and loss,	9,792
Discount received,	1,734
Dividends unpaid,	1,012
Due other banks,	5,387
Circulation,	62,915
Individual depositors,	51,649
	$250,614

Sworn and subscribed by

State Bank,

Capital stock,	$260,000
Circulation,	265,272
Profit and loss,	25,242
Discount and interest received,	9,766
Dividends unclaimed,	1,589
Due to other banks,	2,066
state of New Jersey,	1,300
depositors,	72,235
	$637,470

Attested, under affirmation, by

MORRIS, January 1, 1840.

Capital stock paid in,		$100,000	
Bills in circulation,		28,030	
Dividends unpaid,		181	
Due individual depositors,		28,854	31
Due to other banks,		2,328	29
Surplus over capital,		7,782	21
Discount received since last dividend,		2,708	39
Capital stock pledged for notes discounted,	$2,900		
Capital stock owned by bank,	10,100		
		13,000	
		$182,884	20

E. CUTLER, *Prest.*, ED. CONDIT, *Cashier.*

NEW BRUNSWICK, January 1, 1840.

By New Orleans city bank stock,	$3,150
Specie,	17,942
Notes of other banks,	16,380
Due from other banks,	33,130
Belleville receiving certificate,	597
Counterfeit and broken bank notes,	161
Bills discounted,	124,827
Notes receivable,	30,580
Bonds and mortgages,	8,765
Real estate,	13,941
Contingent expense account,	1,141
	$250,614

F. R. SOUTH, *Prest.*, P. SPADER, *Cashier.*

CAMDEN, January 1, 1840.

Bills and notes discounted, outstanding,	$362,648
Loans upon bonds and mortgages,	8,051
Loans upon stock of this bank,	20,200
Specie, gold and silver,	39,152
Notes of banks in the city and county of Philadelphia,	73,324
Other bank notes,	1,096
Due from other banks,	79,778
from J. M. Paterson, agent,	3,000
Stock in Bank of the United States,	9,323
Interest due on bonds and mortgages,	160
Suspended debts, good,	13,402
Do. doubtful,	6,500
Real estate,	12,698
Banking-house and lot,	6,757
Expenses from 1st October, 1839,	1,381
	$637,470

R. M. COOPER, *Prest.*, R. M. OGDEN, *Cashier.*

Sussex Bank,

Bills discounted,	$84,820	28
Bonds and mortgages,	10,982	07
Real estate,	5,002	09
Specie in bank,	28,925	55
Bank notes of other banks,	3,932	
Due from other banks,	17,251	02
	$150,913	01

Attested, under affirmation, by

DAVID RYERSON, *Prest.*

Salem Bank,

Bills and notes discounted (good),	$139,885	86
Bonds and mortgages, all good,	2,663	91
Real estate,	2,525	
Protest account,	17	70
Due from other banks,	21,451	56
Notes of other banks,	8,443	
Specie,	20,694	29
Profit and loss,	21,414	53
	$217,095	85

Sworn and subscribed by

Trenton Banking Company,

Bills discounted,	$264,375
Mortgages,	53,358
Real estate,	16,940
Delaware Falls stock,	880
Loan to the state of New Jersey,	2,000
Notes of other banks, and due from other banks (of which $12,000 is specie fund),	33,691
Specie on hand,	21,523
	$392,767

Sworn and subscribed by

Union Bank,

Bills receivable, good,	$67,823.03		
Do. doubtful,	3,000.00		
Do. bad,	750.00		
		$71,573	03
Specie in vault,		8,049	39
Funds deposited in city of New York,		40,830	33
Due from country banks,		1,518	94
Notes of specie paying banks on hand,		2,210	13
Personal property, furniture, plates, &c.,		2,500	
Interest and discount unappropriated,		13,434	84

Sworn to and subscribed by

THOMAS B. SEGUR, *Cash.*

NEWTON, January 1, 1840.

Notes of the bank in circulation,	$41,735	
Due other banks,	3,107	61
Due individual depositors,	12,192	31
Capital stock paid in,	67,500	
Profit on hand undivided,	26,378	09
	$150,913	01

Sworn to and subscribed by

S. D. MORFORD, *Cashier.*

SALEM, January 1, 1840.

Capital stock paid in, none pledged,	$75,000	
Notes in circulation,	97,985	
Due other banks,	461	87
Interest on hand,	14,259	33
Due depositors,	29,389	65
	$217,095	85

CALVIN BELDEN, *Prest.*, JOHN ELWELL, *Cashier.*

TRENTON, January 14, 1840.

Capital stock,	$210,000
Bank notes in circulation,	56,000
Due to other banks,	22,297
Discounts received,	492
Profit and loss account,	49,437
Due pension agent,	22,651
Due depositors,	31,890
	$392,767

PHIL. DICKINSON, *Prest.*, JOHN TITUS, *Cashier.*

DOVER, January 1, 1840.

Capital paid in (none pledged, or owned by bank),	$50,000	
Notes in circulation,	34,152	
Dividends unpaid,	4,500	
Due to individual depositors,	12,656	40
Due to other banks,	253	41
Profit and loss,	14,480	41
Expenses,	5,000	

JACOB HURD, RICHARD BROTHERTON, DAVID SANFORD, JAMES S. HAND, *Directors.*

22

SPECIAL MESSAGE

OF THE

GOVERNOR OF NEW JERSEY;

WITH

ACCOMPANYING DOCUMENTS.

January 14, 1840.

TRENTON:
PRINTED BY PHILLIPS & BOSWELL,
PRINTERS TO THE HOUSE.
1840.

MESSAGE.

To the Legislative Council and General Assembly of the State of New Jersey.

GENTLEMEN:—I herewith transmit a communication, recently made to me from Washington by five of the members of Congress from this state, announcing that they have been excluded from their seats in the House of Representatives, and in the most extraordinary manner. I present it to you with feelings of the most painful regret that an event should have occurred so calculated to disturb the friendly relations which have hitherto subsisted between this state and the Federal Legislature. And in this feeling you will, I am sure, fully participate.

By this violent proceeding the authority of the state has been treated with contempt, and she is despoiled of one of her most precious constitutional rights. Without indulging any expression of the natural feelings which the occasion is so well suited to inspire, and under a deep sense of the obligation of the Executive to communicate fully with the legislature in a case which so intimately affects the interests of the people and the reputation and sovereignty of the state, I commend the subject to your prompt and serious consideration.

By the constitution of the United States, the power of holding elections for representatives in Congress, the times, places, and manner, are expressly reserved to the states, until they are altered by a law of Congress. Accordingly this state, in common with every other member of the Union, has made full provision on the subject. Our laws prescribe when and where the election shall be held, how the result shall be ascertained, and by whom the commission shall be granted. This commission under the seal of the state gives to the holder a right in the first instance to be sworn, and to take his seat as a member of the House. Thus far the power of the states and the state authorities are complete, and cannot be intercepted by any authority known to the constitution. It was seen however, by the fra-

mers of the constitution, that cases might arise in which, from a non-compliance with the laws of the states or by frauds in the election, the person holding the commission would not in justice and equity be entitled to the seat. The provision, therefore, was wisely made, that each house of Congress shall have the right to judge of the elections, returns, and qualifications of its members. But you will observe that they must first become a *House* within the meaning of the constitution. It could never have been intended that a body of individuals, assembling at Washington at the time fixed for the meeting of Congress, before they are organized or even sworn, and before the necessary officers are chosen to preserve order, should be deemed a House of Representatives. When they become duly organized, and not before, the House is constituted "the judge of the elections, returns, and qualifications of its own members." It may then, on application of others claiming a better right, investigate fully the title of any member to his seat. It is then competent to inquire into the elections, to receive evidence, send for persons and papers, look into the returns, correct irregularities and frauds, and to do whatever else may be necessary to enable it to "judge" whether the persons holding the commissions or the claimants have been duly elected by the people. By this course of proceeding no state can be unrepresented, and any injustice or informality that may arise from the imperfect or irregular operation of the state laws may be corrected.

It is no part of our complaint, therefore, that the House of Representatives should, when organized, investigate, and investigate thoroughly, the qualifications and pretensions of its members. That it possesses the power in its fullest extent, and has alone that power, has never been doubted or denied. But it is the attempt of an unorganized body of men to exercise this high prerogative without the forms of law, of which we complain, and which act can be characterized only as a monstrous usurpation. It was by a summary proceeding of this sort that New Jersey has been deprived of five-sixths of her representation in Congress. The title of the five representatives who have been thus excluded without a hearing, without investigation, and without even so much as the form of a trial, has not been impeached in any respect whatever, and they now stand clothed with precisely the same powers, and are entitled by the constitution and laws to equal privileges, with the men by whose concurrence they have been excluded. What other views can we take of this case than as an insult offered directly to the state whose commissions these gentlemen bear, and a violation of the constitution of the United States.

This proceeding is materially aggravated by the fact, that the House is engaged in the transaction of business which deeply concerns the people of New Jersey, the same as if they were fully represented. A large appropriation of the public moneys has already been made without regard to the claims of this state to a voice on the subject. With the same propriety the representatives from the other states who have conspired to exclude New Jersey thus far from her proper participation in the business of the House, may go on without her consent to appropriate the public revenues, alienate her title (sealed with the best blood of the Revolution) in the public domain, or involve us in all the consequences of a disastrous system of finance. As a precedent it is fraught with the greatest mischief, and if the positions which have been assumed are to prevail, the very first principle and the only security of representative government will have been subverted. It will then always be in the power of a minority to rule, since the mere act of questioning the title of members deprives them of their seats. It is believed that the case is without a parallel in the history of legislation. I may venture to say, that no example of the kind can be found in the history of any State Legislature, in the usages of Congress, or the British Parliament.

The case is not at all affected by the well known fact, always understood and recognized, that there is a grave question as to five of the seats from New Jersey to be settled ultimately by Congress. There are two returns from townships, which under the laws of the state could not be counted by the state officers. Whether they are such as should be counted by Congress (which has a very different power over them from officers acting under the positive directions of the statute of the state), is a question for the House to settle. There is still another and more important question remaining, growing out of frauds alleged to have been committed, not by mistake or oversight, but by a systematic plan to allow aliens not naturalized the privilege of voting. As to one of the disputed townships, we are not left to conjecture on this point, for you will remember that the fact was clearly ascertained by an open examination before the legislature last year. I pretend not to know, and if I did, should think myself not warranted in expressing any opinion as to which of the two parties claiming the election will appear on a full and final examination entitled to the seats, and have no other desire than that justice should be done. But all this has no just bearing on the case before us. It constitutes no ground of justification for that violent *ex-parte* proceeding by which the case was prejudged, and the state left with but a single representative on the floor of Congress.

What were the pretexts for this act? The claimants produce a certificate from the secretary of state of certain estimates and returns, by which it would appear that if the returns from two townships in the state, which were rejected returns and never forwarded to the governor, had been counted, there would be a majority of votes for the claimants. This certificate possesses no authority whatever. It does not relate to any paper or record belonging to the office of the secretary of state, and was issued without the authority of law. It might as well have certified a private letter or a column of a newspaper. In the absence of a more convenient place of deposit, it has been customary for the governor to lodge executive papers in the secretary's office for safe-keeping, and that practice was followed in the present instance; but they form no part of the files or records of his office.

Is it alleged that any law of the state was violated in the manner of awarding the certificates? There is your statute book, and by it the Governor and Council are directed to make up the result from the clerks' returns, and from them alone; and the commissions were awarded after a careful estimate of the returns from all the clerks in the state. Without a violation of the law and of my official oath, without passing by the advice of the Council, and disregarding the unvarying practice under the law from its enactment, no other course could have been adopted. I take my stand by the side of the laws of the land; and amid the storms of party, seek no other security than an approving conscience and a firm conviction of having faithfully discharged my duty. But I have the further satisfaction to know that my judgment has been fully confirmed by you, gentlemen, and by the people of the state. But suppose it were otherwise? Do you hold your Executive responsible for his acts to the Congress of the United States? This would be new doctrine for an independent state. I am alone responsible for my public acts, let me say to the legislature and the people of my own state; and I deny all right to pass upon them officially by any other earthly power. Whether, therefore, the decision in granting the certificates was right or wrong, Congress, at all events, is bound to receive the credentials thus furnished, as the mandate of the state to them, that they admit their representatives to their seats, until others can show a better title.

I have thus presented to you my views of this case. I find in it no palliating circumstances, nothing but a most unprovoked violation of our rights as a state, and impeachment of our character as a people. What action you may think proper to take upon it, must be left to your judgment and sound discretion. As the immediate representa-

tives of the people, you best know their feelings and their wishes. If there be not a deep and settled feeling of injury in the minds of the people, I have not properly appreciated their character. It is not among the least alarming features of the case, that the question has always been carried against the rights of New Jersey by a party vote. I trust, gentlemen, you will vindicate the abused honour and violated rights of the state in firm and manly tones. That you will enter your solemn protest before the country against the usurped powers of Congress, and call upon them, even now, to reconsider and reverse an act which can only tend to alienate the feelings of a state among the most devoted to the Union. I would now, and for ever, deny the power of Congress to bind this state by her acts, while she denies us a representation in that body. There will be but one feeling with your sister states; they cannot but see in this act towards New Jersey what may be their own fate, whenever for party purposes the like action towards them shall seem expedient. They should be called on to declare their opinions on the powers, now for the first time asserted on the floor of Congress. While I am satisfied that, consulting the wounded feelings of the people, you cannot reprobate in too strong terms the whole of this proceeding, as unconstitutional, illegal, and void, I would still desire that you may be led into no violent or indiscreet action. The people of New Jersey are friends to their country, and will abide by her fortunes for weal or for wo. I would see you take counsel from your patriotism, as well as from your feelings, knowing that it is always more noble to suffer wrong than to do wrong, and in the hope that the day will yet come when our public councils will be guided by men who will regard the constitution, the laws, the rights of the states, and the peace and harmony of their country.

WM. PENNINGTON.

TRENTON, January 14, 1840.

DOCUMENTS

ACCOMPANYING THE MESSAGE.

To His Excellency William Pennington, esquire, Governor of the State of New Jersey.

May it please your Excellency:

We, the undersigned representatives of the State of New Jersey in the House of Representatives of the twenty-sixth Congress of the United States, being excluded from the performance of our official duties, in violation as well of the constitution and laws of the United States as of the laws and rights of our own state, would respectfully submit to your Excellency, and, through you, to the legislature and the people of New Jersey, the following statement:

Shortly after the late election for members of Congress, commissions under the great seal of the state, and signed by your Excellency, (a copy of which is annexed, marked *A.*) were forwarded by the secretary of state to us severally, constituting us representatives of the state of New Jersey in the twenty-sixth Congress. Although fully satisfied that the decision which had awarded them to us was not only correct, but under the laws of the state unavoidable, yet being apprised that in consequence of the failure of the election of officers in two townships to make proper returns, their votes had been lost, we thought it not right to act under the commissions, unless assured that we were also entitled to them by a majority of all the legal votes cast in the state. At the same time we did not feel justified in refusing them, as information from sources entitled to respect, had induced us to believe that we had such majority. The investigation of the Cumberland election by the legislature, soon changed this belief into certainty with respect to one of our number. Knowing, however, that the further examination requisite to determine the rights of the others, would be attended with great difficulty, and if brought before the House, with great expense and delay of public business, we thought it best, on the first opportunity after our commissions came into effect, to make to our late competitors an offer to resign, and submit the question to the people, as that could be done at the annual state election

without the least additional trouble or expense. This offer was refused; but still unwilling to avail ourselves of our position, unless satisfied of the equity of our claim in addition to the perfection of our legal title, we, at our own expense, instituted an examination; and although prevented by the want of a law for the purpose, and by the opposition and threats of those interested in suppressing it, from getting the greater part of the evidence then in the form of depositions, we found enough to assure us that we could prove we had received the majority of the legal votes. After this we could no longer hesitate; and, in obedience to our commissions, took our seats in the House of Representatives on the first day of the session. The clerk of the House in the last Congress, in conformity with the usage which has obtained for many years, commenced calling the roll of members from the several states in their order, but on coming to New Jersey called Mr. Randolph only; and then stated "that there were five of the seats belonging to representatives of this state contested; and, not feeling it his duty to decide the question of a right to them, he would, if such a course should be approved by the House, pass over the remaining names until the other states should have been gone through with, and then submit the evidence in his possession touching the rights of the several claimants to seats from that state." Regarding this course as insulting to our state, we demanded that the evidence should be read, and that the persons producing such credentials as were required by the laws of the state, should be called in their proper order. A debate ensued, in the course of which it appeared that the *evidence* in conflict with our commissions was a paper purporting to be a certificate of the secretary of state of New Jersey, stating the result of *his* examination of the returns of the county clerks, and also of the returns of votes from the two townships not included in the county returns, and which he alleged to be on file in his office. A copy of this paper, which however worthless in itself, should be preserved in connection with the event, is annexed, marked *B*.

The clerk professed to regard this hearsay statement of an unauthorized individual as at least equal in validity to the highest kind of evidence known to the law, the testimony of a state by its great seal; and it soon became apparent that in so doing he was merely the tool of others, and that almost the entire administration party in the House would sustain by their votes this monstrous assumption.

On the fourth day of the session, in consequence of the clerk's refusal to put any question but that of adjournment, and after he had clearly intimated that he would not comply with the written request

of a majority of those whose seats were not disputed to enroll our names, the Honourable John Q. Adams was called to preside in the meeting. The debate was then continued upon a resolution directing the clerk to call the names of those holding the regular and legal commissions from the executive of our state, which was subsequently laid upon the table, the members having in the meanwhile decided, by a small majority, that even on a collateral question our votes should not be counted; and at the same time, by an unanimous vote, repudiated those which the claimants of our seats had given.

A resolution was then offered by Mr. Rhett, of South Carolina, and adopted, "That the House will proceed to call the names of gentlemen whose rights to seats are not disputed or contested; and, after the names of such members are called, and before a speaker is elected, they shall, provided there be a quorum of such present, then hear and adjudge upon the elections, returns, or qualifications of all claimants (Mr. Naylor and Mr. Ingersoll excepted) to seats contested upon this floor." Believing that the members from other states, before the organization of the House, and before taking the oath to support the constitution, had no power to question the decisions of the state authorities, and that all such proceedings were in direct violation of the constitution, as well as an express law of the United States, and a high-handed outrage upon the laws, rights, and dignity of the state of New Jersey, we presented, through our colleague, Mr. Randolph, our solemn protest against them; a copy of which is annexed, marked *C*.

A resolution, offered by Mr. Wise, of Virginia, "That the credentials of the following members, John B. Aycrigg, John P. B. Maxwell, William Halsted, Charles C. Stratton, and Thomas Jones Yorke, are sufficient to entitle them to take their seats in the House, leaving the question of contested election to be afterwards decided by the House," was put, and lost by a tie vote of 117 to 117. After several other resolutions had been proposed and discussed, but no decisive vote taken, the members proceeded to the election of speaker, without further hearing or adjudging upon the election returns or qualifications of the claimants to the contested seats. Thus, by a tie vote of a minority of the members actually present on the floor, was the testimony of a state, authenticated in its most solemn form, set aside, without proof, without trial, in defiance of uniform usage and of the clearest provisions of the constitution and of law; the laws of the state annulled, and she deprived of almost her entire representation in the House. It is the first outrage of the kind in this nation, and probably the first that has ever disgraced the history of a regular represen-

tative government. An attempt will no doubt be made to palliate it by the plea, that had all the votes been properly returned by the officers of election, our opponents would have had a majority. How little influence this really had is apparent from the fact, that Mr. Naylor, of Pennsylvania, with the regular and legal credentials of his state, and an acknowledged popular majority of more than seven hundred, escaped the same treatment by a vote of only 119 to 112, with all our votes in his favour, and only three of the claimants for our seats voting against him, though his exclusion was not necessary to secure a clear administration majority in the House.

We, considering the whole of these proceedings unconstitutional and void, and knowing that our rights, derived from the laws of our state, did not thus depend upon the will or caprice of our fellow members, offered our votes in the election of speaker, and demanded that they should be recorded; and after the speaker had been chosen, and the other members sworn in, presented ourselves to him, and demanded to be sworn. The speaker replied, in substance, that had the question then arisen *de novo* he should not have hesitated to administer the oath, but, in consequence of the previous proceedings, he thought it his duty to submit it to the House. After other propositions had been discussed and withdrawn, a resolution, offered by Mr. Evans, of Maine, "That the representatives of the twenty-sixth Congress of the United States do advise and request the speaker to administer the oath required by law to the five gentlemen from the state of New Jersey who have presented credentials to the speaker, and demand to be sworn," was lost by a vote of 112 to 116. For a more perfect detail of all these proceedings we must refer to the journal of the House, a copy of which will be forwarded to your Excellency.

Having on every proper occasion asserted the rights of our states, and of ourselves as her representatives, and ascertained that even the oath to support the constitution will not change the determination of the majority, we think it useless further to press our claims at the present time. Our feelings as Jerseymen strongly urge as to withdraw at once from a body which has thus disgraced itself in attempting to degrade our state; which has denied the authority of her laws, refused credence to her testimony, and trampled upon her rights; but duty forbids us to leave the post to which her commissions have called us, until compelled by power which we cannot resist or released from our obligations by the state herself. We are still, by the constitution of the United States and the laws of New Jersey, her representatives, and although excluded from acting as such by an exercise of

lawless and revolutionary power, it is our duty to maintain our places and assert our rights, as far as we can, without useless controversy and embarrasment to the business of the nation. It is our intention, unless the right is denied to us, or subjected to conditions degrading to our state or ourselves, to produce before the committee of elections, when appointed, evidence to show that we received a majority of the legal votes. But this will be done solely as an act of duty, in order to present the case fairly before the House and the country, and not with any idea of influencing the result. We have no such expectation. Those who thought our exclusion necessary to give them the majority will feel it still more necessary to secure their power. Having violated the constitution in their first act, and decided against us without proof, and in defiance of conclusive evidence and the strongest provisions of law, it would be idle to hope that they will now regard the obligations of justice.

It is proper to mention, that, after the debate in the meeting of the members had continued about a week, we received a letter from the gentlemen claiming our seats proposing that we, as well as they, should retire from our seats, and wait the further order of the House. It is almost unnecessary to add, that this proposition was at once refused; but in order fully to show its character and the reasons for its rejection, the correspondence is annexed, marked *D.* and *E.*

Having thus submitted a statement of the circumstances connected with the most flagrant violation of state rights which has yet occurred in the Union; and, we may add, the most extraordinary outrage upon law and constitutional right ever committed in a representative body in any country not in actual revolution; permit us in conclusion to say, that impressed with the high responsibility of the station in which the commissions of our state have placed us, we have endeavoured faithfully and conscientiously to discharge its obligations, feeling that duty only is ours, while events are in the hands of Him who controls the destinies alike of individuals and of nations.

With great respect your obedient servants.

House of Representatives of U. S. }
Dec. 21, 1839. }

JNO. B. AYCRIGG,
J. P. B. MAXWELL,
WM. HALSTED,
CHARLES C. STRATTON,
T. JONES YORKE.

A.

Copy of Commissions of the Representatives of the state of New Jersey in the twenty-sixth Congress of the United States.

STATE OF NEW JERSEY.

To John B. Aycrigg, of the county of Bergen, esquire, GREETING:

It appearing to the Governor of the state of New Jersey, and the Privy Council thereof, that you have been elected by the people of the state of New Jersey to represent the said state in the House of Representatives of the twenty-sixth Congress of the United States, you, the said John B. Aycrigg, are therefore commissioned to represent the state of New Jersey in the House of Representatives of the United States during the twenty-sixth Congress.

In testimony whereof the Great Seal of the State is hereunto affixed.

[L. S.] Witness, William Pennington, Governor of the state of New Jersey, at Trenton, this first day of November, in the year of our Lord one thousand eight hundred and thirty-eight (1838), and of the independence of the United States the sixty-third.

By the Governor,

(*Signed*) WM. PENNINGTON.

(*Signed*) JAMES D. WESTCOTT,
Secretary of State.

The commissions of William Halsted, of the county of Mercer, John P. B. Maxwell, of the county of Warren, Joseph F. Randolph, of the county of Monmouth, Charles C. Stratton, of the county of Gloucester, and Thomas Jones Yorke, of the county of Salem, are all in the same form as above, the address excepted.

B.

Copy of paper purporting to be a certificate of the Secretary of the State of New Jersey.

STATE OF NEW JERSEY, *ss.*—I, James D. Westcott, secretary of state of the state of New Jersey, do hereby certify, that upon a careful ex-

amination of all the returns made by the several clerks of the respective counties in said state, and filed in my office, and also returns of votes given in the townships of South Amboy, in the county of Middlesex, and of Millville, in the county of Cumberland, verified by the affidavits of the several township officers of election in said townships, respectively, which said township returns were not included in the returns of the clerks of said counties of Middlesex and Cumberland, and which were directed to be filed by the Governor, and now remain on file in my office, of the election for members to represent this state in the House of Representatives of the twenty-sixth Congress, held on the ninth and tenth days of October, Anno Domini one thousand eight hundred and thirty-eight, it appears that Philemon Dickerson received 28,453 votes, Manning Force 28,314 votes, Peter D. Vroom 28,492 votes, Daniel B. Ryall 28,441 votes, William R. Cooper 28,455 votes, Joseph Kille 28,426 votes, John B. Aycrigg 28,294 votes, John P. B. Maxwell 28,383 votes, William Halsted 28,337 votes, Joseph F. Randolph 28,427 votes, Charles C. Stratton 28,396 votes, and Thomas Jones Yorke 28,321 votes; and by which it appears that at said election Philemon Dickerson, Peter D. Vroom, Daniel B. Ryall, William R. Cooper, Joseph Kille, and Joseph F. Randolph received a majority of the whole number of votes given in the state of New Jersey for representatives of said state in the House of Representatives of the twenty-sixth Congress of the United States.

In testimony whereof, I have hereunto set my hand and affixed my seal of office, at the city of Trenton, in the said state, this twenty-fifth day of October, in the year of our Lord one thousand eight hundred and thirty-nine (1839), and of the independence of the United States the sixty-fourth.

[L. S.]

(*Signed*) JAMES D. WESTCOTT.

C.

Copy of Protest.

We, the undersigned representatives of the state of New Jersey, duly commissioned as such, in conformity with the laws of the said state, having been in part excluded from our privileges in this meeting of the members of the House of Representatives, deem it our duty to place before this body and the country our views with respect to the

rights of our state and of ourselves, and the powers and duties of this meeting.

We therefore affirm, in the presence of the members of the House of Representatives here assembled, and of the whole American people, the truth of the following propositions:

1. That, by the constitution of the United States, each state has the power to prescribe by law the time, place, and manner of holding elections for its own representatives in Congress; which power includes the right of prescribing the time, place, and manner of ascertaining and making known the result to Congress and the world.

2. That the determination of the state authorities, authenticated in the manner prescribed by the state laws, is the only evidence of the election of members of the House of Representatives which can be received prior to the organization of the House, and is final and conclusive until reversed by the House itself, duly organized.

3. That no one who cannot produce the evidence of his election prescribed by the laws of his state, is entitled to take a seat in the House of Representatives; and no one who does produce such evidence can be excluded before an investigation by the House, without a gross violation of the constitution of the United States and the rights of the states themselves.

4. That the House of Representatives cannot be constitutionally organized, nor a quorum formed, until all the states of the Union have had an opportunity to appear by all their representatives; and that a constitutional quorum is not merely a majority of the representatives elect, after the arbitrary exclusion of other members on any pretext whatever, but a majority of all the members from all the states, after each state has had an opportunity to appear by her representatives, and to constitute a part of that quorum.

5. That the body here assembled, having no judicial powers, possessing no means of sending for persons and papers, not legally authorized to examine witnesses under oath, and expressly forbidden by law to go into the consideration of any business before the House is organized and the oath to support the constitution administered to its members, cannot exercise the highest judicial function belonging to the House of Representatives, that of reviewing and reversing the decisions of the state authorities in relation to their own elections; and that its only power is, to require the persons appearing here as members to produce the credentials prescribed by the laws of their respective states.

6. That the state of New Jersey, having by law prescribed the

time, place, and manner of holding elections, and also the time, place, and manner of making known the result; and having for this purpose selected the highest kind of evidence known to the constitution, to the common law, to the parliamentary law, and to the law of nations, a commission under her great seal, and signed by the executive, has thus made known to Congress and to the world that we are her representatives in the twenty-sixth Congress.

This body having, in derogation of the principles above affirmed, refused in part to recognize our credentials, and that upon the authority of a paper which, emanating from an officer not recognized by the laws of New Jersey regulating elections, and therefore not under the sanction of an official oath, stating merely inferences from other papers, themselves not evidence, being *ex-parte* affidavits, taken without authority of law and without notice to us, and proved by the law itself to be false upon its face, could not be received as proof of the facts it asserts in any court of record in the Union; and an intention being manifested to carry farther this insult to our state, and to consummate the outrage upon her rights, by excluding us, her representatives, from taking part in the organization of the House, we, in the name of our *state* and of ourselves, and in behalf of our common country, and of all the other states, whose rights are outraged in the violation of ours, do most solemnly protest against any such usurpation of power by this body, and do utterly disclaim its right to do an act which will be a bolder and more flagrant violation of the constitution of the United States, and of the laws and rights of the states themselves, than has ever yet been attempted in this country.

WASHINGTON, Dec. 12, A. D. 1839.

JOHN B. AYCRIGG,
CHARLES C. STRATTON,
J. P. B. MAXWELL,
WM. HALSTED,
T. JONES YORKE.

D.

Copy of Letter.

HALL OF REP'S, Dec. 9, 1839.

Gentlemen:

As the House of Representatives have now been delayed for more than a week by our several claims to seats in this house, as you claim

a right to seats on this floor by virtue of the commission of the Governor of the state of New Jersey; and as we claim the same right, by reason of our having received a majority of the votes of the people of New Jersey at the election held on the 9th and 10th of October, 1838, for members of Congress of the twenty-sixth Congress, as this House have the constitutional right to judge of the returns as well as of the elections and qualifications of its members; and as we believe that it is in conformity with parliamentary usage and with propriety, that upon questions of this kind the parties whose rights are affected should not vote, we now propose that, waiving for the present the question of right, and for the purpose of relieving the House from its present embarrassment, we do all retire from our seats, and wait the further order of the House.

We have the honour to be yours with respect.

PH. DICKERSON,
P. D. VROOM,
JOSEPH KILLE,
WM. R. COOPER,
DANIEL B. RYALL.

To J. B. Aycrigg, esq., J. P. B. Maxwell, esq., Wm. Halsted, esq., Chas. Stratton, esq., T. J. Yorke, esq.

E.

Copy of Answer.

WASHINGTON, Dec. 9, 1839.

Gentlemen:

We have the honour to acknowledge the receipt of your letter of this date, and assure you that it would give us great pleasure to relieve the members of the House of Representatives from the embarrassment into which they have been thrown by the unprecedented course adopted by the clerk, and sustained by his friends, could we do so without sacrificing the honour of our state, the dignity of her laws, and the respect due to her officers.

Permit us, gentlemen, respectfully to ask, whether you have fully reflected upon the consequences of adopting your proposition, that waiving for the present the question of right, we shall all retire from our seats and wait the further action of the House?

The first and most obvious is, to exclude five-sixths of the representation of New Jersey from all action, not only in the organization of the House, but in all other matters, however vital to her interest,

until it shall please the majority to determine who are entitled to the seats.

Another is, that while the acts of the proper authorities in other states are received as final and unquestionable, those of our state are to be set aside upon mere presumption. It would also be surrendering the only principle upon which a representative body can be organized, that of recognizing as final and conclusive in the first instance the act of the delegating power duly authenticated in the form prescribed by law. And lastly, it would be a fatal precedent for New Jersey; we say New Jersey, for every other state would repudiate it with scorn. It would be established by no act of their representatives, and they would never acknowledge its validity with respect to themselves; New Jersey, alone, bound down by her own act, must bow to its authority.

And upon whom will rest the odium of such degradation? Not upon you. Not possessing the legal credentials, you could not, by parliamentary usage, take the seats without a vote of the House, even if we were to relinquish them, and therefore incur no responsibility in withdrawing; but we, bearing the commission of the state, are bound to execute its duties, or at once to resign.

We therefore consider it better, far better, that we should be excluded by an arbitrary and illegal act of others than voluntarily to abandon our post. The precedent would in either case be a fatal one; but in the former fatal alike to every state, and each would feel the necessity of reversing it, while in the latter it would degrade New Jersey alone.

You refer to parliamentary usage as sanctioning the course proposed, but we have not been able to discover any such usage; so far from it, we find every precedent against it, and throughout this long discussion not one in its favour has been referred to.

In the case of Letcher and Moore, the parties voluntarily adopted the course which the House must have taken, as neither of them had the legal credentials; and in that of Claiborne and Gholson, those gentlemen retained their seats, though their credentials were irregular upon their face; in both cases it was admitted, on all hands, that had the credentials been in proper form, no question could have arisen: and until such a case can be found, we feel authorized to say, that no question has ever been made in such a case until the present time.

You allege that you received a majority of the votes of the people of New Jersey at the late congressional election; we, gentlemen, also claim that we received a majority of the votes of the people of

New Jersey at that election, and upon that ground claim to be their representatives.

The people of the state, alone, have the right to send their representatives, and it is not every paper smuggled into the ballot-box by those who are not of the people of New Jersey, or substituted by the officers of election in place of the legal votes which have been placed there, that can be called a vote of the people of New Jersey. Her votes are given only by her own citizens.

We have presented no evidence but our commissions, because these, and nothing but these, can be received before the organization of the House. But were these the only evidence we could rely upon, we should have presented them only to resign our trust.

Before we were aware that the law had awarded these commissions to us, we were informed that the ballot-boxes in several townships had been the subject of gross frauds; and the examination which followed in our legislature, with respect to one of them, proved thus far the truth of the charge. Aware, however, of the difficulties attending such an examination before Congress, we, on the very first day on which our commissions came into effect, offered to resign them and submit the question again to the people, in the hope that effective measures would be taken in the meantime to secure the integrity of the ballot-boxes. You thought it your duty not to accede to our proposition, and to resign without your concurrence would have been merely to present the same questions to the House in a more embarrassing form.

All that remained for us, therefore, was to ascertain whether or not we had received a majority of the legal votes, that we might feel justified in the one case in taking our seats, and in the other in surrendering our commissions to Congress. Our examination has satisfied us that we had such majority; our course is therefore clear, and, while we shall avoid taking any improper advantage of our position, we must act in those cases when duty requires it.

Very respectfully yours.

JNO. B. AYCRIGG,
JNO. P. B. MAXWELL,
WM. HALSTED,
CHAS. C. STRATTON,
T. JONES YORKE.

To Philemon Dickerson, Peter D. Vroom, Daniel B. Ryall, Wm. R. Cooper, Joseph Kille, esquires.

N. B. As this is copied from the rough draft, which was not carefully compared with the letter sent, there may possibly be some verbal variations, though it is believed to be accurate.

Names of illegal Voters at the Congressional Election in 1838, *in New Jersey.*

Peter Barrant, Archibald M'Cambridge, Peter Snyder, Casper Briel, Louis Reitz, Frederick Eberhardt, William Kaltenback, William Bohrman, Frederick Witte, Nicholas Hoffman, Lewis Schaum, Aloys Abendschoen, Louis Becker, Constantine Voirsard, William Kaltenback, jun., Nicholas Buckage, James Murdock, William McCurdy, Samuel McClure, John McCurdy, Daniel Garret, Michael Schaum, Peter Rattoo, Daniel McAnall, Thomas Hutton, James Hutton, Hugh Richards, Andrew Cassedy, Harman Vogading, of Cumberland county, Millville township, aliens. Levi Davis, George Day, William Ireland, Cumberland co., Millville township, non-residents in county. Jacob Hoover, Walter Hartzog, Cumberland co., Millville township, had not paid tax.

John Tash, Henry Wick, Reuben Abbott, Harman Langley, William Davidson, Salem co., Pittsgrove township, non residents. Joseph Wattson, George Filer, John Starch, Errick Kalts, Salem, co., Pittsgrove township, minors. John Boque, Salem co., Penns Neck, did not attend the poll. Philip Sullivan, Sussex co., Wantage township, alien. James Brink, Sussex co., Wantage township, non resident. Nathaniel Odell, Sussex co., Wantage township, a good vote received, and afterwards thrown out of box. William Wallen, Sussex co., Byram township, minor. Andrew Rush, Sussex co., Frankford township, minor. Michael Lawler, Patrick Rider, —— Parks, —— Parks, Sussex co., Vernon township, aliens. Samuel A. Price, Sussex co., Frankford township, minor.

Hugh W. Holaway, Lewis Mackey, John C. King, Thomas Price Warren, co., Oxford township, not residents one year in county. Herbert Smith, Warren co., Greenwich township, a pauper. Hugh Randall, Christopher Bowers, jun., Thomas Warner, Warren co., Greenwich township, not residents one year. William Willer, Jas. G. Moore, Warren co., Greenwich township, legal voters rejected. Francis Anthony, Warren co., Independence township, alien. William Gulick, Warren co., Mansfield township, not resident.

John Gaffany, William McCartie, Patrick O'Neal, Sussex co. George Stephens, David Welsh, William Brown, Sussex co., non residents. Dennis Cochran, George Walker, Andrew Kinsley, John Maloy, Patrick Fannel, Daniel Kelagher, William Euen, Luke Flood, Abraham N. Cannor, Daniel Titus, James Faly, John Murry, Jeremiah W. Brown, Sussex co., Newton township, non residents. Josiah Perry, Uzal Devore, Joseph Dodder, Warren Wills, Joel Decker, Madison Coyhendell, Isaac Van Horn, jr., James Roof, James Wainwright, Joseph White, John Perry, James Fredericks, Lewis Milton, William Helm, Jacob Roe, Durand Hedden, John Price, Morris Barber, Robert Heath, Joseph P. Price, Sussex co.,

Newton township, non residents. Samuel Hendershot, Philip Van Horn, Robert Gray, Jacob Roof, jun., Jomes Roof, Sussex co., Newton township, minors. Joseph South, Beardsley Gray, Theophilus Phillips, Christian Shawner, Martin Hendershot, Sussex co., Newton township, non payment of taxes. Morris Dennis, Eustace Brownhart, Anthony Browne, Edward Blake, William Mallary, Hugh O'-Brine, Sussex co., Vernon township, aliens. William Stevens, Nathan S. Nolen, Henry Weatherwalks, Justice M'Coy, Charles Wood, Elijah Lanning, Francis Logan, Isaac Logan, Richard Logan, Frederick Storms, John Butler, John Cronk, Wm. H. Weatherwalks, Peter Logan, John S. Storms, Sussex co., Vernon township, non residents. Richard C. Roe, Elijah Webb, Sussex co., Hardiston township, minors. Canda Car, Robert O. Hand, Isaac Rake, Niel Brown, James Whitford, Robert Christy, Wm. McQuord, William Caffrey, Moses Sharp, Nicholas Sweeny, John Munson, Daniel Rockwell, John F. Moffit, John Babcock, William Dusenberry, Jesse Martin, Henry Martin, Samuel Cox, Charles Holmes, Henry Early, Calvin Sebolt, Abert Bremer, Sims Clark, Sussex co., Hardiston township, non residents. William Longstreet, Mathias D. Garnes, Sussex co., Hardiston township, paupers.

Elias Green, Somerset co., Montgomery township, non resident. Elias Green, (voted again in Mercer,) Princeton, non resident. David Logan, Somerset co., Bedminster township, a minor. Moses Ammerman, Jeremiah Castner, Sommerset co., Bedminster township, non resident. Nicholas Arrowsmith, Somerset co., Bedminster township, a minor. John Buck, Henry Post, Somerset co., Bedminster township, not one year in county. John Bigalow, Somerset co., Bedminster township, a minor. Jacob I. Vandoren, Somerset co., not one year in county.

Abraham Aller, Peter Swarts, Benjamin Yanger, Hunterdon co., Lebanon township, not one year in county. Richard Hope, Elijah Hall, Hunterdon co., Readington township, not one year in co. Abraham Kletz, Hunterdon co., Tewksbury, alien. William Riddle, Robert Martin, Hunterdon co., Bethlem township, not one year in co. Charles Parke, Hunterdon co., Alexandria township, not one year in co. George Morgan, George Jamieson, Hunterdon co., Delaware township, not one year in co. Hugh Rooks, Hunterdon co., Delaware township, a minor. Charles Swallow, Hunterdon co., Delaware township, a legal voter, rejected. Urdel Taylor, Hunterdon co., Hopewell township, not one year in county. —— Tinsman, Hunterdon co., Alexandria township.

Edwin H. Owen, Mercer co., Nottingham township, not one year in co. William Green, Mercer co., Ewing township, a minor. Lewis Evans, Mercer, Hopewell township, voted twice, once in Mercer and once in Hunterdon. Thomas Cadwallader, Mercer co., Ewing township, a legal voter, his vote was rejected.

Martin Harvey, James McCombs, James Conologue, Barney Malone, Solomon Huster, John Curly, Peter Bulger, James Cassedy, James Riley, James Roake, Malachi Good, Coly McDonner, John McCorey, John Furgerson, Hugh Campbell, Patrick Murphy, Robert Smith, John O'Neil, Hugh Conologue, Robert Greenleaf, Middlesex co., South Amboy township, aliens. Clarkson Wilson, Somerset co., Warren, township, not

resident in county one year. John J. Brick, Somerset co., Warren township, an alien. Thomas A. Drake, Somerset co., Warren township, non resident. Isaac Stewart, Somerset co., Warren township, non resident. Augustus Moore, Somerset co., Warren township, a minor. Abraham Bryant, Ezra Wooden, Somerset co., Warren township, not residents one year in county. Henry R. Doty, Abraham Cadmus, Somerset co., Warren township, minors. Peter H. Westervelt, Cornelius Van Scuyver, Joseph T. Wood, Bergen co., Harrington, non residents. John Vreeland, Bergen co., Barbadoes, non resident. Samuel Dawson, Edward Dawson, Obadiah Olden, Bergen co., New Barbadoes, aliens.

John R. Outwater, Abraham E. Zabriskie, George Van Riper, Garret Van Riper, Cornelius T. Cadmus, Stephen Van Riper, John A. Van Riper, Richard Berdau, Rinear Berdan, Jacob J. Vanderbeck, James V. Jerolman, Peter R. Terhune, Garret S. Terhune, Jacob Stults, George Van Riper, Robert De Groot, John R. Berdan, Rinear L. Berdan, Herman Vanderbeck, Henry A. Hopper, Paul Vanderbeck, Paul P. Vanderbeck, Casparus Hough, jun., John Zabriskie, John Luke, Peter G. Doremus, Stephen G. Terhune, Lodowick Young, Garret Van Wagoner, Henry D. Garretson, Peter H. Ackerman, Garrabrant V. H. Berdan, John J. Berdan, Bergen co., Saddle River. All these men swear that they knowingly voted the Whig Ticket, contaiaing the names of all the Whig Candidates ; and yet when the votes were counted there were only tweuty-four whig votes taken from the ballot box ; thus showing that at least eight whig votes had been purloined from the ballot box, and as many more Van Bnren votes put in, making a difference of sixteen votes, which should be deducted from the majority in in this township.

If we have 32 and the whole poll consists, as appears by the judge's return, of 126, then the Vanburen candidates can have but 84 votes instead of 103.

Result of illegal votes discovered, is as follows:

Aliens,	79
Non-residents,	105
Minors,	22
Persons who had not paid tax,	7
Legal votes rejected,	4
Paupers,	3
Persons who voted twice,	2
Other illegal voters,	5
The Saddle River box robbed of eight Whig votes, and eight Van Buren inserted,	16
Number of illegal voters already discovered, who voted the Van Buren ticket,	242

JOINT RESOLUTIONS.

The Joint Committee, to whom was referred the message of the Governor, with the accompanying documents, respectfully recommend the adoption of the following preamble and resolutions:

WHEREAS it appears, from a report made by John B. Aycrigg, John P. B. Maxwell, William Halsted, Charles C. Stratton, and Thomas Jones Yorke, five of the persons duly commissioned as Representatives of the people of New Jersey in the twenty-sixth Congress of the United States, to the Governor of this state, and by him communicated to the legislature, that, at the time and place prescribed by law for the meeting of that Congress, they appeared and produced their commissions as such Representatives, and claimed the right to unite with the Representatives from the other states of the Union in forming and organizing a House of Representatives, but by the acts of a portion of those Representatives were prevented from exercising that right, and are still excluded from any participation in their proceedings and deliberations;—by which acts the people of New Jersey are deprived of their just voice in the councils of the nation, at a time when measures of great public importance and deeply affecting their feelings and interests are to be acted upon; their state authorities and their seal are treated with indignity; and a precedent is sought to be established, which, if not promptly and successfully resisted, may hereafter be used to justify the rejection of electoral votes or the exclusion of any

number of duly commissioned representatives that a designing and unprincipled faction may deem necessary to secure to itself the control of the national legislature.—And whereas, in this unprecedented emergency, it becomes the solemn duty of New Jersey firmly to oppose this attempt to subvert the fundamental principle of a free representative government, and to call upon her sister states to disavow and redress the wrong which has been perpetrated by a portion of their representatives—therefore,

Be it resolved, *by the Council and General Assembly of New Jersey*, That the state of New Jersey became a party to the Union upon the express condition, embodied in the constitution, that in common with her sister states, she should be at all times entitled to a number of members of the House of Representatives proportioned to her population, and that by the laws passed in pursuance of that constitution she is now entitled to *six* representatives.

And be it resolved by the authority aforesaid, That until Congress shall by law make some regulation of the subject, the legislature of each state has by the constitution, full and exclusive power to prescribe "the times, places, and manner of holding elections for representatives," which necessarily includes the power to prescribe the manner in which the result of those elections shall be ascertained and certified.

And be it resolved by the authority aforesaid, That as the legislature of New Jersey has prescribed a commission granted by the governor under the great seal of the state, as the only mode in which the election of her representatives shall be officially certified, such a commission issued in due form of law confers upon each person

to whom it is granted a full and perfect right to claim and exercise all the powers and duties of a representative of the state, until a regularly constituted and organized House of Representatives, after due examination, shall have solemnly adjudged that he is not elected or not qualified; and that any other mode of certifying such election is utterly invalid and unknown to the laws of New Jersey.

And be it resolved by the authority aforesaid, That a House of Representatives cannot be constitutionally and lawfully organized and invested with any authority, judicial or legislative, while a single representative from any state, duly returned and commissioned according to the laws of that state, is excluded from his seat or denied the exercise of the rights and privileges of a representative.

And be it resolved by the authority aforesaid, That the late acts of a portion of the representatives from the several states, by which five of the persons who were duly commissioned under the great seal of the state of New Jersey, as her representatives in the twenty-sixth Congress of the United States, were prevented from exercising their rights and discharging their duties as such representatives, were a palpable violation of the constitution and of the parliamentary law established by reason and unvarying usage, a precedent of most alarming and dangerous character, and a gross outrage upon the rights and feelings of the people of New Jersey.

Therefore be it resolved by the authority aforesaid, That, in the name and behalf of the people of the state of New Jersey, we do hereby solemnly PROTEST against the acts aforesaid, as unconstitutional, unwarranted and unjust, and against any assumption by the remaining re-

presentatives from the several states of the right or authority to exercise any of the powers conferred upon a constitutional House of Representatives, and more especially against the attempt to enact the law for regulating the collection or disbursement of the public revenue; for disposing of the public lands, or the proceeds thereof; for pledging the public faith or credit; for imposing any tax or duty, or for the apportionment of representatives, until the people of New Jersey and their duly commissioned representatives shall have been restored to the rights of which they have been wrongfully deprived.

And be it resolved by the authority aforesaid, That a copy of the foregoing preamble and resolutions, certified under the great seal of the state, which since seventeen hundred and seventy-six has been, and still is the constitutional and cherished emblem of the sovereignty of New Jersey, be transmitted to the Hon. R. M. T. Hunter, a representative from Virginia, with a request that he will lay the same before the other representatives from the several states now assembled at Washington.

And be it resolved by the authority aforesaid, That a copy thereof be transmitted to the governor of each of the several states of the Union, with a request that he will cause the same to be laid before the legislature thereof, and also to each of the senators and of the six representatives of this state.

ANNUAL REPORT

OF THE

TRUSTEES OF THE SCHOOL FUND

OF THE

STATE OF NEW JERSEY.

October 5, 1839.

TRENTON:
PRINTED BY PHILLIPS & BOSWELL,
PRINTERS TO THE HOUSE.
1839.

REPORT, &c.

To the Honourable the Legislature of the State of New Jersey.

The Trustees of the School Fund have the honour to present the following REPORT:

By the fourteenth section of the act to establish public schools, passed the first day of March, eighteen hundred and thirty-eight, it is made the duty of the trustees of the school fund to prepare and submit an annual report to the legislature, containing a statement of the condition of public schools throughout the state; estimates and accounts of expenditures of all moneys appropriated by law to the purposes of education; together with all such matters relating to education as they may deem it expedient to communicate.

The Condition of the Public Schools.

The condition of the public schools throughout the state, so far as the trustees have been able to ascertain the same, will appear by a reference to the annexed table, marked *A*. This table contains an abstract of the reports made by the school committees of the several townships in the state, for the year ending the fourth day of March, 1839, and exhibits the number of school districts in each township, the number of children between the ages of five and sixteen years in each district, the number of scholars taught therein, the terms of tuition, the length of time the schools have been kept open, and the amount of money received from the township collectors. The annexed table, marked *B*, contains a summary of the same matters in a more condensed form.

There are seventeen counties in the state, and one hundred and thirty-nine townships, including the cities of Newark and Jersey City. In the counties of Morris, Warren, Middlesex, Monmouth, and Gloucester, all the townships but one have made returns; in Bergen, Hunterdon, and Cape May, all but two; in Passaic, Somerset, Mercer, and Cumberland, all but three; and in Essex, all but four. In Sussex, but

six townships out of eleven, and in Salem, but three out of nine, have made returns. From the county of Atlantic, no returns whatever have been received.

In the eighty-nine townships from which returns have been received there are nine hundred and forty-two school districts, and of these eight hundred and thirty-five have made reports. How many school districts have been organized in the townships from which no returns have been received, the trustees have not the means of ascertaining. While they cannot but regret that there are fifty townships in the state, the school committees of which have entirely neglected to perform the duties enjoined upon them, yet, when it is recollected that the law has but recently gone into operation, and the delay and embarrassment almost necessarily consequent upon the introduction of a new system, are taken into consideration, it ought not, perhaps, to be a matter of surprise that more returns have not been received. In this respect, if in no other, the act of 1838 has proved of more practical utility than any which preceded it.

It appears that the whole number of children between the ages of five and sixteen years residing in the districts from which returns have been received, is sixty-four thousand four hundred and eleven, while the number of children attending school is but thirty-three thousand nine hundred and fifty-four, or but little over one half. This is a most fearful disparity, and if it is to be taken as a true index of the proportion which exists in New Jersey, between the whole number of children of an age to attend school and the number in actual attendance, it is calculated to awaken serious reflection. It would present a most melancholy contrast to the condition of common schools and the diffusion of education in some of our sister states. But this comparative statement must be taken with some grains of allowance. There is some relief to the dark picture which it exhibits.

In the first place, the returns of the number of children attending school do not profess to be made with entire accuracy. Some of them are confessedly only conjectural. We may indulge the hope, therefore, that the number of children in our public schools is really not so small as the returns would indicate. In the next place, the returns show only the number of children attending school at a given period, or the average number of those who have attended throughout the year. They do not give, nor would it perhaps have been practicable to do so, the whole number of scholars who have attended for a longer or a shorter period at any time during the year. In agricultural districts, where the population is sparse and the school-houses remote

from the residences of the children, it doubtless often happens that many are sent for a single quarter, some for half the year only, and comparatively few attend the whole period during which the schools are kept open. There may, thus, be a succession of children at the same school, and, while but a portion of them may have enjoyed the advantages of a constant and regular attendance, all may have shared somewhat in its benefits. In addition to all this, it is to be remembered that the returns embrace only those children who have attended public schools. They do not include those who have attended private schools, and who, in some of the districts, probably constitute a very considerable proportion of the children between the ages of five and sixteen years.

But, after every deduction is made, the painful truth forces itself upon our conviction, that there are thousands of children in the state of New Jersey, between the ages of five and sixteen, who never go to school. Surely this would be sufficient, if other arguments were wanting, to induce an enlightened legislature to make the most strenuous and unremitting efforts for the improvement and extension of our present school system. The first duty of a free state is to see that all its children are provided with the means of education.

The number of children attending school, in proportion to those between the ages of five and sixteen, appears to be greater in the county of Burlington than in any other portion of the state. This may be in a great measure ascribed to the fact, that the society of Friends, who have always been the liberal patrons of education, here compose so large and respectable a part of the population; while, on the other hand, the comparatively small number of children who have attended the public schools in the counties of Essex and Mercer, may be owing to the existence of many flourishing private schools in each of these counties.

The average number of children who have been instructed in the districts from which returns have been received is about forty-one; that is, forty-one children have, on an average, attended the public schools in each district, either the whole or a part of the time during which the schools have been kept open. A single teacher, as there are few districts which have more, could not, perhaps, very advantageously instruct a much larger number of scholars.

The average period of time during which the schools have been kept open in each district, is about eight months in the year. But this period varies very considerably in the different counties. Thus, in the county of Bergen, schools have been kept open an average period of eleven months; in the counties of Somerset and Burlington,

an average period of ten months; in the counties of Essex, Passaic, Morris, and Mercer, an average period of nine months; in the counties of Sussex, Warren, Middlesex, Hunterdon, and Monmouth, an average period of eight months; in the counties of Gloucester, Salem, and Cumberland, an average period of five months; and in the county of Cape May, an average period of two months.

The average price of tuition in the districts from which returns have been received, is a fraction less than two dollars a quarter for each scholar. The lowest price paid for tuition in any of the counties, is in Cape May, where it is but one dollar and thirty-three cents. The highest is in Burlington, where it is, on an average, two dollars and forty-three cents for each scholar. Thus the average rate of wages received by the teachers of public schools in the state of New Jersey would seem to be about eighty dollars a quarter. This is believed to be a more liberal compensation than they are in the habit of obtaining in some of the neighbouring states; and, were our schools well attended and kept open, as they should be, throughout the year, it ought to secure the services of competent teachers.

Upon the whole, although our public shools are far from being in a flourishing condition, yet it is gratifying to find that the reports of the school committees, from almost every county in the state, represent them as improving. The people, it is said, are becoming alive to their importance, and begin to manifest some interest on their behalf. The act, too, of 1838, it is almost universally admitted, is the best law we have ever had upon the subject of schools, and has most agreeably disappointed the expectations that were formed of it. Although but a feeble and imperfect system, and much below the spirit and wants of the age, yet has it done much good, and been productive of the most beneficial results.

Estimates and Expenditures of School Moneys.

In conformity with the provisions of the first section of the act before referred to, the trustees, on the first Monday of April, 1838, appropriated, out of the income of the school fund, the sum of thirty thousand dollars for the support of public schools in the state of New Jersey, during the year ending on the fourth of March, 1839. This sum was apportioned among the several counties, in the ratio of the taxes paid by them for the support of the government of the state during the preceding year. A true list of this apportionment was made out and filed with the treasurer of the state, by whom the

money was paid to the collectors of the several counties respectively. *Statement C*, hereto annexed, contains a copy of said apportionment.

The whole amount of money received from the township collectors by the districts which have made returns, is $43,339.32. This includes not only their proportion of the $30,000 appropriated out of the income of the school fund, but also their share of all other moneys raised by the townships for the support of public schools. What their proportion of the $30,000 would be, cannot be stated with precision, because there are no means of ascertaining the proportion which the children between the ages of five and sixteen residing in the districts which have made returns, bear to the whole number of children within those ages residing in the state. But it cannot vary far from $17,000. This would leave $26,339.32 as their share of the moneys raised by the townships for the support of schools. So that for every dollar received by the townships out of the income of the school fund, one dollar and fifty-three cents have been raised by them for the purposes of education. When it is recollected that the townships are under no obligation to raise a dollar in aid of the school fund, and that they are not permitted to raise more than twice the amount which they receive from that source, this must be deemed a most gratifying result. It shows that there is a spirit among the people, which, if seconded by liberal and enlightened legislation, will soon make our school system all that the most ardent friends of education can desire.

This spirit, however, manifests itself much more conspicuously in some counties than in others. Take the county of Morris, for instance, in which, judging from the returns of the school committees, a deeper interest is felt in the subject of education than in any other county in the state. She receives from the income of the school fund but $2352, and yet the amount expended by her in support of schools is $6469.91, exclusive of the township of Randolph, from which no returns have been received. The people of Morris have raised by taxation all that the law would permit them to raise for the support of schools, and their complaint is, that they are not permitted to raise more. In Monmouth and Middlesex, too, the amount raised by voluntary taxation far exceeds that received from the state. In two of the townships of Burlington county, alone, the amount paid by the collectors for the support of schools is $2566.37, nearly as much as the whole county receives from the school fund ; while, on the other hand, in the eight townships of the county of Essex, from which returns have been received, there appears to have been appropriated for

the support of schools only $1595.97, less than thirty dollars for each district. This, it is true, does not embrace the city of Newark, which contains so large a portion of the population of the county, and from which it is deeply to be regretted that no returns have been received.* The whole amount received from the township collectors, in the districts which have made returns, will average about one dollar and twenty-seven cents for each scholar, and about fifty-two dollars for each school district.

This money appears to have been expended by the trustees of the school districts throughout the state in various ways. In some instances it has been appropriated exclusively to the schooling of poor children. Sometimes it has been expended for the building or repairing of school-houses, sometimes for the purchase of fuel. More frequently, however, it has been equally divided among the children attending school, and applied to the payment of the expenses of tuition. In some few instances it does not appear to have been expended at all, but to have remained unemployed in the hands of the trustees of the schools or the township collector.

The whole amount of moneys paid for tuition in the districts which have made returns is $181,088. Deducting from this $43,339.32, the sum received from the township collectors, there would remain $137,748.68, as the amount paid by the parents or guardians of children for the expenses of tuition. This, however, is upon the supposition that the whole of the moneys received from the township collectors has gone towards the payment of the teachers' wages; whereas a portion of it, as we have seen, has been expended in the erection and repair of school-houses and the purchase of fuel. It would then, perhaps, be fair to estimate that about one-fifth of the whole expenses of tuition is defrayed out of the public funds, and the remaining four-fifths paid by individuals.

No portion of the money received from the township collectors by the trustees of the school districts appears to have been expended in the purchase of books. This, however, is one of the objects to which, by law, it may be applied; and it is much to be desired that in every district a small sum should be set apart every year for the purchase of a library. The amount required for this purpose would not be large, and it is impossible to calculate the good that might result from it, particularly in the more sequestered districts. There are large sections of the state in which there are no public libraries, and many

* See *Statement E*, hereto annexed.

neighbourhoods, doubtless, where, with the exception of the Bible, no books are to be found adapted to youth, and calculated to convey useful information in a pleasing form. There has lately been published in the state of New York, under the direction of the superintendent of common schools, a series of books of this description, designed to form a district library. It embraces fifty volumes, upon a variety of subjects, judiciously selected, and the whole expense, including a neat book-case, is but twenty dollars. A second series of books of the same description is also in the course of publication. The trustees have supposed that they would be performing an acceptable service by selecting from these two series, such books as in their opinion would be most suitable for a district library in the state of New Jersey. *Statement D*, hereto annexed, contains a list of these books, consisting of fifty volumes.

General Observations.

In the last annual report of the trustees of the school fund, made the sixth day of February, 1839, it was very respectfully suggested, that, among the improvements necessary to complete and perfect our present system of public schools, the following were worthy the attention of the legislature.

1. A provision which should make it obligatory upon the inhabitants of every township to raise, by taxation, a sum at least equal to what they receive from the state, before they are permitted to participate in the public bounty.

2. The removal of the restriction which is imposed upon the inhabitants of townships, as to the amount which they may raise, by taxation or otherwise, for the support of public schools, and in aid of the funds of the state.

3. The erection of schools for the express purpose of educating teachers, and qualifying them for the discharge of their responsible duties.

4. Some provision for the purpose of supplying every district school with a small library, together with a few globes, maps, and other similar aids in the acquisition of knowledge.

5. The general elevation of the standard of public instruction, and the introduction of many useful and necessary branches of knowledge, which are now seldom taught in our common schools.

Subsequent reflection and observation have only tended to strengthen, in the opinion of the trustees, the value and importance of these

suggestions. Some of them, it is obvious, cannot be adopted at once, but must require time for their accomplishment; but there are others, in reference to which the immediate action of the legislature is most earnestly invited.

That the inhabitants of the townships should be under no obligation to raise money by taxation, in aid of the funds of the state, is a prominent defect in our present system, and one which stands in need of instant correction. It never was designed that the whole, or even the principal part of the expense of supporting public schools should be defrayed out of the income of the school fund. It is at present entirely inadequate for that purpose. Nor is it, perhaps, to be desired that the fund ever should accumulate to such an extent as to render a resort to all other sources unnecessary. It is an observation, no less true than trite, that we are not apt to set a very high value upon that which costs us nothing. Besides, an education wholly at the expense of the state might come to be regarded in the light of a public charity, and as such be received with reluctance or disdain. Education should be placed within the reach of all; but some effort should be required, some sacrifices called for, in order to obtain it. Without this, the people will not be very likely to take much interest in it, or to give themselves much care about it. An education gratuitously bestowed, and thanklessly received, would probably not prove to be a very thorough or beneficial one. Now, the great object of a school fund is to excite this effort, to awaken this interest. And the only way in which this object can be accomplished, is by permitting none to participate in it but those who are willing to contribute something towards it. Public bounty should flow only in connection with private contribution. We must proceed upon the principle by which, it is sometimes said, divine beneficence is regulated—the principle of helping those who are willing to help themselves. This is the distinguishing feature in those systems of popular education which have been attended with such happy results in some of our sister states, and it is that to which their efficiency and success are mainly to be ascribed. The want of such a provision in the act of 1838, was seen and lamented at the time by the friends of education throughout the state. But it was hoped, that in consequence of the deep and general interest which seemed to be felt by the people of New Jersey in the subject of education, no practical inconvenience would result from its omission. This hope, the trustees regret to say, has not been fully realized. In some of the townships not a dollar has been raised during the past year for the support of schools, and the amount received

from the state alone has been entirely too small to be productive of much benefit. The consequence is, that in some districts it has not been expended at all, while in others, it is to be feared, it has been appropriated in such a way as to accomplish but little good. The absence of this compulsory provision is very generally complained of in the reports of the school committees, and a reform in this particular loudly called for.

So, also, in reference to the restriction imposed upon the townships, as to the amount which they are permitted to raise for the support of public schools, the trustees would invite the immediate attention of the legislature. The act of 1838 provides that this sum shall in no case exceed double the amount received from the state. Whence, it is respectfully asked, the necessity of any such restriction? Why should not the people of the several townships be permitted to raise by taxation as much money as they may deem necessary for the purposes of education? Are they not the best judges of their own wants? And may they not be safely trusted with their own money? Why should their liberality be fettered, and their zeal be repressed by legislative enactment? Is it apprehended that they will impoverish themselves by excessive taxation, or be too prodigal in their expenditures on behalf of education? It is submitted, that our past experience will furnish no ground for such apprehensions.

But if some restriction upon the townships should still be deemed expedient, is it necessary that they should be confined within such exceedingly narrow limits? Might not more latitude in this respect be safely and beneficially allowed to them? Twice the amount received from the state, is, after all, a very small sum to be expended for the purposes of education. When only thirty thousand dollars is distributed throughout the whole state, the proportion to which each township is entitled is but a slender and scanty provision for the support of public schools.

The erection of schools for the education of teachers, is also a subject of great importance in connection with a system of popular instruction. It seems to be conceded upon all hands, that but little progress is to be made in the work of education without a supply of good teachers. You may raise any amount of money for the purposes of education; you may multiply schools without number; you may furnish them with books and fill them with scholars; but unless you go farther, and provide competent teachers, you have legislated to but little purpose. Now, there is nothing in which the public schools of New Jersey are so lamentably deficient as in well-qualified teachers.

This is a want that is universally felt and deplored. Not only are they represented as being incompetent, by reason of their ignorance and incapacity, but in some instances they are described as being notoriously immoral and habitually intemperate. That the education, the character, the destiny of the children of New Jersey, those who are to form our future state, should be committed to such hands, is a reflection well calculated to beget alarm.

There seems to be but one way in which a supply of good teachers can be secured. They must be trained to the business of teaching. They must be taught the art of teaching. Those who are to instruct others, must themselves be instructed. In short, there must be schools for the education of teachers.

To require that teachers should be examined and licensed, will not answer the purpose. Where nearly all are unqualified, there is little room for selection. Their deficiencies may in this way be exposed, but how are they to be corrected?

Much attention has recently been bestowed upon this subject in the states of Massachusetts and New York, whose school systems are in advance of those in other states. In Massachusetts, a normal school, as such institutions are called, has lately gone into operation under the most favourable auspices. This is an important event in the progress of common school education in this country. It is, strictly speaking, the only school of the kind which exists on this side of the Atlantic, although in Prussia, and in many of the German states, they are numerous, and are considered as lying at the very foundation of their admirable systems of popular instruction. The legislature of New York have, within a few years, engrafted upon their public academies a department for the education of teachers, and liberal appropriations have been made for their support.

Let not New Jersey be slow to adopt an improvemement so essential to the success of her school system. She has ventured upon the experiment of educating the people. She has embarked in the noble cause of popular instruction. Let her not neglect the use of those means, without which that career must be inglorious, that experiment failure.

There are other topics upon which the trustees would be happy to submit to the legislature the results of their reflection. But this report has perhaps already been extended too far, and they forbear further observations. If, in the remarks which they have already made, they have used too much freedom and boldness of speech, let it be ascribed not to the slightest want of confidence in the wisdom, intelli-

gence, and liberality of the legislature, but to the solicitude which they feel, in common with so many of their fellow citizens, that there should exist in the state of New Jersey a school system worthy of a free and enlightened people.

WILLIAM PENNINGTON,
Governor,
ANDREW PARSONS,
Vice President of Council,
LEWIS CONDICT,
Speaker of Assembly,
JAMES D. WESTCOTT,
Secretary of State,
R. S. FIELD,
Attorney General,
} TRUSTEES OF SCHOOL FUND.

Statement A.

Abstract from the returns of Public Schools of the several townships and counties of the State of New Jersey, for the year ending March 4, 1839.

Counties and townships from which returns have been received.	Whole number of districts and parts of districts in the township.	Number of districts from which returns have been received.	Number of children between the ages of five and sixteen, residing therein, as stated in said returns.	Number of children taught during the year, as stated in said returns.	Average number of months in year the schools have been kept open.	Average price of tuition per quarter, for each scholar.	Amount of money received from township collectors.
BERGEN.							
Saddle River, -	4	4	187	96	12	$2.00	$66.82
Franklin, - -	16	16	1112	455	11	1.56	452.09
New Barbadoes, -	8	8	508	262	12	2.25	142.28
Bergen, - -	11	11	1131	477	12	2.41	250.00
Lodi, - - -	4	4	387	119	10	1.90	278.00
Hackensack, -	9	9	562	281	12	2.00	247.22
	52	52	3887	1690	11	$2.02	$1436.41
ESSEX.							
Orange, - -	11	11	877	446	9	$1.87	$166.63
Union, - -	11	8	331	177	8	1.85	115.56
Rahway, - -	9	6	543	188	10	2.40	170.00
Westfield, - -	10	8	851	419	9	2.27	297.85
Clinton, - -	7	6	485	228	11	2.00	120.80
Bloomfield, - -	12	12	1354	386	10	2.00	588.45
New Providence, -	4	3	241	92	10	2.06	60.00
Livingston, - -	5	5	332	153	6	2.00	76.68
	69	59	5014	2089	9	$2.05	$1595.97
PASSAIC.							
Acquackanonck, -	6	6	544	174	9	$1.92	$138.35
Pompton, - -	6	6	388	120	9	1.92	209.00
	12	12	932	294	9	$1.92	$347.35

Counties and townships from which returns have been received.	Whole number of districts and parts of districts in the township.	Number of districts from which returns have been received.	Number of children between the ages of five and sixteen, residing therein, as stated in said returns.	Number of children taught during the year, as stated in said returns.	Average number of months in year the schools have been kept open.	Average price of tuition per quarter, for each scholar.	Amount of money received from township collectors.
MORRIS.							
Pequannock, -	22	17	1475	673	11	$1.71	$969.88
Jefferson, - -	7	4	344	250	6	1.58	103.00
Morris, - -	16	14	1066	673	8	1.62	1574.41
Hanover, - -	17	17	1125	935	11	1.58	900.00
Mendham, - -	7	7	355	331	9	1.79	482.65
Roxbury, - -	16	15	623	449	8	1.67	584.78
Washington, -	15	14	751	317	9	2.00	1097.60
Chester, - -	8	8	422	275	6	1.91	236.54
Chatham, - -	9	9	613	403	10	1.75	521.05
	117	105	6774	4306	9	$1.73	$6469.91
SUSSEX.							
Byram, - -	6	6	300	229	7	$1.67	$258.00
Sandyston, - -	8	7	338	269	7	1.86	66.15
Montague, - -	7	6	303	269	6	1.30	194.38
Frankford, - -	15	10	662	250	8	2.12	532.91
Newton, - -	18	17	1081	820	9	2.26	732.18
Hardyston, - -	14	13	722	500	9	1.83	860.34
	68	59	3406	2337	8	$1.84	$2643.96
WARREN.							
Hardwick, - -	9	7	626	270	6	$2.08	$383.24
Oxford, - -	18	14	1293	667	7	2.24	305.16
Greenwich, - -	22	21	1362	1074	11	2.21	953.40
Independence, -	8	7	525	198	10	2.00	358.72
Mansfield, - -	15	15	1088	412	8	2.00	1431.67
Franklin, - -	6	6	438	197	8	2.11	279.00
	78	70	5332	2818	8	$2.11	$3711.19
MIDDLESEX.							
Woodbridge, -	18	17	1330	685	10	$2.34	$957.86
South Amboy, -	9	8	487	175	6	2.00	401.62
Monroe, - -	10	10	706	257	7	2.04	861.33
South Brunswick,	13	11	671	371	7	2.12	725.44
Piscataway, - -	12	12	756	409	9	2.04	1004.85
Perth Amboy, -	1	1	203	132	8	1.40	621.42
	63	59	4153	2029	8	$1.99	$4572.52

Counties and townships from which returns have been received.	Whole number of districts and parts of districts in the township.	Number of districts from which returns have been received.	Number of children between the ages of five and sixteen, residing therein, as stated in said returns.	Number of children taught during the year, as stated in said returns.	Average number of months in year the schools have been kept open.	Average price of tuition per quarter, for each scholar.	Amount of money received from township collectors.
SOMERSET.							
Bernards,	11	11	554	297	9	$2.00	$655.10
Franklin,	15	15	869	498	10	2.20	312.04
Hillsborough,	12	12	830	309	10	1.88	369.35
Montgomery,	9	9	426	293	11	2.05	589.83
	47	47	2679	1397	10	$2.03	$1926.32
HUNTERDON.							
Alexandria,	17	17	957	351	7	$2.00	$548.03
Bethlehem,	15	15	601	341	6	2.00	370.55
Lebanon,	17	14	1016	498	7	1.91	342.00
Amwell,	15	14	689	414	8	2.29	619.24
Readington,	12	9	605	515	10	2.00	528.18
Hopewell and Marion,	12	12	797	325	10	2.05	241.37
Raritan,	16	16	659	402	8	2.33	473.93
Delaware,	13	6	571	142	7	2.00	461.70
	117	103	5895	2988	8	$2.07	$3585.00
MERCER.							
East Windsor,	9	9	609	340	9	$1.94	$173.23
Nottingham,	8	8	1165	422	9	2.03	351.00
West Windsor,	10	10	382	250	9	2.00	157.08
Princeton,	5	5	531	222	7	1.90	561.67
Ewing,	4	4	274	68	9	2.06	112.35
	36	36	2961	1302	9	$1.99	$1355.33
MONMOUTH.							
Upper Freehold,	7	6	1387	748	9	$2.04	$1289.91
Middletown,	17	16	1620	587	10	2.43	453.32
Shrewsbury,	14	13	1523	374	9	2.14	408.34
Freehold,	30	23	1748	879	7	2.07	1297.12
Howell,	16	9	1459	264	7	2.00	627.37
Dover,	11	4	757	169	5	2.23	717.46
	95	71	8494	3021	8	$2.15	$4793.52

Counties and townships from which returns have been received.	Whole number of districts and parts of districts in the township.	Number of districts from which returns have been received.	Number of children between the ages of five and sixteen, residing therein, as stated in said returns.	Number of children taught during the year, as stated in said returns.	Average number of months in year the schools have been kept open.	Average price of tuition per quarter, for each scholar.	Amount of money received from township collectors.
BURLINGTON.							
Springfield, - -	7	6	475	370	11	$2.54	$708.70
Northampton, -	21	21	1715	1414	8	2.54	1519.62
New Hanover, -	7	7	628	628	11	2.36	293.88
Evesham, - -	22	13	1325	904	8	2.28	1046.75
	57	47	4143	3316	10	$2.48	$3568.95
GLOUCESTER.							
Franklin, - -	11	11	611	325	5	$2.17	$303.58
Woolwich, - -	14	13	967	813	6	2.50	364.02
Washington, -	7	5	287	140	4	2.35	194.40
Waterford, - -	10	6	938	362	5	2.58	790.51
Greenwich, - -	11	9	862	582	7	2.22	324.18
Camden, - -	2	2	603	331	3	.51	337.06
Newton, - -	3	3	434	279	10	2.75	416.76
Deptford, - -	9	8	683	312	5	2.14	293.26
Gloucester, - -	9	5	634	217	3	2.31	181.81
	76	62	6019	3361	5	$2.17	$3207.49
SALEM.							
L. Alloways Creek,	6	6	388	162	5	$2.00	$267.12
Salem, - -	2	2	435	270	3	1.53	556.71
Upper Penns Neck,	8	8	528	517	7	2.00	710.23
	16	16	1351	949	5	$1.84	$1534.06
CUMBERLAND.							
Hopewell, - -	8	8	572	306	8	$2.09	$571.00
Stoe Creek, - -	5	5	214	182	8	2.00	81.81
Millville, - -	6	6	448	268	3	2.25	332.00
Fairfield, - -	4	4	562	319	3	2.00	164.42
Deerfield, - -	4	4	723	434	3	1.47	723.00
	27	27	2519	1509	5	$1.96	$1872.23
CAPE MAY.							
Middle Township,	6	5	443	285	2	$1.43	$473.35
Upper Township,	6	5	409	263	2	1.24	245.76
	12	10	852	548	2	$1.33	$719.11

Statement B.

Summary of the preceding abstract, made from the returns of Common Schools, in the year 1839.

COUNTIES.	Number of townships in each county.	Whole number of districts and parts of districts in the townships which have made returns.	Number of districts from which returns have been received.	Number of children between the ages of five and sixteen, residing therein, as stated in said returns.	Number of children taught during the year, as stated in said returns.	Average number of months in year the schools have been kept open.	Average price of tuition per quarter, for each scholar.	Amount of money received from township collectors.
Bergen, -	8	52	52	3,887	1,690	11	$2.02	$1,436.41
Essex, -	12	69	59	5,014	2,089	9	2.05	1,595.97
Passaic, -	5	12	12	932	294	9	1.92	347.35
Morris, -	10	117	105	6,774	4,306	9	1.73	6,469.91
Sussex, -	11	68	59	3,406	2,337	8	1.84	2,643.96
Warren, -	7	78	70	5,332	2,818	8	2.11	3,711.19
Middlesex,	7	63	59	4,153	2,029	8	1.99	4,572.52
Somerset, -	7	47	47	2,679	1,397	10	2.03	1,926.32
Hunterdon,	10	117	103	5,895	2,988	8	2.07	3,585.00
Mercer, -	8	36	36	2,961	1,302	9	1.99	1,355.33
Monmouth,	7	95	71	8,494	3,021	8	2.15	4,793.52
Burlington,	11	57	47	4,143	3,316	10	2.43	3,568.95
Gloucester,	10	76	62	6,019	3,361	5	2.17	3,207.49
Salem, -	9	16	16	1,351	949	5	1.84	1,534.06
Cumberland,	8	27	27	2,519	1,509	5	1.96	1,872.23
Cape May,	4	12	10	852	548	2	1.33	719.11
	134	942	835	64,411	33,954	8	$1.98	$43,339.32

Statement C.

Bergen,	$1,615.50
Essex,	2,664.00
Passaic,	768.00
Morris,	2,352.00
Sussex,	1,518.75
Warren,	1,638.75
Hunterdon,	2,529.00
Somerset,	1,882.50
Middlesex,	2,049.75
Monmouth,	2,792.25
Burlington,	2,864.25
Cumberland,	1,189.50
Gloucester,	2,184.75
Salem,	1,617.00
Cape May,	484.50
Atlantic,	349.50
Mercer,	1,500.00
	$30,000.00

Statement D.

The School District Library.

Selected by a committee, under the direction of the superintendent of common schools of the state of New York. It consists of fifty volumes, and may be purchased of the Messrs. Harper, of New York, for twenty dollars, including a neat book-case.

1, 2....A Life of Washington, in 2 vols., with engravings. By J. K. Paulding, esq.

3....The Poor Rich Man, and the Rich Poor Man. By Miss Sedgwick.

4, 5....The Natural History of Insects, in 2 vols., with engravings.

6, 7....A History of the United States, in 2 vols. By Hon. S. Hale.

8....American Revolution, with engravings. By B. B. Thatcher, esq.

9....The Principles of Physiology applied to the preservation of health, and the improvement of Physical and Mental Education. By Andrew Combe, M. D.

10, 11....Indian Traits; being sketches of the manners, customs, and character of the North American natives, in 2 vols., with engravings. By B. B. Thatcher, esq.

13....A Popular Guide to the observation of Nature; or hints to the inducement to the study of Natural Productions and Appearances, in their connections and relations, with engravings. By Robert Mudie.

14....Inquiries concerning the Intellectual Powers, and the Investigation of Truth. By John Abercrombie.

15....Celestial Scenery; or the Wonders of the Planetary System Displayed, illustrating the perfections of the Deity and the plurality of worlds, with engravings. By T. Dick, LL.D.

16....Palestine; or the Holy Land, from the earliest period to the present time, with engravings. By the Rev. M. Russell, LL.D.

17....Live and Let Live. By Miss Sedgwick.

18, 19....The Chinese. A general description of the empire of China and its inhabitants, with engravings. By John Francis Davis, F. R. S.

20....On the Improvement of Society by the Diffusion of Knowledge. By Thomas Dick, LL. D.

21....The Earth; its physical condition, and most remarkable phenomena, with engravings. By W. Mullinger Higgens.

22....The Philosophy of the Moral Feelings. By John Abercrombie, M. D., F. R. S.

23, 24....Memoirs of celebrated Female Sovereigns, in 2 vols. By Mrs. Jameson.

25....Natural History, or Tools and Trades among Inferior Animals, with engravings. By Uncle Philip.

26....Animal Mechanism and Physiology. By John H. Griscom, M. D.

27....The Farmer's Instructor; consisting of essays, practical directions, and hints for the management of the farm, garden, &c. By the Hon. Judge Buel.

28....History of Quadrupeds. Illustrated by numerous engravings.

29....Natural History of Birds; their architecture, habits, &c.

30....Popular Illustrations of Mechanics, with engravings. By Professors Mosely and Renwick.

31, 32....Life and Works of Dr. Franklin, new edition, in 2 vols.

33....Natural Philosophy familiarly explained and illustrated, with engravings. By James Renwick, LL. D.

34....Chaptal's Chymistry, applied to Agriculture. A new translation, with valuable selections from Sir Humphry Davy and others.

35, 36....The Spectator, by Addison and other writers; being a selection of its most interesting papers, in 2 vols.

37, 38....Paley's Natural Theology illustrated, with explanatory notes, &c., in 2 vols. By Alonzo Potter, D. D.

39....A Popular Treatise on Geology and Mineralogy. By Charles A. Lee, A. M., M. D., author of Human Physiology.

40, 41, 42, 44....Plutarch's Lives, translated from the original Greek, with notes critical and historical, and a life of Plutarch, in 4 vols.

45, 46, 47....History of Modern Europe, by William Russell, LL. D.; and a continuation of the history to the present time, by William Jones, esq., in 3 vols.

48....Lives and Voyages of Early Navigators, with portraits.

49....Lectures on General Literature, Poetry, &c. By James Montgomery.

50....History of Chivalry and the Crusades, with engravings. By G. P. R. James.

Statement E.

[Since the foregoing report was presented to the legislature, the following statement has been received, showing the condition of the public schools of the city of Newark, for the year ending April 1, 1839.]

An abstract of the condition of the Public Schools of the city of Newark, for the year ending April 1, 1839.

SCHOOLS.	Location of schools.	Number of schools.	Number of teachers.	Number of scholars on the roll.	Average number in attendance.	Number of orphans.
Public High School for Boys, - - -	Bank-street,	1	1	91	75	11
Primary School, No. 1, { Male Department, -	Orange-street,	1	1	86	70	12
Primary School, No. 1, { Female Department, -	Orange-street,	1	1	81	61	8
Primary School, No. 2, { Male Department, -	Bank-street,	1	1	143	92	19
Primary School, No. 2, { Female Department, - in connection with Female Union School,	Harrison-street,	1	2	130	75	20
Primary School, No. 3, { Male Department, -	Market-street,	1	1	96	70	14
Primary School, No. 3, { Female Department -	Near Depot,	1	1	94	73	10
Primary School, No. 4, { Male Department, -	Franklin-street,	1	1	140	102	17
Primary School, No. 4, { Female Department, -	Franklin-street,	1	1	106	77	12
Infant School in North Ward, - - -	James-street,	1	2	104	80	19
Infant School in the Academy, - -	Broad-street,	1	2	80	58	14
Male African School, - - - -	Academy-street,	1	1	68	39	
Female African School, - - - -	Plane-street,	1	1	50	30	
		13	16	1269	902	156

These schools are in successful operation, and have required for their support during the past year a sum varying very little from $1250 per quarter. It has been ascertained that there is a great deficiency in school books and school apparatus, and the committee would have deemed it their imperative duty to ask of the city authorities a larger appropriation for the respective quarters in the ensuing year, if the pecuniary liabilities of the city were less onerous.

Statement E.

[Since the foregoing report was presented to the legislature, the following statement has been received, showing the condition of the public schools of the city of Newark, for the year ending April 1, 1839.]

A abstract of the condition of the Public Schools of the city of Newark, for the year ending April 1, 1839.

SCHOOLS.	Number of teachers.	Number of pupils.	Average number of pupils.	Number of pupils to each teacher.
Public High School for Boys,	1	1	91	75
Primary School, State Department, Orange-street,	1	1	85	70
No. 1. Female Department, Orange-street,	1	1	52	61
Primary School, State Department, Bank-street,	1	1	145	85
No. 2. Female Department, Harrison-street,	1	2	139	75
Primary School, State Department, Market-street,	1	1	96	75
No. 3. Female Department, Water Depot,	1	1	94	75
Primary School, State Department, Franklin-street,	1	1	148	125
No. 4. Female Department, Franklin-street,	1	1	109	77
Infant School in South Ward, Jane-street,	1	2	184	90
Infant School in the Academy, Broad-street,	1	2	96	55
Male African School, Academy-street,	1	1	65	30
Female African School, Plane-street,	1	1	56	30
	13	16	1229	968

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REPORT

OF THE

TRUSTEES OF THE SCHOOL FUND

TO THE

LEGISLATURE OF NEW JERSEY.

February 26, 1839.

TRENTON:
PRINTED BY JAMES T. SHERMAN.
1839.

REPORT, &c.

To the Legislative Council and General Assembly of the State of New Jersey.

The Trustees of the School Fund respectfully submit the following REPORT:

In conformity with the provisions of the "Act to establish public Schools," passed the first day of March, eighteen hundred and thirty-eight, the trustees of the school fund, on the second day of April last, appropriated the sum of thirty thousand dollars for the support of public schools in the state of New Jersey. This sum was distributed among the several counties of the state, in the following proportions, viz:

Bergen,	$1615 50
Essex,	2664 00
Passaic,	768 00
Morris,	2352 00
Sussex,	1518 75
Warren,	1638 75
Hunterdon,	2529 00
Somerset,	1882 50
Middlesex,	2049 75
Monmouth,	2792 25
Burlington,	2864 25
Cumberland,	1189 50
Gloucester,	2184 75
Salem,	1617 00
Cape May,	484 50
Atlantic,	349 50
Mercer,	1500 00
	$30,000 00

A copy of this apportionment was made out and filed with the treasurer of the state, by whom the money has been paid to the collectors of the several counties, respectively.

By the fourteenth section of the act before referred to, it is made the duty of the trustees of the school fund to prepare suitable forms and regulations for making all reports and conducting all proceedings prescribed by law in relation to public schools, and to transmit the same, together with such suggestions as they shall deem necessary and proper for their better organization and government, to the school committees of the several townships throughout the state.

The manner in which this duty has been discharged by the trustees, will appear by the forms and regulations, a copy of which is hereto annexed. They were prepared with as little delay as possible, and printed copies of them forwarded to every township in the state, with the view to a distribution among the school committees and the trustees of the several school districts. It was deemed advisable to publish them in the form of a pamphlet, in connection with the "Act to establish public schools." In the preparation of these forms brevity and simplicity were principally consulted. With their assistance, it is believed, there will be found little difficulty in making all returns and conducting all proceedings required by law. The trustees entertain the hope that they may be found to answer the purposes for which they were designed.

It is likewise made the duty of the trustees of the school fund to prepare and submit an annual report to the legislature, containing a statement of the condition of public schools throughout the state, estimates and accounts of expenditures of all moneys appropriated by law to the purposes of education, together with all such matters relating to education as they may deem it expedient to communicate.

It will be perceived, however, by a reference to the thirteenth section of the act, that the materials, which are to serve as the basis of this report, are to be collected from the annual returns, which the school committees of every township in the state are required to transmit to the trustees of the school fund. In no other way can the necessary information be collected by the trustees. But these returns, with two exceptions,* have not yet been received, nor are the school committees under any obligations to make them before the first Monday of March next. No report, therefore, founded

* Returns have been received from the township of Woodbridge, in the county of Middlesex, and the township of Orange, in the county of Essex.

upon them can possibly be prepared in time to be laid before the legislature, at its present session. Upon the fidelity and accuracy with which these returns are made, much of the efficiency and success of our present school system will depend. It is earnestly hoped, then, that the school committees will not neglect so important a duty.

As to the benefits which are likely to flow from the operation of the act of eighteen hundred and thirty-eight, the expression of any decided opinion, at this time, might be deemed premature; and, yet, the trustees cannot refrain from submitting a few observations in relation to it, before closing this communication. That the existing law is wholly free from defects, that it is fully adequate to the wants of the community, or that it entirely comes up to the demands and expectations of the public, will not be affirmed; but that it is calculated to produce most important and beneficial results, is confidently believed. Every system of public instruction must in its infancy be comparatively rude and imperfect. The great work of popular education is not to be accomplished in a day. It must be the fruit of much observation, of long experience, and of patient legislation. Nothing is more easy than to construct plausible theories upon the subject of education, and to devise magnificent plans for the universal diffusion of knowledge; but nothing, perhaps, is more difficult, particularly in a government like ours, administered by the people themselves, than the attempt to reduce them to practice.

The first step to be taken towards a comprehensive and enlightened system of public instruction is, to organize schools in every district of the state, and to secure frequent, full, and correct returns. In this way, alone, can the legislature be informed of the actual state of education among the people, of the condition of the public schools, of the extent to which the blessings of knowledge are diffused, and of the number of those who are growing up in ignorance and are shut out from all means of instruction. Now these important ends the present law seems well adapted to accomplish. Let it but be fairly carried out—let those who are intrusted with the administration of it but do their duty, and it will, at least, secure these two objects, a thorough organization of schools and full and complete returns from every district. And should it do no more than this it will have laid the foundation upon which a noble structure may hereafter be erected.

Among the improvements that may be necessary, in order to complete and perfect our present system, the trustees would very

respectfully suggest the following, as worthy of being kept in view, and deserving the attention of the legislature.

A provision, which should make it obligatory upon the inhabitants of every township to raise by taxation, a sum at least equal to what they receive from the state, before they are permitted to participate in the public bounty.

The removal of the restriction which is now imposed upon the inhabitants of townships, as to the amount which they may raise by taxation, or otherwise, for the support of public schools and in aid of the funds of the state.

The erection and endowment of schools or academies for the express purpose of educating teachers, and qualifying them for the the discharge of their responsible duties.

Some provision for the purpose of supplying every district school with a small library, together with a few globes, maps, and other similar helps, by which the acquisition of knowledge is so much facilitated.

The elevation of the standard of public instruction, and the introduction of many useful and necessary branches of knowledge, which are now seldom taught in our common schools.

These are features which may at any time be engrafted upon our present system, without disturbing any of its material parts, and the adoption of which would, it is believed, render it all that the most ardent and enlightened friends of education could desire. In a country like ours, with governments resting upon the broad basis of universal suffrage, popular education is emphatically the great interest of every state. The obligation to provide for *all* the means of competent instruction, to take care that *all* are taught to know their rights and duties, is an obligation paramount to every other; for, let it never be forgotten, the only foundations upon which free institutions can safely repose are the virtue and intelligence of the people.

All which is respectfully submitted.

WM. PENNINGTON,
JAMES D. WESTCOTT,
A. PARSONS,
LEWIS CONDICT,
R. S. FIELD.

Trenton, February 6, 1839.

REPORT

OF THE

COMMISSIONERS,

APPOINTED

BY THE

GOVERNOR OF NEW JERSEY,

TO ASCERTAIN THE NUMBER

OF

Lunatics and Idiots in the State.

Submitted to the Legislature on the 26th of February, 1840,

READ, AND ORDERED TO BE PRINTED UNDER THE DIRECTION OF THE COMMISSIONERS.

NEWARK:

PRINTED BY M. S. HARRISON & CO.

1840.

State of New Jersey.

JOINT RESOLUTION.

RESOLVED by the Council and General Assembly of this State, *That the Governor of this State be, and he is hereby authorized to appoint one or more competent person or persons to ascertain as accurately as practicable, the number, age, sex, and condition of the lunatics of this State: Also, to ascertain the best and most effectual means for their relief: and if in their opinion the erection of a State Asylum be the best remedy, then to ascertain the necessary cost of the establishment of such an Institution; the best location for the same; together with all such facts as may be necessary to lay the foundation for definite action, and to report at the next Session of the Legislature: And that a sum not exceeding Five Hundred Dollars be appropriated to defray the necessary expenses of such investigation.*

Passed March 6, 1839.

TRENTON, *April* 9, 1839.

DEAR SIR,

I have constituted the following Commissioners under the foregoing Resolution, to wit — LEWIS CONDICT, *of Morris*; AUGUSTUS F. TAYLOR, *New Brunswick*; Dr. CHS. G. McCHESNEY, *Mercer*; L. Q. C. ELMER, ESQ., *of Cumberland*, and yourself. I hope you will accept this appointment, and signify such acceptance by a line addressed to me at Newark. The counties assigned by the present arrangement to your particular care, are Essex, Bergen, and Passaic. This will of course be subject to any modification by the Commissioners themselves.

Very respectfully,
Your obedient servant,
WM. PENNINGTON,
Governor of New Jersey.

DR. L. A. SMITH.

His Excellency Governor Pennington,

DEAR SIR,

I have the honor herewith to enclose to you the Report of the Commissioners, appointed by you, on the subject of a State Asylum for the reception of Lunatics, in conformity with a Joint Resolution of the last Session.

Very respectfully,
Your obedient servant,
LEWIS CONDICT,
In behalf of the Commissioners.

MORRISTOWN, *February* 26, 1840.

To his Excellency

WILLIAM PENNINGTON,

Governor of New Jersey :

The subscribers, Commissioners appointed by your Excellency in April 1839, under a Joint Resolution of the Legislature, "to ascertain the number, age, sex, and condition of the Lunatics of this State : the best and most effectual means for their relief : and if in their opinion, the erection of a State Asylum be the best remedy ; then to ascertain the necessary Cost of the establishment of such an Institution : the best location for the same, together with all such facts as may be necessary to lay the foundation for definite action ; and to report at the next Session of the Legislature," having considered the various duties prescribed, submit the following

REPORT.

That in pursuance of their appointment, they met at Newark, at the office of Doct. Smith, on the 12th day of April last, and organized themselves as a board, by electing Dr. Lewis Condict, as Chairman, and Dr. Lyndon A. Smith, Secretary.

The Resolution of the Legislature, and the Commission of the Governor having been read and considered, it was deemed expedient to apportion the labor among the several Commissioners, by assigning to each one, such of the Counties for his investigation as might be most convenient.

Accordingly, the following arrangement was unanimously agreed to : viz.—

The Counties of Bergen, Essex, and Passaic,	composing the 1st district, were assigned to	Dr. Smith.
Morris, Sussex, and Warren,	" 2d "	Dr. Condict.

The Counties of Middlesex, Somerset, Hunterdon, and Gloucester,	composing the 3d district, were assigned to	Dr. TAYLOR.
Mercer, Monmouth, and Burlington,	" 4th "	Dr. MCCHESNEY.
Atlantic, Salem, Cumberland, and Cape May,	" 5th "	L. Q. C. ELMER, Esq.

The first object contemplated in the Resolution, is, to ascertain as accurately as practicable, the *number*, *age*, *sex*, and *condition* of the Lunatics.

It was considered proper to make distinct enquiries in each Township, on these several points, distinguishing such as are supported by their friends, from those who are sustained by public charity, and the average expense of their support. With a view to some uniformity in Returns, a tabular blank was suggested, with separate columns for the sexes, age, &c.

Doct. Smith was requested in behalf of the Board of Commissioners, to superintend the printing of a sufficient number of blanks for each district, with a circular letter. A copy of the blank and circular is hereto subjoined—

Number of Lunatics and Idiots in the town of												
No. supported by their friends.		No. supported by the town.		No. roving and supported by charity.		Average age of each.		Whole No.	No. confined.	No. occasionally delerious from drink.	Average expense of keeping per week.	REMARKS.
Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.					

SIR,—Having been appointed by his Excellency the Governor, a Commissioner, to ascertain as accurately as possible, the number, age, sex, and condition of the Lunatics and Idiots in the counties of I take the liberty of addressing you, and requesting your co-operation in this work of benevolence, as far as regards your own township. By filling the blanks in the annexed Schedule and forwarding to me, at as soon as you can conveniently, you will greatly promote the cause of suffering humanity. A history of any case of special interest would be very acceptable.

Your obedient Servant,

Commissioner.

to the security of others, but with special reference also to their own misfortunes, and in a manner adapted to shorten their duration, or where that is impossible, at least, to mitigate their severity. However imperiously the public good may demand the coercion of the insane, it can never be just to cast them into a hopeless dungeon, thereby making the cause of their confinement remediless, and then the confinement itself terminable only by the death of the sufferer. In its practical operation, such a system is a direct consignment of human beings to the long protracted and mysterious horrors of madness.

The second Report of the Prison Discipline Society, furnishes the following instructive lesson, as to the treatment of Lunatics, in common jails:

"In Massachusetts, by an examination made with care, about thirty lunatics have been found in prison. In one prison were found three; in another five; in another six, and in another ten. It is a source of great complaint with the Sheriffs and Jailors, that they must receive such persons, because they have no suitable accommodations for them. Of those last mentioned, one was found in an apartment in which he had been nine years. He had a wreath of rags around his body, and another around his neck. This was all his clothing. He had no bed, chair, or bench. Two or three rough planks were strewed around the room: a heap of filthy straw, like the nest of swine, was in the corner. He had built a bird's nest of mud in the iron grate of his den. Connected with his wretched apartment was a dark dungeon, having no orifice for the admission of light, heat, or air, except the iron door, about two and a half feet square, opening into it from the prison.

"The other lunatics in the same prison were scattered about in different apartments, with thieves and murderers, and persons under arrest, but not yet convicted of guilt.

"In the prison of five lunatics, they were confined in separate cells, which were almost dark dungeons. It was difficult after the door was open, to see them distinctly. The ventilation was so incomplete that more than one person on entering them has found the air so fetid as to produce nausea, and almost vomiting. The old straw on which they were laid, and their filthy garments, were such as to make their insanity more hopeless, and at one time it was not considered within the province of the Physician to examine particularly the condition of the lunatics. In these circumstances any improvement of their minds could hardly be expected. Instead of having three out of four restored to reason, as is the fact in some of the favored Lunatic Asylums, it is to be feared that, in these circumstances, some, who might otherwise be restored, would become incurable, and that others might lose their lives, to say nothing of present suffering.

"In the prison in which were six lunatics, their condition was less wretched. But they were sometimes an annoyance, and sometimes a sport to the convicts; and even the apartment in which the

females were confined opened into the yard of the men: there was an injurious interchange of obscenity and profanity between them, which was not restrained by the presence of the Keeper.

"In the prison, or house of correction, so called, in which were ten lunatics, two were found about seventy years of age, a male and female, in the same apartment of an upper story. The female was lying upon a heap of straw under a broken window. The snow in a severe storm was beating through the window, and lay upon the straw around her withered body, which was partially covered with a few filthy and tattered garments. The man was lying in the corner of the room in a similar situation, except that he was less exposed to the storm. The former had been in this apartment six, and the latter twenty-one years.

"Another lunatic in the same prison was found in a plank apartment of the first story, where he had been eight years. During this time he had never left the room but twice. The door of this apartment had not been opened in eighteen months. The food was furnished through a small orifice in the door. The room was warmed by no fire: and still the woman of the house said, "*he had never froze.*" As he was seen through the orifice of the door, the first question was, "is that a human being?" The hair was gone from one side of his head, and his eyes were like balls of fire.

"In the cellar of the same prison were five lunatics. The windows of this cellar were no defence against the storm, and, as might be supposed, the woman of the house said, "we have a sight to do to keep them from freezing." There was no fire in this cellar which could be felt by four of these lunatics. One of the five had a little fire of turf in an apartment of the cellar by herself. She was, however, infuriate, if any one came near her. This woman was committed to this cellar 17 years ago. The apartments are about 6 feet by 8. They are made of coarse plank, and have an orifice in the door for the admission of light and air, about 6 inches by 4. The darkness was such in two of these apartments that nothing could be seen by looking through the orifice in the door. At the same time there was a poor lunatic in each.

"A man who has grown old, was committed to one of them in 1810, and had lived in it seventeen years.

"An emaciated female was found in a similar apartment, in the dark, without fire, almost without covering, where she had been nearly two years. A colored woman in another, in which she had been six years: and a miserable man in another in which he had been four years."

We believe from personal observation of many years, that many roving Maniacs, who were proper subjects for a well regulated Lunatic Asylum, have remained at large, and unrestrained in their liberty, greatly to the annoyance of society, and frequently dangerous to the lives of the community, merely because the common jail was so revolting to the feelings of humanity. All have preferred to tolerate these unhappy creatures, rather than to imprison the inno-

cent, with felons of every description. Of this class of wandering maniacs, the precise number is unknown. There are *ascertained* nineteen, and probably as many more are unknown to us. Of those who have been and still are imprisoned, the number is thirty-seven, of these thirteen are in the State Prison. Three are confined by *chains* and two of these are in the County Poor Houses, and complaint is made of their being very troublesome, and that the accommodations are ill-suited to such cases. The comforts afforded by the jails of this State are as well known to the Legislature, as to the Commissioners. Perhaps their inmates may fare as well as those just described in Massachusetts: if during the rigor of this winter, any survivor in them "*has not froze*" their keepers may say "*we had a sight to do to keep them from freezing.*"

To show conclusively the beneficial effects of such an establishment as we hope to see adopted in New Jersey, we take occasion to cite a few instances of treatment in the State Lunatic Hospital of Massachusetts, at Worcester. Many of them had been Lunatics and confined in jails with criminals, &c. many years.

"No. 1. Had been in prison twenty-eight years when he was brought to the Institution. During seven years he had not felt the influence of fire, and many nights he had not lain down for fear of freezing. He had not been shaved for twenty-eight years, and had been provoked and excited by the introduction of hundreds, to see the exhibition of his raving. He is now, and has been, comfortable in health—well clad—keeps his bed and room remarkably clean: and although very insane on certain subjects, is most of the time pleasant, companionable, and entirely harmless and docile. He shaves himself twice a week—sits at table with sixteen others—takes his meals—walks about the village and over the fields, with an attendant to accompany him, and enjoys himself as well as his illusions will permit. This man committed homicide.

"No. 2. Had been in one prison fourteen years: he was naked—his hair and beard grown long—and his skin so entirely filled with the dust of charcoal as to render it impossible, from its appearance, to discover what nation he was of. He was in the habit of screaming so loud as to annoy the whole neighborhood, and was considered a most dangerous and desperate man. When he came to the Hospital he was provided with a new suit of clothes, which the Sheriff advised us to have taken off and preserved, as he doubted not he would strip them in tatters in two hours. He was, however, induced to preserve them with great care, and has constantly for two years worn his clothes, sleeps in a good bed, sits at the table to take his meals, and is quite a civil, although a very insane man. He too committed homicide.

"No. 3. An old man of 70 years of age or more; had been *chained for twenty-five years*, and had his chain taken off but once in that time. Has for many months been very quiet and civil, and behaves like a gentleman: and although quite insane, keeps his room in good order,

and takes his meals at table with seventeen others, with the utmost propriety.

"No. 4. A female: had so long been confined with a *short chain* as wholly to lose the use of her lower limbs. Her health had been materially impaired by confinement, and she was unable to stand, and had not walked for years. In the Hospital her health has been restored, her limbs rendered again useful, so that she walks without difficulty; is now in the enjoyment of health and reason, and able to labor sufficiently to support herself. She is now with her friends.

"No. 5. Is a mechanic who had been in close confinement for six years. He committed homicide: and if this institution had not been erected, would probably never have been permitted to leave his cell. He is now a useful mechanic: labors a great portion of his time: often reads his bible and the public papers: is exceedingly happy that this place has been provided for him, and blesses its founders and conductors daily for the benefits conferred by it on himself and other inmates. He walks abroad and often attends church.

"No. 6. Another man reported by the Commissioners, was confined seventeen years before he was removed to the Hospital. He was very violent and dangerous: often in chains, notwithstanding he was in a strong prison room. He used to scream, and commit acts of violence that required the most rigid restraint. He is now well dressed, civil, and, although often excited, is respectful and pleasant—is in the habit of assisting the females in washing the floors, drawing water, preparing food, and similar domestic offices, and is about the premises without restraint. He committed homicide.

"No. 7. Had been confined a violent maniac. Had been caged and chained for years. It was concluded to set him free, and see how he would conduct. He fell foul of his brother, and killed him with a bludgeon, and, pursuing his sister, would probably have done the same to her, had he not been arrested in season to prevent it. When caged he was naked and filthy, but now dresses neatly: is cleanly and civil: mingles freely with sixteen other persons, and, though quite insane, is to us perfectly harmless.

"No. 8. Had been ten years without clothes: a most inconceivably filthy and degraded being: exceedingly violent and outrageous. She now wears clothes, is neat and cleanly in her person, takes her food at table with a large company, does much needle work and knitting, and though at times violent, is managed without the least severity or difficulty.

"No. 9. Another female, exceedingly filthy in her habits, had not worn clothes for two years, during which time she had been confined in a filthy cell, destitute of every thing like comfort, tearing every thing in pieces that was given her. She is now dressed cleanly, works some, takes her food at table in company, sings very pleasantly when requested, and is a large part of the time very civil and agreeable.

"No. 10. Has been insane eight years: almost the whole of the time in jail and in a cage. He cut the throat of an infant while sleep-

ing in a cradle, instantly killing it: made an attack with an axe, upon an aged man, at the same time. It is stated that he was in a most wretched condition before he came here. He is now insane, but pleasant: keeps his bed and room in good order, takes his meals regularly at the table, spends much time in reading and conversing with the inmates, and labors some.

"No. 11. Was very insane when he came here, was represented to us as being very violent and dangerous: and a part of the time he was so—being furious and outrageous in the extreme. When he entered the Hospital was filthy, and nearly or quite naked. He is now calm, quiet: dresses himself neatly, keeps his room and bed in good order, and takes his meals with the other boarders. He is now quite pleasant and useful too: works out daily: saws and cuts wood.

"No. 12. A patient six years confined for homicide in close jail, and would probably have been confined for life. After six months here he commenced labor, and has not only continued it daily, but takes excellent care of every thing connected with the farming and gardening establishments. He is pleasant. very mild in his feelings, and ready to perform whatever is required of him. He is trustworthy, and can perform labor without superintendence. We have frequently noticed the novel spectacle of two men ploughing in the field alone, *both insane, both having committed homicide*, and both having been confined in jail for a very long time.

"Many other similar cases might be named. They were all considered incurable, but are now comfortable, and pay great attention to habits of cleanliness and order. We have remarked that when one of these men has been placed in solitary confinement, and suffered to remain a few days without inspection, the disposition to tear clothing, to go naked and filthy, returns. We have many that have, for years, been naked, exceedingly filthy and violent, that are now well clad, decent and civil. We have probably fifty that *have been so*, at present scarcely half a dozen remaining in these habits. During the past year, (1834,) *one hundred and nineteen* patients have been received into the Hospital: of these *fifty-five* were old cases, and *sixty-four* recent ones. In the same period, *one hundred and fifteen* have been discharged: of these, *forty-nine* were old cases, and *sixty-six* recent ones. Of those discharged, *sixty-four* were cured—*twenty-two* improved—*sixteen* stationary—*four* idiotic—*eight* have died, and *one* has eloped. The cures amount to *fifty-five and three fourths* per cent.

"We have witnessed with sincere gratification the effect of the kindness and indulgence, moral discipline, and medical treatment, in calming the ravings of the violent—in soothing the agitated passions of the furious—in awakening the hopes, and removing the despondency of the melancholic—as well as in establishing habits of order, cleanliness, and civility, in those whose minds are still warped by all the delusions of insanity. In many we have witnessed the embers of apparently expiring reason, rekindle, and these delusions vanish by slow and almost imperceptible movements, till the intellect emerged from its cloud, and the light of reason was restored to the mind.

"Before the last three months, that is, previous to the 1st September, there had been received into the Hospital twenty-five recent cases of insanity, in which the period had not exceeded one year: of these, twelve have been discharged, cured, five have been discharged improved, some of which were nearly well, and others convalescing, and six remain improved; leaving only two that exhibit no manifest improvement. Of those *old cases*, of one or more years standing, which were considered not incurable, that had been in the Hospital before the last three months, or prior to the 1st September, the whole number is thirty-eight—of which eleven have been discharged, cured, two have been discharged, improved, and twelve remain, improved—so that twenty-five out of thirty-eight cases have exhibited symptoms of amendment. Many recent cases that show no improvement whatever in three months, in six months, or a year, entirely recover. But three months, and even twelve, are considered too short a period to make a decided impression upon some chronic cases, that, by a persevering application of medical, moral, and intellectual means, will ultimately be restored. This will be especially true of chronic cases of many years standing. The "chaos of illusions" which disturb the imagination in old cases, cannot be "swept at once from the tablet of the mind." Long and persevering efforts are required to break up these illusions, and restore the intellect to soundness, in cases confirmed by years, even where no physical disorganization has taken place."

The first patient admitted to the Lunatic Hospital at Worcester, was on the 19th January, 1834. Between that time and the last of December following, one hundred and sixty-four were admitted—many of which were of long standing and had become incurable. They came from long confinement, from ten to thirty-two years, in jails and poor-houses, their cases were entirely unknown to the physician, the attendants and nurses were all inexperienced and unacquainted with their respective duties. Coming in at different periods of the same year, their average medical treatment was about six months. Under all these disadvantages, the Trustees state "thirty-two insane persons have in this short period of time been *fully recovered*." And respecting the others they thus speak:

"But, however deeply all our better feelings may be moved by the reflection, that *thirty-two* of our fellow-beings, under the auspicious influences of this Institution, have already been restored to reason, and returned to bless the families and friends, who, under the former coercive system of treatment, would have mourned their loss, "without hope," yet the ameliorated condition of such as have not been recovered, the Trustees regard as a subject for equal congratulation among men, and gratitude to Heaven. No one, who has not actually seen, from time to time, the inmates of the Hospital, can comprehend the extent of the change which has taken place in every external indication that marks the physical and moral condition of a human being. Many who, in their paroxysms, used formerly to wound and lacerate their own persons to a degree that threatened life itself, now

habitually exercise an ordinary degree of prudence in avoiding the common causes of annoyance and accident. Not less than one hundred of those brought to the Hospital seemed to regard human beings as their enemies, and their first impulse was to assail them with open or disguised force. Now there are not more than twelve who offer violence. Of forty persons, who formerly divested themselves of clothing, even in the most inclement seasons of the year, only eight do it now. Through all the galleries there is far less susceptibility to excitement, more quietude, more civility and kindness exercised towards each other. The wailings of the desponding, and the ravings of the frantic are dispelled. The internal change is legible upon the countenance. With the insane it is emphatically true, that the dark shadows of the mind are visibly projected upon the face. Hence from the alteration which has in so many instances occurred in the outward aspect, amounting almost to a change in identity, there may be inferred a corresponding change within. The deep lines of anguish have been obliterated or softened, whose sharp engravings were begun, many years ago, in despair. The wide circle and heart-sickening variety of horrors, exhibited by the inmates, when first brought together, as though every region of the "dark immense" of insanity had sent a representative of its terrors, have been greatly reduced in extent, and mitigated in quality. If the erroneous action of the mind has not yet been rectified, the dreadful emotions that once accompanied and aggravated its movements, have been dispelled, and they are now succeeded by milder and more peaceful sentiments. Happily the feelings and emotions may be divested of their pain and terror, even after the intellect has forever lost all power of distinguishing the true from the false, in its ideas and perceptions.

"The class of *incurables* now embraces, and probably always must embrace, a large proportion of all the inmates of the Hospital. This fact is an important one in reference to the success of the institution. Of the whole number *one hundred and eighteen*, in the Hospital, over *seventy* belong to this class. Whilst the return of so large a body of our fellow beings to the bosom and business of society, is for the most part hopeless, the State may well console itself with the reflection, that their condition here is very essentially improved. The maniac of the most ferocious character, has been here, not indeed *cured*, but tamed and restored to the comforts and decencies of life. The experiment of this institution has abundantly and happily shown, that there are very few cases of derangement or obliquity of intellect, which may not be ameliorated by the kindly influences of humane treatment. In this respect, the bounty of the Commonwealth has not been misplaced. The result in the opinion of the Trustees, has entirely exceeded the most sanguine anticipations. And this alone is a consummation which can neither be weighed nor measured by any pecuniary consideration whatever."

By the Hospital Report of December, 1836, it appears that of 161 cases, of less than one year's duration, 132 were cured — 11 improving — 10 died — 6 removed before the remedies were tested, and only two left to become *old* cases.

The Institution of Charenton, near Paris, under the care of the distinguished Esquirol, in a late report, which embraces a period of eight years, shews the following results:

Admitted in eight years,	-	1557
Patients previously in Hospital,	-	492
Total,	-	2049

Recovered, - - -	518
Died, - - - -	546
Discharged, not cured, - -	514
Remained, - - -	471
Total,	2049

The 3d inquiry submitted in the Resolution relates to the cost of the establishment. On this subject the Commissioners are relieved from difficulty, by the experience of other States.

The Worcester Lunatic Hospital is perhaps the best model we can imitate, and yet no doubt the experience of that Institution may suggest some improvements. The Legislature of Massachusetts appropriated $30,000, directing a building to be erected, calculated for the accommodation of 120 Lunatics — a Superintendent — his family — and the attendants and nurses, &c. &c.

A centre building, 4 stories high, 76 feet in length, 40 in width, with wings 90 feet each in front and 100 feet in the rear, 36 feet wide, and 3 stories high, was constructed and finished, for something less than $24,000. It is constructed of brick, except the basement, which is of rough granite, and the whole is built in a firm and workman-like style. The grounds were furnished by individuals in Worcester.

With the same economy it is believed that $20,000 may be sufficient for a durable edifice, calculated to accommodate the Lunatics of our State. Should the number of insane increase, the wings may be extended without impairing the symmetry of the building, and at an expense, less in proportion, than that of the front.

The 4th inquiry, is "the best site for its location," &c. We have reason to believe, that some philanthropic gentlemen in the State, who have evinced a deep interest in behalf of the suffering insane, may contribute liberally toward such an institution as is proposed, provided its location be such as their judgment approve. The site should combine pure air, abundance of pure water, without stagnant pools—a farm containing grounds for tillage, pasture, meadow and fuel.

Labour in the fields and garden, in certain stages of lunacy, is considered an important part of the treatment at Worcester, as well as in every other well regulated institution of this kind. The location

The Commissioners deemed it proper also, to distinguish between the *Insane*, and the *Idiots*, as far as practicable, as well as between those who may be *occasionally* Insane from intoxicating liquors, and those whose *insanity* is of a more *permanent* character. They also thought proper to make a distinction between the raving Maniac, who may be confined by chains, or other severe restraints, to prevent injury to himself or others, from those of more peaceful disposition. It was recommended by the Board to the several Commissioners, to make diligent enquiry in every township of the State, by personal visitations as far as practicable, and by intercourse and correspondence with medical practitioners, overseers of poor houses, and with the personal friends of Lunatics, in order to carry into effect the humane intentions of the Legislature. It was also recommended to ask the aid of the Assessors of the Townships, to inquire into these facts, in their calls on the several families.

The second object designated by the resolution, as part of the duty of the Commissioners, is "to ascertain the best and most effectual means for the relief of the Lunatics in the State."

As some of the States of the Union had erected Lunatic Asylums which had been in successful operation for some years, it was recommended, that as many of the Commissioners as could devote a portion of their time to visit such Institutions during the coming season, should do so, for the purpose of witnessing the arrangement of the buildings — the order — government and discipline of the Institutions — their influence upon the health and habits of the Insane, and the expenses incident to them. Two of the Commissioners, Doctors Smith and Condict, were deputed for this purpose; and in the month of May they visited the McLean Asylum, at Charlestown; the State Lunatic Hospital at Worcester; the General Hospital and State Penitentiary at Boston.

Institutions of a similar character in Connecticut and New York, they have not yet found leisure to visit. Some allusions to these Institutions will probably be made in subsequent parts of this Report. Early in July, the Commissioners met again in Newark, for further conference, and to ascertain the result of the inquiries as far as they had been prosecuted in the several Districts.

It has been found impracticable to visit *personally*, every precinct and neighborhood: yet by devoting much attention, and by information which may be relied on from medical gentlemen of known respectability, and from the keepers of county and town poor houses, as well as from individuals connected with Insane persons: the Commissioners believe there are very few cases, in their respective districts, which are not included in this Report, a brief summary of which may be seen in the accompanying table, arranged by districts

and counties, and showing in each, the number, sex, average age, and other circumstances, as collected and ascertained by the several Commissioners.

The Commissioners had decided at their first meeting in April, that the Returns from the several districts, when completed, should be made to Dr. Condict, the Chairman of the Board, from which he was instructed to prepare a general report to be presented to the Legislature. Family sickness and urgent professional duties, have delayed the returns from some districts until January. It is not believed however, that any inconvenience will result to the public. If the Report shall be deemed of sufficient interest to warrant its publication by the Legislature, it may go out from the press in pamphlet form: and the next Legislature can adopt such measures as the facts herein ascertained may seem to require. The pecuniary embarrassments now existing, may probably prevent further action during the present year.

By reference to the table it will be seen that the No. of Lunatics, so far as the Commissioners have been able to ascertain them in three of the five districts — viz. Dist. 2d, 4th, and 5th, is 231. In the 1st and 3d districts, the Lunatics and Idiots are not distinguished in the returns.

The 1st district returns	64	of both classes; dividing them equally, gives	32
" 3d " "	151	" " "	75
Adding to these the	231	from the other three districts,	231
		Gives the whole number of Lunatics,	338

In this estimate, we include only that description of persons designated in the Table, as "*ascertained*," leaving out the "*computed*." And by this, it will be seen, that the ratio of Lunatics in this State, somewhat exceeds that of New England, which is estimated at *one* to every thousand souls.

The population of Massachusetts, by the last census, was, we believe, about 540,000. The returns of Lunatics from 114 towns, containing somewhat less than half her entire population, shewed the number of Lunatics therein ascertained to be 298. This proportion does not vary greatly from ours: our population being now about 250,000, and if some allowance be made for mistakes and occasional oversight in the examination made in each State, the variance may be easily reconciled.

Of this number, it may safely be expected that one-third, or about 120, will be suitable subjects for a State Institution.

The whole No. of Idiots ascertained in districts, No. 2, 4, and 5, is,	- - - - -	151
The 1st district containing 64	ascertained Lunatics and Idiots, divided equally, gives -	32
" 3d " " 151	" " " -	75
	Whole number of Idiots in the State,	358

It is sometimes difficult to define the boundary line between Lunacy and Idiocy. The furious Maniac, under the pressure of disease, gradually loses one mental faculty after another, until all are lost, and nothing remains of the noble structure, but the mere *animal* machine. And the hypochondriac sometimes becomes irritable and impatient — then agitated and fitful — sleepless and turbulent, till at last, nothing can restrain him but chains or the strait jacket. The point at which mania ceases, and idiocy begins, cannot be accurately defined.

In regard to both classes of this unfortunate people, there are no doubt, some few of each, who live in very retired places, and have been overlooked entirely. There are others, whose friends, from motives of delicacy, have been unwilling to give their names and residence. And in each district, the Commissioners seem assured, that there are cases both of Idiocy and Lunacy which are not enumerated, but of which sufficient information was received to warrant the belief, that the number stated, is short of the whole number in the State. Some of the Commissioners are of opinion, that in some districts, the non-enumerated cases amount to between a fourth and a third of those which are ascertained. In the 1st district, Dr. Smith is of the opinion that there are 164 Insane and Idiots, of which number, only 64 are from actual returns. In the 4th district, Dr. McChesney, believes that from one-fourth to one-third should be added to the actual returns of both Insane and Idiots.

It is believed, that cases have existed in each county, of Lunatics confined in jail, either, because they were believed to be dangerous to the community when at large, or because of some flagrant outrage. Some have remained in confinement for years, and some of them *in chains*. There are now in Newark jail, two Lunatics. In New Brunswick, two in chains; and one in Gloucester poor house, one in Cumberland, and one in Salem, all in chains. The individual, in chains, in Gloucester poor house is confined by hand and leg irons, with a chain extending from each to the floor. He is neither vicious nor violent, and would harm no one, unless, indirectly, by some mischievous prank. He is so restless and uneasy that when not confined in this way, he is constantly engaged in tearing his cell

and his clothes to pieces. It is highly probable that this man might be rendered useful to the community, instead of being a burden, were he in a well regulated institution. In this same county, also there is a female who, though but 28 years of age, has been chained by the ankle 12 years.

In the 4th district, Dr. McChesney, says, "I find scenes of misery and wretchedness, that the citizens of New Jersey have never dreamed of — enough to melt the heart of the most obdurate." He has been able to trace 14 of these cases to intemperance — six to religious excitement, and four to the influence of love. The greater part arose from causes unknown — some were said to have been *confined in cells upwards of* 20 *years.*

If the State shall determine to erect an Institution for its Insane, we presume, it will be intended principally for that class of unfortunates, who for the want of such an establishment, are committed to jails, because the community is unsafe when they are at large. They are wandering at all hours — break into dwelling-houses at night, and greatly disturb the repose of families. In many instances they pilfer for hunger — make violent assaults upon the defenceless — set fire to dwellings, and sometimes commit horrid murders — yet in the eye of the law, they are not *Criminals*, because they are *Insane.* The peace and safety of society demand their confinement: and of necessity they are shut up with felons and criminals in county jails, where every thing around them tends but to confirm their insanity, and to render recovery hopeless.

As to the second inquiry prescribed by the Resolution, "the best and most effectual means for relief," there is but one opinion in the Board of Commissioners, which is, that a State Asylum, or Hospital properly constructed and regulated, affords the most comfort, and yields more relief to the Insane, than any other means hitherto devised. This opinion is not the result of speculative theory and visionary conjecture, it rests upon the sure foundation of *actual experiment.* Most of the States in Europe have made the experiment for us: and within a few years, many of our sister States have improved upon European models of these humane Institutions, which have been the means of restoring many hundreds of lost and benighted human beings to the bosom of their friends and families.

The raving Maniac requires to be restrained and confined, but the kind of restraint and confinement which is indispensable to him, cannot be furnished by the penitentary, nor county jail, nor by any private family. The jail may be security against *escape*, and manacles and chains may restrain him from doing violence to himself and others, and this is all these can do. They can do nothing towards his restoration. The violence of disease remains unmiti-

gated, and its victim may linger out years of wretchedness in the dungeon, or death may come speedily to his relief. An Asylum constructed and adapted to the object, we believe can alone furnish the required restraints and remedies. The common hospitals for the treatment of the lame and the sick are almost as unfit for the Maniac, as the jail is — as their bills of mortality will abundantly prove.

The confinement and restraint which is required, must of necessity vary, according to the character which distinguishes each case, as well as to the changes which may daily occur in the treatment of any one case. Every well regulated Asylum possesses the means of adapting these restraints to every modification and form of disease; whilst it places the sufferer under the care of persons who are trained and disciplined and skilled in the treatment: hence it is, that so large a portion of Lunatics are discharged from the Asylums, *cured* and restored to their friends. This is abundantly proved by experience, and especially in cases of recent insanity and of the first attack. And experience, also, furnishes lamentable proof that to shut up these wretched beings in a common jail, or to confine them by chains and manacles in a poor house or in a private family, is but to place them beyond the reach of recovery. We adopt the language of the Massachusetts Commissioners, in their Report to the Legislature on this same subject, who say —

"It is a well authenticated fact, that those upon whom the first attack of insanity is most violent, and who are therefore more liable, from the vehemence of its assaults, to commit outrages upon the persons or property of others, are also most easily cured. From all the inquiries made by the Commissioners upon this subject, they have never heard of more than three or four instances of restoration among all those who have been subjected to the rigors of a confinement in jails and houses of correction; while well regulated Institutions for the reception and appropriate treatment of the Insane, have returned fifty, sixty, and, in some instances, ninety per cent of recoveries. To him, whose mind is alienated, a prison is a tomb, and within its walls he must suffer as one who awakes to life in the solitude of the grave. Existence and the capacity of pain are alone left him. From every former source of pleasure or contentment, he is violently sequestered. Every former habit is abrubtly broken off. No medical skill seconds the efforts of nature for his recovery, or breaks the strength of pain, when it seizes him with convulsing grasp. No friends relieve each other in solacing the weariness of protracted disease. No assiduous affection guards the avenues of approaching disquietude. He is alike removed from all the occupations of health, and from all the attention, everywhere, but within his homeless abode, bestowed upon sickness. The solitary cell, the noisome atmosphere, the unmitigated cold and untempered heat, are of themselves sufficient soon to derange every vital function of the body, and this only aggravates the derangement of his mind. On every side is raised up an insur-

mountable barrier against his recovery. Cut off from all the charities of life, endued with quickened sensibilities to pain, and perpetually stung by annoyances, which, though individually small, rise by constant accumulation to agonies almost beyond the power of human endurance: if his exiled mind in its devious wanderings ever approach the light by which it was once cheered and directed, it sees every thing unwelcoming, every thing repulsive and hostile, and is driven away into perpetual exile.

"From the absence of suitable institutions amongst us, the Insane have been visited with a heavier doom than that inflicted upon the voluntary contemners of the law. They have been condemned as no criminal ever was condemned, and have suffered as no criminal ever has suffered. The code by which they have been judged, denounces against them the penalties due only to crime, while it is unmitigated by any of those merciful provisions which, in our penal code, attemper justice with humanity. Even when a criminal stands convicted of perpetrating the most atrocious crime, the benignity of the law accompanies him to the solitude where he is to expiate his offence. He is comfortably clad and warmed and fed at the expense of the State which inflicts his punishment. He is supplied with the means of moral renovation, and when those proofs of penitence and reformation are given, which it is in his power to furnish, the laws relent and authorize the remission of his sentence. But though the Insane have been made fellow prisoners with the criminal, they have suffered the absolute privation of every comfort for the body and every solace for the mind. Yet why should a man be treated even as a criminal, who, by universal consent, is incapable of crime? We understand what is signified by retributions for *guilt*, but to speak of retribution for *insanity*, does violence to every feeling of humanity and dictate of conscience. Yet this wretched class of our fellow beings, whose only offence is what others justly regard as among the direst of calamities — as incapable of moral guilt as unhappily they are of moral consolation, have been regarded by our laws as though they were rather the objects of our vengeance than of commiseration. And were a system now to be devised, whose express object it should be to drive every victim of insanity beyond the limits of hope, it would scarcely be within the power of a perverse ingenuity to suggest one, more infallible than that, which, for so many years, has been in practical operation amongst us. That system could advance one paramount claim to preference. Its experiments have been numerous, and have scarcely ever failed in rendering the most favorable cases of insanity utterly incurable. This practice re-acts upon the community by which it is sanctioned. To say nothing of the amount of human suffering it has caused, it cannot be doubted that, with appropriate treatment, one-half at least of all the Lunatics, whose support must now continue to be a burden upon the State while they live, might have been restored, and this half might have added as much to the resources of the State, as the other would have subtracted from them."

The proper mode of treating Insanity was not known until later years: and the legislation of the country, hitherto, has doomed the Insane to be treated as criminals and paupers. It is hoped, however, that the Legislature of New Jersey will not be wanting in its duty to her people, nor behind the age in which we live. She will follow the examples of many of her sister States, in alleviating the sufferings of humanity.

The following plea in favor of an Asylum, is quoted from the Report of the Massachusetts Commissioners —

"Until a period comparatively recent, Insanity has been considered an incurable disease. The universal opinion has been, that it was an awful visitation from Heaven, and that no human agency could reverse the judgment by which it was inflicted. During the prevalence of this inauspicious belief, as all efforts to restore the Insane would be deemed unavailing, they of course would not be attempted. And even at the present day, and in communities otherwise highly enlightened, there is reason to fear that a lamentable degree of ignorance prevails upon this subject: an ignorance, which could it be once dispelled, some of the most painful records in the history of human suffering might be closed, immediately and forever. It is now most abundantly demonstrated, that with appropriate medical and moral treatment, insanity yields with more readiness than ordinary diseases. This cheering fact is established by a series of experiments, instituted from holier motives and crowned with happier results, than any ever recorded in the brilliant annals of science. A few individuals, justly entitled to a conspicuous station among the benefactors of their race, have exploded the barbarous doctrine that cruelty is the proper antidote to madness, and have discovered that skill, mildness, and self devotion to the welfare of the Insane, are the only efficacious means for their restoration. Their labors have been hallowed by the spirit of humanity that inspired them: reviving reason, and returning virtue and happiness have been their reward."

These facts are deeply interesting, and from among many similar statements, the following are selected to remove all doubts concerning their credibility. The 7th Report of the London Prison Discipline Society, published in 1827, shews, that in the Retreat at York, "out of forty patients admitted within three months after the first attack, forty were restored to their friends, recovered. Of those admitted after three, and within twelve months after the commencement of the malady, the proportion of the cures was as 25 to 45: but of those whose disease was of more than two years' standing, the proportion of cures was only as 14 to 79."

The experiments of Dr. Burrows, at his private Asylum in England, exhibit similar results.

The last Report of the Visitors of the Connecticut Retreat for the

Insane, shows a ratio of recoveries in the old cases, equivalent to 26 per cent., and out of 24 recent cases, 22 were recovered, being in the ratio of more than 91 per cent. The Commissioners are informed, that at the "Retreat" last mentioned,

"When the circumstances of the patient are supposed to require it, a separate attendant is assigned him, whose duty it is to remain constantly at his side, to occupy his attention with pleasing themes, to humor his caprices, and by skilfully adapting his own conduct to the fitful moods of madness, to soothe and pacify that portion of the mind which had been excited to frenzy, and so to allow those faculties whose action remain undisturbed, to gain the ascendancy. The patient is conducted into the open air, the fields and the woods, that the restorative influences of nature may strike some chord in the heart, as yet unbroken in the fatal struggle with worldly disappointments. It is said, that, when the case is recent, attentions of this kind continued for eight or ten days, have scarcely ever failed to subdue the most terrific and fiend-like ferocity. From this systematic practice, it is believed, arises, in a great degree, the unparalleled success of that institution.

"This novel mode of treating insanity has but lately superseded a system in which fetters, whips, confinement, starvation, and suffocation in water almost to drowning, were the standard remedies, by which minds, whose disease was, an irregularity of action accelerated to delirium, were to be soothed and pacified and restored to harmonious movement. Under that system, thousands of intellects have been precipitated from a condition of temporary danger to one of irretrievable ruin. But when the fierceness of the malady has been assuaged by the union of medical science with all the nameless attentions which benevolence alone can practice or conceive, the restorative energies of the mind have soon prevailed, and an immortal nature has been restored to the capacity of virtue and the enjoyment of happiness."

To this unfortunate class of beings, humanity is in long arrears. One of the strongest, if not one of the first principles of social obligation arises from necessity of relief and ability to relieve. And when does a man so urgently require the light of others to direct his steps as when he wanders in darkness? When does he stand in such extremity of need of the knowledge and guidance of his fellow-men as when his own mind is a wild chaos, agitated by passions which he cannot quell, and haunted by forms of terror, which the living energy of his nature is perpetually calling into being but cannot disperse? When does he so strenously demand their succor, as when his own soul is like a living wound, and he has lost all power of distinguishing between the sources of healing and of torture? If the insane have done nothing to forfeit the claim which men who suffer have, by the laws of nature, upon men who are able to prevent that suffering; they should be treated, not with a sole regard

should be easy of access from all parts of the State, and surrounded by a population who would feel an interest in its welfare. The attention of the Commissioners has not been directed to any site *particularly*. W. C. Dusenberry, Esq. late of Port Colden, in Warren Co. has offered his farm for the purpose, at what he considers to be a reasonable price, and has furnished a survey and plot. In point of fertility and quantity, and proportion of meadow, pasturage, tillage, and fuel, as well as to its location on the Canal, it might in these respects be unobjectionable.

We conclude this imperfect outline of a Report, with remarking, that if the Legislature shall deem the subject of sufficient importance to re-commit it to our hands, we take the liberty, through your Excellency, to tender our services gratuitously, to collect and embody such further information as we may be able, during the ensuing year, and to submit the same, through your hands, for their further action at the next Session.

Very respectfully, &c.

In behalf of the Board of Commissioners,

LEWIS CONDICT, *Chairman.*

TRENTON, FEBRUARY 26, 1840.

TABLE exhibiting the Number of INSANE and IDIOTS in the several Counties of New Jersey.

Districts.	COUNTIES.	INSANE. No. supported by Friends. Males.	Females.	Towns or Counties. Males.	Females.	No. roving, and dependent on Charity. Males.	Females.	Occasionally Insane from drink.	In Confinement.	Cost per week.	Average age. Males.	Females.	Ascertained Total, Males.	Females.	Computed.	IDIOTS. No. supported by Friends. Males.	Females.	Towns or Counties. Males.	Females.	Roving and dependent on Charity. Males.	Females.	Average age. Males.	Females.	Ascertained Total. Males.	Females.	Computed.	Ascertained County Total of both Classes. Males.	Females.	Ascertained District Total of both Classes. Males.	Females.
1st	Bergen, - Essex, - - Passaic, -	8	15	4	5	1	-	6	2	1 75	40	36½	13	20	50	8	15	4	5	1	-	40	36½	13	20	50	-	-	26	40
	In the above district, no distinction has been made in the returns, as to sex or class, they have therefore been divided equally, as Insane and Idiots.																													
2d	Morris, - -	3	4	16	6	-	-	1	-	1 50	32⅓	34¼	19	10		7	2	1	-	-	-	27	22	8	2		27	12		
	Sussex, -	7	4	-	-	1	-	2	-		39¾	34	10	4		2	9	5	7	-	-	25	37⅓	7	16		17	20		
	Warren, -	5	3	15	16	2	1	4	6 (1 a fe male)	-	33	32½	31	20		3	3	-	-	1	-	29½	17	4	3		35	23	79	55
3d	Gloucester, -	16	8	6	2	2	-	7	5 (1 a fe male)	1 50	27½	24	31	11		Twelve Idiots—some from birth, and some from Epilepsy,								12			31 12	11 12		
	Hunterdon, -	15	7	7	4	4	-	-	-	1 25	29½	22	26	11		-	-	-	-	-	-	-	-	-	-		26	11		
	Middlesex, -	12	7	5	4	3	1	3	2	2 00	35	31	25	12		-	-	-	-	-	-	-	-	-	-		25	12		
	Somerset, -	13	4	3	11	2	1	-	1 female	1 00	32	26	19	16		-	-	-	-	-	-	-	-	-	-		19	16		
	In Gloucester, one female, aged 28, chained by ankle 12 years.																													
4th	Burlington, -	9	4	13	21	-	-	-	-	-	41	48	22	25		3	3	14	16	-	-	35	33	17	19		39	44		
	Mercer, -	4	4	2	-	-	-	-	state prison 13	-	34	38	19	4		9	7	-	-	-	-	35	42	9	7		28	11		
	Monmouth, -	2	3	8	10	-	-	-	-	-	46	41	10	13		5	6	14	15	-	-	34	37	19	21		29	34	96	89
5th	Atlantic, -	-	-	-	-	-	-	-	-	-	-	-	-	-	6															
	Cape May, -	-	-	2	1	-	-	-	1	-	-	-	2	1	10	-	-	1	1	-	-	-	-	1	1		3	2		
	Cumberland, -	16	11	3	1	2	-	-	4 one in chains.	-	-	-	21	12		-	-	4	4	-	-	-	-	4	4		25	16		
	Salem, -	-	-	4	4	-	-	-	3	-	-	-	4	4	24	-	-	5	4	-	-	-	-	5	4		9	8	37	26

Ascertained number of Insane Males 252, *Females* 163, *computed of both sexes* 90.

Ascertained number of Idiots, Males 93, *Females* 103.

TABLE exhibiting t

Districts.	COUNTIES.	No. supported by Friends.		Towns or Counties.		No. r and de on Cl
		Males.	Females.	Males.	Females.	Males.
1st	Bergen, -	8	15	4	6	1
	Essex, -					
	Passaic, -					
2d	Morris, -	3	4	16	6	-
	Sussex, -	7	4	-	-	1
	Warren, -	5	3	15	16	2
3d	Gloucester, -	16	8	6	3	2
	Hunterdon, -	15	7	7	4	4
	Middlesex, -	12	7	5	4	3
	Somerset, -	13	4	3	11	2
	In Gloucester,					
4th	Burlington, -	9	4	13	21	-
	Mercer, -	4	4	2	-	-
	Monmouth, -	2	3	8	10	-
5th	Atlantic, -	-	-	-	-	-
	Cape May, -	-	-	2	1	-
	Cumberland, -	16	11	3	1	2
	Salem, -	-	-	4	4	-

Ascertained number of Insane Male, 356.

REPORT

OF THE

JOINT BOARD OF DIRECTORS,

TO THE

STOCKHOLDERS

OF THE

DELAWARE AND RARITAN CANAL,

AND

CAMDEN AND AMBOY RAIL ROAD AND TRANSPORTATION COMPANIES,

ON THE

COMPLETION OF THEIR WORKS;

WITH THE

PROCEEDINGS OF THE STOCKHOLDERS

At their Meeting on the 29th of January, 1840.

PRINCETON, N. J.

ROBERT E. HORNOR, PRINTER.

1840.

PROCEEDINGS, &c.

In pursuance of public notice, the Stockholders of the Delaware and Raritan Canal, and Camden and Amboy Rail Road and Transportation Companies, met at the house of John Kester, in Bordentown, on the 29th day of January, 1840, for the purpose of receiving a report from the Directors, of the receipts and disbursements of the Companies, and a statement and description of the works and property belonging to them, *Thomas Sparks* Esquire, was unanimously chosen Chairman; *Thomas Hayes*, Esquire, was unanimously chosen Secretary.

James Parker, Esquire, Chairman of the Joint Board of Directors, laid before the meeting a report of the Directors, with several statements, exhibiting the receipts and disbursements of the Rail Road and Canal Companies, from the commencement of their operations; and also a full and detailed statement and description of the works and property belonging to them.

The report and description of the property were then read. On motion, made and seconded, L. Nicholson, W. R. Allen, and J. S. Green, were appointed a committee to examine the statements laid before the Stockholders, with the books of the Companies, and to report as soon as practicable. The meeting then had a recess till the afternoon.

The committee appointed to examine the statements laid before the Stockholders, made report—"that they had examined the said statements, with the books of the companies, and found them to correspond with the entries in the books of the companies: that in some instances the committee compared the entries with the vouchers required, and found them to correspond; and from the accuracy and particularity with which the books are kept, the committee believe the statements to be correct. The committee would call the attention of the Stockholders to statement No. 9: by wbich it appears that the

total amount of nett profits, after deducting interest, and all other expenditures, is - - - - - $1,962,354 04
Of which there has been paid to the Stockholders in dividends, - - - - - 1,595,000 00
Leaving an amount of nett profits undivided of - - - - - - - - - - $367,354 00
Of which $165,270 59 will be divided between the Philadelphia and Trenton Rail Road Company, in conformity with the agreement of June, 1836, share and share alike.

On motion, made and seconded, the report was accepted.

James S. Green, Esquire, offered the following preamble and resolutions: which, after discussion, were unanimously adopted.

Whereas, it appears by statement No. 9, of the Board of Directors, that the nett profits of the Delaware and Raritan Canal, and Camden and Amboy Rail Road and Transportation Companies up to this time amount to one million, nine hundred and sixty-two thousand, three hundred and fifty-four dollars and four cents, and that the Directors have declared dividends amounting only to one million, five hundred and ninety-five thousand dollars, leaving a balance of three hundred and sixty-seven thousand, three hundred and fifty-four dollars and four cents in favor of the dividend account, which sum it appears has been applied to the construction of the works; and whereas the works of the Companies are held under lease from the State of New Jersey, and the Companies are required to keep, distinct and separate, their dividend and construction accounts, that the true cost of the works may be ascertained at the termination of said lease.

Therefore, Resolved, that the above sum of three hundred and sixty-seven thousand, three hundred and fifty-four dollars and four cents be divided among the Stockholders, reserving a sum, not exceeding the sum of one hundred thousand dollars, to be kept by the Directors as a surplus fund.

Resolved, that the Board of Directors be authorised and requested to cause the bonds of the Companies to be issued for the said sum, to be dated on the second day (Sunday) of March next, payable on the first day of August, 1864, with interest at six per cent., on the first day of September and March annually thereafter.

On motion, made and seconded, it was resolved, that the report, and such other documents, this day submitted to the Stockholders be printed in pamphlet form, as the Directors may judge expedient.

Resolved, that the Officers and Directors of the Companies are richly entitled to the thanks of the Stockholders, for the fidelity and ability with which they have discharged their responsible and arduous duties.

Resolved, that the proceedings of this meeting, signed by the Chairman and Secretary, be printed along with the report and other papers.

Resolved, that the thanks of this meeting be given to the Chairman and Secretary for the very acceptable manner in which they have conducted the proceedings.

The Stockholders then adjourned.

THOS. SPARKS, *Chairman.*

THOS. HAYES, *Secretary.*

REPORT.

The works of the Delaware and Raritan Canal and Camden and Amboy Rail Road and Transportation Companies, are all completed in the best manner, and the heavy expenditures constantly accruing during the progress of their construction, are now at an end, upon which auspicious events, the directors offer their hearty congratulations to the Stockholders.

A detailed statement of the property, owned by the Companies, of all moneys received and payments made on account of the same, with the books of entries, authenticated by vouchers for the smallest sums expended, are herewith submitted for your inspection.

The management of your affairs, either good or bad as you may this day determine, devolves upon the present Board of Directors. They have superintended them from the commencement to the present moment, and they welcome you most cordially to this examination, and hope for their credit, as well as your own and the public satisfaction, that you will give to it, the character of a most thorough and rigid scrutiny.

The accompanying statements will so clearly show the value of your Canal and Rail Roads, and the unexampled prosperity of the Companies, that the Directors feel it necessary to make some apology for indulging themselves in a single remark on the subject, and hope to find their excuse in the pride they feel in having directed these works, from their beginning to their final and triumphant completion. Formerly the passage between Philadelphia and New York occupied from eleven to twenty hours; and was performed with great personal discomfort, and no small hazard of limb and life. Merchandize was transported from city to city at great expense of insurance as well as of freight, and subject to all the difficulties, uncertainties, and dangers of a coasting voyage. Now passengers

are carried from city to city, during the most inclement seasons, in from six to seven hours, and with nearly the same comfort as they enjoy at their own firesides. Merchandize is transported in less time, with less expense, and with an entire saving of the insurance.

They congratulate you on the immense public good that you have done. You have, at a less cost than other works of like magnitude, finished the greatest and most valuable part of a system of internal improvement, you have completed for your country the most important link in the chain of communication between the northern and southern sections of the United States, which will afford to the general government the means of transporting their troops, and all the munitions of war, as well as the mails, in much less than half the time heretofore occupied, and at prices, which in comparison with like transportation during the last war, will save many millions of dollars to the public treasury. You have been mainly instrumental in bringing New York and Philadelphia in close proximity; in increasing the intercourse between these cities, from fifty-two thousand to one hundred and eighty-one thousand five hundred persons a year, and in reducing and equalizing the price of travelling, and also of fuel in New York and in the Eastern States. But while you have had such high aims for the general good, you have nevertheless regarded the interests of New Jersey as the "chiefest thing;" nor have you in our judgment miscalculated those interests.

You have constructed for *sixty-five* miles, through the heart of New Jersey, the *most* spacious canal, which adds year after year, thousands to the value of her agricultural interests, while it carries with it wealth and happiness to her citizens generally, and which may be referred to as a lasting monument of the sagacity of New Jersey statesmen, and of your patriotism and munificence.

Besides making this expensive canal for them, you now furnish to the State of New Jersey an annual sum sufficient to pay the expenses of the State Government; and which will no doubt increase, so as to enable her to lay by the means to purchase all your works at the expiration of the lease, which you hold under her.

It is a matter of especial congratulation, that these gratifying results to the public have been obtained under the protection and patronage of various legislatures, without distinction of party, and without any infringement of private rights, and may well stir up the pride of Jerseymen, when they look around and see the mortification and embarrassments, which have followed other systems of improvement adopted by different States of the Union. We therefore most earnestly congratulate you upon these public benefits, which through you have been achieved.

We now proceed to say a word or two in relation to the value of your property, and the tenure by which you hold it. Although you have paid for it, and New Jersey has not advanced or even loaned one dollar towards it, still the fee is in her, not in you. You are the lessee for a term of years only, and the State can, after re-imbursing you, dissolve the corporations: the rail road at the expiration of thirty years from and after its completion; and the canal at the expiration of fifty years from and after its completion. The relation that exists between you and the State, is simply that of landlord and tenant, with leave to improve, under limitations and restrictions, dictated by the State, on full advisement, accepted by you, and ratified year after year by different Legislatures, with all the solemnities of constitutional enactments and plighted faith; and it is with high emotions of State pride that we thus publicly bear witness, that amidst all the taunts and reproaches heaped indiscriminately upon corporations; amidst the most earnest and plausible supplications of intriguing and designing men, amidst the most extravagant offers of remuneration, New Jersey, her people, and her Legislators have stood firm, to their own laws, and have invariably treated with contempt all efforts made to seduce her from her honor or her obligations towards you; and you may rely upon it that she never will allow you to be disturbed in the enjoyment of your corporate rights, especially as it has been your pride and constant endeavor to observe, on your part, the obligations you are under to the State. And why should she? It is alike her interest, as well as her duty and wish to maintain inviolate her contract with you. She has leased for a valuable considera-

tion, the rights you possess by your corporations, for the periods before specified. And what is thirty or fifty years in the lifetime of an Empire? Scarcely time enough to give a fair opportunity to determine whether your untried and adventurous experiment would succeed. The state is satisfied with the lease; she gives nothing, and gains every thing; she has furnished to her own citizens and the public, a communication as cheap, safe and expeditious as any in the country. Not only have these important works been secured, but the Companies by their contract are restricted to the sum of three dollars for the transportation of passengers from city to city. If there is truth in experience and figures, you ought likewise to be satisfied your property, after a careful examination, is thought to be worth more than you have paid for it, if judged by the cost of other works of like kind here or abroad. The works have been constructed with rigid economy, having a proper regard to their durability, and will compare advantageously with any other, either in this country or elsewhere. A distinguished Engineer from England, has recently examined them with attention, and has pronounced this opinion. The great object with the directors has been to preserve your capital unimpaired; and so to construct the works as to keep them as far as possible from deterioration, and up to this time they are as good as the day they were first used. They have become settled and firm. Your capital, therefore, is not only quite safe, but has been improved.

We will now inquire how profitably it has been invested.

The receipts for the last six months show a profit of seven per centum, which, considering the depression of all kinds of business, is in itself enough to satisfy you as to the value of the investment. But to make "assurance doubly sure," let us look through the accounts for yearspast, and ascertain whether these receipts have been the effects of sudden and unexpected good fortune, or the quiet and natural result of a regular increasing business. It will be seen that there has been, from the commencement up to the present time, a regular and progressive increase of nett profits. As will appear from the following tabular statements, which have been taken from the

books of the Company by the Committee, and may be relied upon as the true results of the several designated years:

An Annual Statement, showing the number of passengers and tons of merchandize transported across the State over the Camden and Amboy Rail Road.

Columns A. A. show the *relative* increase or diminution, of the number of passengers and tons of merchandize transported across the State. The year 1833 being estimated at a hundred.

	Number of Passengers.	A	Weight of Merchandize.	A
From Jan. 1st to Dec. 31st, 1833	109,908	100	6,043	100
" " 1834	105,418	95½	8,397	139
" " 1835	147,424	134	10,811	178¾
" " 1836	163,731	149	12,508	207
" " 1837	145,461	132½	10,642	176
" " 1838	164,520	149¾	11,765	194½
" " 1839	181,479	165	13,520	223¾

Yearly Statement of Receipts, and Comparative Statement of the same.

No. 1, Date. No. 2, Gross amount of Receipts. No. 3, Comparative Statement, showing the relative proportion that the receipts of the different years bear to the receipts of the year 1833. No. 4, Gross Expenditures. No. 5, Shows the relative proportion that the Expenditures bear to the Receipts of the year 1833. No. 6, Nett Gain. No. 7, Shows the relative proportion of the Nett Gain to the Receipts of the year 1833.

No. 1.	No. 2.	No. 3.	No. 4.	No. 5	No. 6.	No. 7
From Jan. 1, to Dec. 31, 1833	468,142 50	100	287,091 90	61½	181,050 60	38½
" " 1834	546,993 54	117	313,261 69	67	233,731 87	50
" " 1835	679,463 63	146	317,491 76	69	361,971 87	77
" " 1836	770,621 28	165½	363,344 90	78	407,276 38	87½
" " 1837	731,995 24	156½	359,510 44	77	372,484 80	79½
" " 1838	754,989 89	161½	355,249 10	76	399,740 79	85½
" " 1839	685,329 76	146¼	258,043 48	55	427,286 28	91¼

From this statement it appears that there has been an annual increase of the nett profits of the Companies of 20 per cent.

From the derangement of the monetary affairs of the country, and the stagnation of business for several years past, it will be at least fair to judge of the future prospects of the Companies by the past. Supposing then there should be no greater increase for the next seven years, the nett profits will be in seven years from this time, one million and forty-two thousand dollars; from which deducting the interest on the loans, viz. one hundred and ninety thousand dollars, will leave the sum of eight hundred and fifty-two thousand dollars, or a dividend of upwards of 28 per cent. per annum.

It would make this report too long to enter into all the particulars that might be stated, fully to illustrate the causes of such a constantly increasing business. The following may serve to give you some idea of it, and of the progressive value of the investment. Two years since, at the request of some market people, in New Jersey, a line called the Pea Line, with two cars, was occasionally started from Camden to New-York, with no other view or expectation than the accommodation of a very useful and respectable class of men. This line has steadily increased, until it has become profitable beyond all expectation. During the past year, it has been running daily, sometimes taking with it as many as sixteen cars, laden at the appropriate season with Peas, Peaches, Potatoes, Asparagus, Cabbages, Live Stock, and upon one occasion (as incredible as it may seem) thirty tons of Green Corn. This, connected with the gradual increase on the other lines, will enable you to judge, what you may fairly expect in a few years hence; always bearing in mind, that the expenses do not increase in the same ratio with the receipts, because the same capital can do a larger business, whilst the interest to be paid remains the same.

The business of the canal is now beginning to increase, and has received a new impetus from the arrangement last year made, to take the Schuylkill coal through it. For this purpose the Companies have deemed it advisable to advance, on good security, for the construction of boats, and for developing the resources of the canal, the sum of one hundred and seventeen thousand dollars. The experiment has been eminently successful, and many individuals, stimulated and encouraged

by the success of those, who under the auspices of the Companies, have embarked in this business, have turned their attention to it, and a large number of boats are now being prepared, with decks, for the purpose of transporting coal, without transshipment, from the coal region in Schuylkill County, to New-York. When these arrangements are finally completed, and the Philadelphia and Reading Rail Road is finished to the Delaware river, there is but little doubt that the canal will greatly increase the dividends. Add to all this, the increasing travelling of a growing country, which since the commencement of the Rail Road has been eleven per centum per annum, and the revival of business, and you may approximate to the real value of your investment. For ourselves, we hesitate not to say to you, that in our opinion, it is the safest and most profitable investment of money we know of, which opinion we now put on record, to be tested by experience. In conclusion, we notice, that whilst the cost of the works is six millions sixty-four thousand nine hundred and fifty-three dollars and forty-two cents, we divide only on twenty-nine thousand shares, or two millions nine hundred thousand dollars, the balance having been borrowed at an average interest of six per cent.; which loan, forming a part of the cost of the works, will be paid by the State of New-Jersey, at the expiration of the charter, as part of the consideration money, if she elects to take the works, and which loan, there is no doubt can at that time be liquidated by the receipts of the road for three years.

Although we cannot attempt to name all the individuals from whom we have obtained advice and assistance during the progress of our labors, still we may not overlook the important and invaluable aid we have received from one of the Directors, (now absent,) Mr. John Potter, of New-Jersey, formerly of South Carolina. To his enterprise, firmness, and public spirit, are the public, as well as ourselves, more indebted, perhaps, than to any other individual, for the successful issue of your affairs.

The Directors and Officers of these Companies have devoted themselves to your concerns for ten years past; and although they have not thought it necessary or expedient heretofore, during the progress of the works, to trouble you with the details of their business, or to indulge idle curiosity, by constant

inspection of their books, they do now, as a proper return for your unwavering confidence in them, lay before you every thing, from a Snow Plough to a Steam Boat.

The accuracy with which the accounts and books of the Companies have been kept, by Mr. Edwin A. Stevens, Mr. John R. Thomson, and Mr. James Neilson, is manifest from the fact, that upwards of eleven millions of dollars have passed through their hands, and their accounts, after a full examination, balance to a dollar.

In conclusion, the Directors would state, that the arrangement made in June, 1836, with the Philadelphia and Trenton Rail Road Company, by which the receipts of the Companies were amalgamated, so as to divide on the shares of the Companies, share and share alike, and to equalize the dividends, has been attended with the most beneficial results. Whilst it has placed the stock of a Company, in an adjoining State, upon an equality with your own, it has added much to your success and prosperity.

JAMES PARKER, *Chairman of the Joint Board.*

R. F. STOCKTON,
ROB'T. L. STEVENS,
ABR'M. BROWN,
JOHN C. STEVENS,
WM. M'KNIGHT,
JOS. KAIGHN,
G. D. WALL,
BENJ. FISH,
JAS. S. GREEN,
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Bordentown, N. J., January 28, 1840.

A DESCRIPTION

Of the Delaware and Raritan Canal, from its commencemencement to its termination, with an account of the property owned by the Company.

The works of the Delaware and Raritan Canal Company, commence opposite Bull's Island, at Black's Eddy, in the Delaware river, 22 1-2 miles above the city of Trenton, and run thence along the river to Trenton, thence westwardly 6 miles, to the Delaware river at Bordentown; and from Trenton eastwardly 37 miles to the Raritan river at New Brunswick—the whole length being 65 1-2 miles; uniting the tide waters of New York and Philadelphia; and, with an outlet lock in the Pennsylvania canal at Black's Eddy, will connect the Pennsylvania canal and the important works of the Lehigh Coal and Navigation Company with New York.

From Bull's Island to Trenton, it is generally 60 feet wide and 6 feet deep. This portion of the canal was constructed to supply, with the aid of the river Raritan, the main canal between Bordentown and New Brunswick, with water, as well as for the purposes of navigation and trade. The water is taken from the deep natural pool in the Delaware, of which Black's Eddy is a part, the bottom of the canal being below the lowest water surface ever known in that river. There has heretofore been a large surplus of water running over the waste weirs; nor can there ever be any deficiency whilst there is water in the Delaware and Raritan rivers. A guard bank, extending from Bull's Island to the first guard lock, is constructed about three-quarters of a mile below the head of the Island, which forms a large, safe harbor for boats, rafts, &c.; it is more than 200 feet in width, and three-quarters of a mile in length. Through the guard bank there are two culverts; one for the passage of the water to the canal, the other for water power. The work is also constructed in such a manner as to admit of the water being taken out and used for water power, on the main shore side of the lock. From this point to Prall's creek, about three miles, the canal is made by constructing an em

bankment in the bed of the river, along and parallel to the shore, from fifty to one hundred feet distant, raised two feet above top water line of the canal, and protected on both sides by a substantial slope wall, which will admit of the water passing over the bank during the floods. This arrangement has been found to answer the intended purpose, and has withstood the floods without receiving any injnry. Across the mouth of Prall's creek there has been erected a dam of crib work, filled with stone, 200 feet in length, which serves the double purpose of waste weir and dam for the creek. There is another guard lock at this place.

From this place to Trenton, about 19 miles, the canal generally passes along within a short distance from the river; but in some places the rocky bluffs made it necessary to construct high embankments in the bed of the river. In all such cases, the banks are protected with heavy slope walls, varying from 1 1-2 to 3 feet in thickness, and from 20 to 40 feet in height. About half a mile below Lambertsville is a lock of 10 1-2 feet lift, constructed of hammer-dressed masonry. Above this lock there is a large and spacious basin. The works at this place are likewise so arranged, that the water passing around the lock into the canal below, can be used for water power. From Bull's Island to this lock, nearly 8 miles, the bottom has a descent of two inches to the mile, and the top of the banks carried level; below this lock it has two inches to the mile.

The banks throughout the whole canal are made on a slope of two feet base to one rise, and generally lined either with coarse gravel or fragments of quarry stone. There are 14 culverts over the different streams, over which this part of the canal passes, of from one to four arches, varying from six to twenty-five feet in span, and from 110 to 130 feet long. There are also a number of waste weirs, which are placed at proper distances to carry off any surplus water, which may accumulate from the drainage of the lands above. The bridges are all made to turn, so as to admit the passage of masted vessels. This portion of the canal joins the main branch, about one-fourth of a mile east of Trenton.

The main canal is 43 miles in length, 75 feet wide, and constructed for 9 feet depth of water; during the last season

it has been 7 feet 4 inches. It commences at the Delaware river, near Bordentown, about 500 feet from where Crosswicks creek enters that river, and passes along the flats near the river shore, to Lamberton, thence in the rear of Lamberton, to the summit at Trenton, a distance of six miles, where it receives its water from the section above described.

Between Bordentown and Trenton there are seven locks, which overcome an elevation of 57 feet, made of cut-stone masonry, and laid in hydraulic cement, 110 feet long between the gates, and 24 feet wide; the whole length, from the head to the lower end of the wings, being 162 feet. Over the Assanpink creek, near Trenton, there is an eliptical arch of 36 feet span, 140 feet in length, and 16 feet in height, from the foundation.

From Trenton the canal takes an eastwardly direction, following the valley of the Assanpink to Lawrence meadows; thence by a deep cut across Lawrence meadows into the valley of Stony Brook; thence down that valley, passing about a mile south of Princeton to Millstone river; thence across the Millstone on an aqueduct of 10 arches, and 100 feet in width of water way; thence along the east side of the Millstone to Kingston, about 13 3-4 miles. This portion of the canal is level, it being the summit; in its course it passes over several streams on arches from 6 to 12 feet span. The Shabbakunk creek has three arches, of 12 feet span each. From Kingston the canal continues along on the east side of the Millstone valley; in some places it passes so near to the river as to require a slope wall to protect the embankment; but generally it passes along at the foot of a red shell bluff which bounds that valley on the east. At 13 3-4 miles, it intersects the Raritan river, where the bluff approaches so near as to require the canal to be made in the bed of the river by a high embankment, which runs along in the bed of the river to Bound Brook, about 2 1-2 miles, and which has been well protected by immense slope walls and loose stone lining; thence to Follett's farm, 1 3-4 miles, it runs along in the flats. At this farm there is a dam built across the Raritan river, 8 feet high, and about 400 feet long, and connected to the high ground on the north side of the river by a guard bank raised above the highest flats. This

dam was made to let in the river to assist in case of need in supplying the canal with water. From this point to New Brunswick, four and three-fourths miles, the canal has been constructed, for the most part, by embankments in the bed of the river, protected by a slope wall and loose stone lining.

The basin at New Brunswick is formed by the construction of a pier in the river in front of the city, from 200 to 300 feet distant from the wharves, extending nearly a mile in length, and terminating at the steam boat wharf.

From Kingston to this place there are seven locks, overcoming an assent of 58 feet, built of hewen granite, one at Kingston, one at Griggstown, one at the month of the Millstone, one at Boundbrook, one at Folletts, one at the upper end of the New Brunswick basin,* and one at the outlet at New Brunswick, all of the same size as those on the other side of the summit, except the last, which is 30 feet wide, and 130 feet long between the gates, the whole length from the head to the lower end of the wings being 185 feet. There are besides several culverts over the different streams, from 6 to 20 feet space. All the mason work throughout the canal is laid in hydraulic cement. Waste weirs have been constructed throughout the line to carry off the surplus water, of which there has been a great deal during the last summer, although the business has been greater than any previous time. The bridges are all made to turn, as before stated, for the purpose of passing masted vessels. At each bridge and lock there is a keeper's house. Basins of suitable size have been made at all the public landing places. Besides the banks before described, there are guard banks about seven miles in length, constructed at an expense of $15,000 per mile.

Real Estate occupied by the canal is about 1050 acres, besides which the company own Bull's Island mill property.

First.—Not occupied by the canal, Bull's Island mill property ten acres of land, shore rights in Bull's Island channel of

* At this lock, the works have been so arranged as to be able to use the surplus water to drive machinery. At the ordinary summer height of the Raritan, the whole of its waters can be turned into the canal, and used here with a fall of fourteen feet.

the river Delaware, four mill buildings not now in use, and three houses, besides one used as a lock house. This property now produces an income of but about $50 per year in consequence of the diversion of business to other points; but when the Lehigh trade shall pass down the feeder, this property, including water privileges, will be valuable.

Woolverton Quarries just above Prallsville, ten acres of land containing valuable quarries.

Lands below Centre Bridge, between the canal and the Delaware, late of E. Shamp, R. Slack and J. C. Holcombe, twenty acres.

Three houses and lots in Lambertville.

Prime Hope Mills (flour mill and saw mill), rents for the interest of between nine and ten thousand dollars.

Woodland on and below Goat Hill, containing timber useful for the purposes of the company in repairs and constructions, one hundred acres.

Three lots and houses in Trenton.

Two lots in Lamberton near the prison.

Land on Lawrence Meadows cut off from lots of Brearley, Brown and others, ten acres.

The lands between the canal and Stony Brook, cut off from the farms of Conover, Bickner, &c.

Lands on the Millstone, above Kingston.

Lands between the canal and river, at the mouth of the Millstone (late of W. Wortman, &c.) 16 acres.

Land between the canal and the Raritan, above Follett's dam, 50 acres.

In New Brunswick, 45 acres of land adjacent to the water power—225 feet of wharf.

Second.—Three store-houses—one at Princeton, one at Trenton, and one at New Brunswick; the first two containing collectors' offices.

Five large stables and one smaller, used for tow-horses.

Thirty-three houses for the use of lock and bridge tenders.

Third.—Boats and machines—one iron steam tow-boat, used in constructions and repairs—one steam drudging machine, with four scows and tools.

Six boats for conveying materials; on each is a place for

cooking for a gang of men, and berths, &c. for their accommodation, including six horses, and tools for sixty men.

Chains, screws, irons, and materials on hand.

Fourth.—Water-power sold.

The water-power sold to W. L. Hoppock, John Coryell, Amos Wilson, John Titus, William Potter, and Miles C. Smith, is in payment of land and damages. About 300 square inches (in addition to Mr. Coryell's), under three feet head, is applied for in Lambertville, for which the lessees are to pay $3 per inch per year, or $900 in all. It is probable that much more will be wanted at Lambertville.

John Davisson, at Trenton, takes 64 inches, under four feet head, at $4 per inch, making $256 per year.

The New Brunswick Manufacturing Company have agreed for all the surplus water at that place.

The quantity of water that may be used at New Brunswick has been estimated. It is thought that 2000 square inches, under three feet head, may be used in the driest times, and double that quantity during the early parts of the year.

A DESCRIPTION

Of the Road Formation, and Superstructure, together with the Buildings and Fixtures, of the Camden and Amboy Rail Road, and its Branches, from Bordentown to New Brunswick, and from Trenton to the Delaware Bridge, at Bloomsbury.

	Miles.	Chains.
Whole length of road, and its branches, -	92	41
Whole ditto of turnouts, - - -	6	36
	98	77

SECTION 1.

From South Amboy to Bordentown depot,			35	00
Turnouts.				
Whole number, 15—together with those at Amboy and Bordentown—distance, - -			4	15
Laid with cross-sleepers and edge rail,	3m.	37chs.		
Ditto wood rail and flat iron, -	0	58		
	4m.	15chs.		

SECTION 2.

From Bordentown depot to Camden,		
Length laid with edge rail and cross-sleepers,	25	18
Ditto wood rail and flat iron, - -	0	72
Total length of rail road,	26	10
Turnouts.		
Whole number, 6—together with those at Camden—		
Length laid with edge rail and cross-sleepers,	0	76
Ditto wood rail and flat iron, - -	0	19
Total length,	1	15

Section 3.

		Miles.	Chains.
From Bordentown to lower depot, near Trenton,		6	00
Length laid with edge rail and cross-sleepers, - - -	0m. 12chs.		
Ditto wood rail and flat iron, -	5 68		
Total length of road,	6m. 00chs.		

Tarnout.

One, at depot near Trenton.		
Length laid with edge rail and cross-sleepers,	0	01 1-4
Ditto wood rail and flat iron, - -	0	07
Total length,	0	8 1-4

Section 4.

From lower depot, near Trenton, to New Brunswick, - - - - -	24	01

Turnouts.

Whole number, 8—together with one into the car house at Trenton depot.		
Length laid with edge rail and cross-sleepers,	0	36
Ditto wood rail and flat iron, - -	0	17
Total length,	0	53

Section 5.

From Trenton to Delaware bridge, at Bloomsbury—		
Length laid with edge rail and cross-sleepers,	0	76
Ditto wood rail and flat iron, - -	0	34
Total length,	1	30

Turnouts.

	Miles.	Chains.
There are three turnouts, besides the tracks that go into the car house—		
Length laid with edge rail and cross-sleepers,	0	13 1-4
Ditto wood rail and flat iron, - -	0	12 1-2
Total length,	0	25 3-4

SECTION 1.—*From South Amboy to Bordentown Depot. Distance* 35 *miles.*

This road was commenced to be graded in December, 1830. It is graded 15 feet in width, at the grade of the road; ditches 3 feet deep, 18 inches in width at the bottom, and 11 feet in width at the top, level of grade. From Hightstown to Gravel Hill, a distance of five and half miles, the road is graded 25 feet in width, for a double track of rails. The foundation of this road is formed by two continuous trenches, three feet in width, and one foot in depth, being filled with broken stone; over these trenches a roller, weighing three tons, was passed a number of times, until the whole was a solid mass.

On 26 miles 76 1-2 chains, stone blocks, two feet square, 10 to 13 inches thick, were placed 3.2 feet apart, from centre to centre—embedded with small stone on the trenches; then settled with a heavy wooden driver, worked by horse power; two holes were then drilled into each stone block, (except at the junction blocks, which have four holes), one inch in diameter, and five inches deep. Upon the stone blocks, locust chairs 14 inches long, 6 to 8 inches in width, and from 1 to 2 inches thick, are placed, and attached to the stone blocks, by trenails driven into the holes of the stone blocks. The chairs were then dressed, to receive the edge rail, of the I form (invented by R. L. Stevens, Esq.) 3 1-2 inches high, 2 1-8 inches on the upper running surface, and three and a half inches in width on its base, weighing 42 lbs. to the yard, is laid and fastened by spikes six inches long, with hooked heads, the ends of the bars resting upon wrought iron plates, or cast iron chairs, and are connected together by an iron tongue five inches

long, two inches wide, and five eighths of an inch thick, with two rivets passing through the ends of the bars and tongues—oblong hole, to allow for expunctral contraction.

Seven miles and twenty-seven and half chains are laid with cross sleepers, placed 2 feet 8 inches apart from centre to centre, of oak and chesnut, 8 feet long, 6 inches thick, and not less than 6 inches in width—embedded with small broken stone, upon the stone trenches, and consolidated with heavy hand pounders. The cross-sleepers were then dressed to receive the edge rail; to which they were fastened with hooked head spikes; wrought iron plates at the joints of the rail, and tongue fastened as before described.

Twenty-three chains of road, near South River, were laid with continuous granite sills, 12 by 14 inches, in lengths of 8 to 10 feet, on which a flat bar of iron two and a quarter inches wide, and seven eighths of an inch thick, was attached. This part of the road was found, after experience of four years, to be expensive in its repairs, besides very rough and objectionable; so much so, that it has been replaced, in part, by taking off the flat rail, and substituting cross-sleepers of locust, 7 feet long and 6 inches square, transversely upon the stone sills, and placing the edge rail upon them; which have completely remedied the defects of this part of the road.

Whole distance of bridging is 2,179 feet, or 33 chains. The principal bridges, to wit: over South River, Rocky Brook, at Hightstown and Crosswick's Creek, have been partially renewed, upon a new plan; by which, it is believed, they will require but little repairs to the end of the charter. It is done by covering the bridge in such a manner as to protect the superstructure from the action of the rain.

That part of the road laid with stone blocks, is of the most permanent character, and has required but a very small expenditure per mile annually, and it is believed it will continue, without renewal, to the end of the charter, with but small annual repairs. This opinion has been founded upon the fact, that at the ends of the road, the passing over has been more than equal to that which, in all probability the main road will have undergone at the end of thirty years—as the engines, for eight years past, have necessarily to go from the water station to the wharf *three* times for every *one* they pass over the road;

besides, the running backwards and forward, to pump water into the boiler. Here the rails have not been renewed, and are still in good order.

The same applies to all the edge rail laid upon the road. The distance of 14 miles, from Bordentown depot to Hightstown, was so far completed on the 20th October, 1832, that a line of cars, drawn by horses, was placed upon it to convey passengers, and on the 17th December, 1832, the whole distance was used for the transportation of passengers and merchandise.

SECTION 2.—*From Bordentown Depot to Camden. Distance* 26 *miles* 10 *chains.*

The road bed is graded 17 feet in width—slopes of excavation and embankment, 1 3-4 feet base, to 1 foot perpendicular—ditches 3 feet deep, 2 feet wide at bottom, and 12 1-2 feet wide at top, or grade of road. The whole road bed was covered with 18 inches of sand or gravel, wherever loam or clay was found at the grade of the road. The object of this being to secure the road from the unequal action of the frost, and gave, in consequence, a better foundation to lay the superstructure upon.

There are six turnouts. These portions of the line, a distance of 60 chains, are graded 27 feet wide, with the same slopes and ditches as before described.

A part of this line, near Camden, was commenced to be graded in March, 1831, and the remaining distance in April, 1833.

The superstructure for eight and half chains, at Camden, is laid with stone blocks, 2 feet square, not less than 5 inches thick; 5 stone blocks are placed in the length of a rail 16 feet, for the foundation. Upon these are placed locust cross-sleepers, 8 feet long, and 6 inches square; upon which is fixed an edge rail, fastened by spikes, wrought iron plates under the joints of the rails, and tongues fastened as before described.

For 31 chains, red cedar piles, 7 feet long, from 7 to 9 inches diameter, are driven into the ground every 3.2 feet, for the foundation; upon the ends of these piles is placed the edge rail, fastened on the head of the piles, with the same kind of

spikes; the same connection at the joints of the rails, and the same kind of wrought iron plates as before described. Twenty-nine chains of roads are laid through the street at Burlington in the same manner as the last described. These parts of the road were laid in 1833, and have required but little repairing; are apparently perfectly sound, and likely to remain so. Seveuty-two chains of road, near the Pensauken Creek, are laid with wood rail, and flat iron; foundation of plank 3 1-2 inches thick, and 2 feet wide under each rail, continuous its whole length; cross-sleepers of oak every 4 feet, with blocks, 2 feet long, intervening; upon these sleepers and blocks a wood rail, 6 inches square, of yellow pine, is placed; upon the wood rail, a flat bar of iron, 2 1-4 inches wide, and seven-eighths of an inch thick, is placed, fastened by spikes and screw bolts; the bolts passing through the ends of the iron bars and wood rail.

One mile sixty-five chains are laid with a foundation of plank, 3 1-2 inches thick, by 2 feet in width, under each rail, continued the whole distance; upon these plank, cross-sleepers of red cedar, from the northern lakes, 8 feet long, 5 inches thick, and not less than 6 inches flat surface, are placed every 4 feet, and short blocks, 2 feet long, (of the same dimensions otherwise as the long sleepers), between each space, supporting the rail; upon these cross-sleepers and blocks, an edge rail rests; with wrought iron plates at the joints, fastened by hooked spikes, and tongues at the ends as before described. This road was laid in 1833, and the red cedar cross-sleepers appear perfectly sound.

Twenty-two miles and twenty-six and a half chains are laid in the same manner as that last described, except that the cross-sleepers are of oak and chesnut, instead of cedar. This road was laid in 1833 and 1834.

Whole distance of bridging is 1,188 feet, or 18 chains, of wood structure. Two of the principal bridges, to wit: one over Black's Creek, 133 feet long, and one over the Rancocus Creek, 497 feet long, have been renewed on the new plan, before alluded to in section 1.

A distance of 16 miles from Bordentown, to below the Rancocus Creek, was travelled upon in the winter of 1833, and the remaining distance, to Camden, in the spring of 1834.

SECTION 3.—*From Bordentown to Lower Depot near Trenton. Distance 6 miles.*

It was commenced in September, 1837, and passengers carried upon it in 1838. This road branches from the main line of the Camden and Amboy Rail Road, in the borough of Bordentown, at Prince-street, following round the edge of the hill, and crossing the Crosswick's Creek immediately above the mouth or entrance of the Delaware and Raritan Canal; thence following the tow-path, on the right bank of the canal, to Trenton.

The superstructure of this part of the branch rail road is wood rail, and flat iron bar, except 12 chains at the commencement, which is of edge rail and cross-sleepers, and 7 chains of edge rail on bridges.

The wood road, with flat iron, is laid by placing cross pieces, 3 inches thick, 9 inches wide, and 8 feet long, 8 feet apart; upon these are placed longitudinal pieces 16 feet long, 5 inches thick, and 12 inches wide; being embedded in the earth; again upon the centre of these pieces, are placed oak, 3 by 4 inches, and 16 feet long, fastened by trenails; upon which is put a flat bar of iron, two and a quarter inches wide, and five eighths of an inch thick; these ends and joinings of the bars being secured by a small cast iron chair; the spikes for attaching the iron rails passing through the oak piece into the longitudinal sill below.

One mile fifty-five and a half chains is constructed in the usual way, with shoes or mud sills, cross-sleepers and wood rail, with flat iron bar. The principal part of the timber used in the construction is of hemlock, which was saturated with lime and salt, or salted by means of one and a quarter inch holes being bored ten inches deep in the longitudinal sills, 18 inches apart; then filled with salt, and stopped with wood plugs.

There are two bridges upon this section: one over the street in Bordentown, 150 feet long, and one over the Crosswick's Creek, 323 feet long; both constructed upon the new plan before described.

SECTION 4.—*From the Lower Depot near Trenton to New Brunswick. The length of this road is 24 miles 1 chain.*

It was commenced to be graded in June, 1838, and the rails were laid, and passengers passed over the road, in full operation, on January 1st, 1839.

It follows the tow-path of the right bank of the Delaware and Raritan Canal, to a point near Kingston, a distance of 13 miles 20 chains; thence up the valley of Heathcote's Brook, to its summit, between it and Lawrence's Brook, on what is called the Long Bridge Farm; thence down Lawrence's Brook to Dean's mill dam, near George's road; thence in a straight line, in the direction of New Brunswick, to its intersection with the New Jersey Rail Road, about three and a half miles from the rail road bridge over the Raritan River, at New Brunswick.

The formation of the road is as follows: In excavation, the road is constructed 14 feet in width; slopes one and half foot base to one foot perpendicular height; ditches three feet deep, two feet wide at bottom, and eleven feet wide on the grade of the road. Embankments are fifteen feet wide on grade of road; slopes the same as in excavation; ditches always three feet below the grade of the road. Wherever there were sods, on the line of the road to be excavated, they were placed on the slopes of the embankments, to protect them from washing.

Superstructure.

A distance of 16 miles on different parts of the line, it is as follows: stone blocks two feet square, and not less than five inches thick, for the foundation, at the joints of the rails; cross-sleepers of locust, eight feet long, and six inches square, resting upon them, with a cast iron chair, weighing twelve and a half pounds, resting upon the locust, for the purpose of receiving the iron edge rail, (which rails are of the same pattern as that already described, except that it weighs forty-seven and a half pounds per yard), which is fitted in the chair, by cutting

the lower edge or base of the rail an eighth of an inch on each side; between the joints of the rails, (the rails being sixteen feet in length), are laid from ten to eleven cross-sleepers of oak and chesnut, seven feet long, four and a half inches thick, and not less than six inches flat surface, rest immediately upon the surface of the ground, the rail resting on these sleepers, making so many bearings, fastened by hook-headed spikes, five to seven inches long, each weighing a third of a pound; the joints of the rails connected as before described in section 1.

In consequence of the ground not having settled sufficiently, the remaining distance of eight miles one chain, was laid without the stone blocks at the joints, but with locust cross-sleepers at the joints of the rails, and intervening cross-sleepers, the same as those with stone blocks, at the joints; except twenty chains that has cross-sleepers, with white pine plank, four and a half inches thick, twelve inches wide, and sixteen feet long, laying upon them, in line of the road; upon these plank are placed the edge rail, spiked and secured as before described. It was laid in this manner, in consequence of its having been laid with wood rail, and flat iron bar, in the first instance, for want of edge rail.

There is also a distance of thirty chains laid with iron, similar to the New Jersey Rail Road, with cast iron chairs.

There is but one bridge on this section, over the Millstone River. It is of wood, sixty feet long, with stone abutments, constructed upon the new plan, as described in section 1.

Section 5.—*Extends from Trenton to Delaware Bridge. Distance* 1 *mile* 30 *chains.*

This road was originally laid with flat iron, two and a quarter inches by five eighths of an inch thick, wood rail, of yellow pine, six by six inches, cross-sleepers of oak, and shoes or mud sills of plank, three inches thick, and twelve inches wide, laid in the usual manner.

For seventy-six chains, the flat rail has been taken off, and replaced with cross-sleepers and edge rail. Cross-sleepers, of locust, eight feet long, six inches square, are placed at the joints of the rails; oak and chesnut sleepers, the same dimensions as

on section 4, laid four feet apart, and short blocks of wood between them, with east iron chairs, spikes and fastenings, as before described.

There remains thirty-four chains of wood rail and flat iron, laid as above.

Distance of road from depot at Trenton, is thirty chains, to the depot at the canal lock; thence to the Delaware bridge, one mile.

LOCOMOTIVES, CARS, STOCK, &c.

Locomotives.

Seventeen is the whole number of locomotives:—

8	locomotives with	9 inches cylender,	and	20 inches	stroke.
3	ditto	9 3-8	ditto	20	ditto
1	ditto	11	ditto	16	ditto
3	ditto	13	ditto	20	ditto
1	ditto	13 1-4	ditto	20	ditto
1	ditto	18	ditto	27	ditto

This last mentioned engine is very large, and designed exclusively for the transportation of merchandise.

Passenger Cars.

15 large cars, with eight wheels each.
23 round body cars.
14 square body cars.
2 cars with rocking chairs.
1 do. with blinds, made in omnibus manner.
1 do. called the Bordentown Car.
8 do. for forward deck passengers.

64 cars.

Baggage Cars.

4 crate baggage cars.
3 baggage cars, for way travel.

Transportation Cars for Merchandise.

53 box transportation cars.
11 open ditto.

Dirt Cars, &c. for use on Road.

24 dump cars, used for removing earth, in repairs to road, &c.
12 snow scrapers.

Steam-Boats on the Delaware River.

Steam-boat "New Philadelphia."
Steam-boat "Burlington."
Steam-boat "Philadelphia."

Steam-Boats between New Brunswick, South Amboy, and New-York.

Steam-boat "Independence."
Steam-boat "Swan."
Steam-boat "Trenton."
Steam-boat "New-York."
Steam-boat "Thistle."

Stocks.

1271 shares of stock, of fifty dollars each, in the Camden Ferry Company, got in exchange for real estate and property at Camden.

Buildings, Fixtures, &c.

One brick car house at South Amboy wharf, one hundred and five feet long, forty-three feet wide, with four rail road tracks in it, and turnouts running to them.

One frame car house at ditto, one hundred and twenty feet long, sixty-two and a half feet wide, with four rail road tracks as above.

One brick car house at Hightstown, forty feet long, twenty-two and a half feet wide, with two tracks.

One frame car house at Sand Hills, eighty feet by fourteen feet, with one track.

One brick car or depot house at Bordentown depot, one hundred and fifty-eight feet by one hundred and ten feet, metallic roof, with four tracks for passenger cars and two tracks for transportation cars, all the tracks connected with the main line of road.

One frame car house for repairing at ditto, forty-six feet by forty-four feet, adjacent to, and connected by rail road with three tracks to the car house, very convenient for repairs.

One brick car or depot house at Camden, one hundred feet by sixty feet, with four tracks, two for passenger cars and two for transportation cars, with platforms, &c.

One frame car house, at ditto, one hundred and fifty feet by thirty-four feet, with two tracks.

One frame car house at the lock at Trenton, on branch rail road, one hundred and fifty-eight feet by twenty-seven feet, with two tracks, and platforms.

One frame car house, at lower depot, eighty feet by twenty-five feet, with one track.

One brick car house, at Trenton lock, for Philadelphia and Trenton rail road cars, one hundred and fifty feet by thirty-six feet, with two tracks.—There is also a passenger office in this building eighteen feet square.

One passenger office at Hightstown, fifty-seven feet by twelve feet.

Transportation Houses.

One frame house on wharf, at South Amboy, one hundred and ten feet by fifty-six feet, with three rail road tracks, platforms, &c.

One frame house on ditto, twenty-five feet by ten and a half feet, with one track and platform.

One frame office, twenty-eight feet by twenty feet.

One small house at Hightstown.

One frame house at Sand Hills, fifty feet by seventeen feet.

One ditto, at ditto, twenty-four feet by twenty-four feet.

One transportation office at Trenton, twenty-four feet by eighteen feet.

One passenger office at Princeton, twenty-four by eighteen feet.

Engine Houses.

One brick engine house at South Amboy depot, seventy feet by twenty six and a half feet, with two tracks and metallic roof.

One ditto, at ditto, seventy-three feet by thirty-seven, with three tracks.

One brick repairing engine house at Bordentown depot, ninety feet by thirty, metallic roof, and fire proof building, with two tracks and fixtures for repairing locomotives.

One brick engine house, at ditto, one hundred and forty-eight feet by thirty-seven, with four tracks, and a range of furnace through to warm the building, and water pipes from a stationary engine, with hose attached, in case of fire. It has a metalic roof.

One stationary engine house, at ditto, twenty-seven by twenty-seven feet, metallic roof, and fire proof building; two boilers, and of such dimensions as to drive the general machinery throughout the whole three story machine house, pumps all the water, and saws all the wood with a circular saw, and conducts, by an iron pipe and hose attached, a head of water into the large engine house, in case of fire, and for many other purposes.

One brick three story machine house, at ditto, seventy-six feet by forty-one feet, metallic roof, with lathes for turning, drilling and working iron, on the first and second floors, and wood turning, &c. on the third floor; the whole of which is worked by the stationary engine, in the house adjacent.

One frame engine house, at Camden, seventy-one and a half feet by thirty feet, with two tracks.

One brick engine house, at lower depot, Trenton, thirty feet by twenty-eight feet, with two tracks, and sufficiently large to hold two engines.

One brick engine house, at lock depot at Trenton, thirty-seven feet by twenty-seven feet, for Philadelphia and Trenton rail road engines.

Shops.

One frame carpenter's shop, two stories high, at Amboy depot, sixty-three feet by twenty-eight feet, with one track through it.

One frame carperter's shop, at ditto, thirty-three feet by twenty feet, with one track through it.

One frame blacksmith's shop, at ditto, forty-five and a half feet by twenty-seven feet.

One brick blacksmith's shop, at Bordentown depot, thirty-seven feet by twenty-four feet, with six forges, and tools complete.

One frame blacksmith's and coppersmith's shop, at ditto, forty-eight feet by forty-eight feet, with six forges, and tools complete.

One car building, carpenter's and paint shop, at ditto, one hundred and six feet by thirty feet, two stories high, with a rail road leading to and through it.

One frame plank house, at ditto, one hundred and eight feet by eighteen feet, and four good sheds for coal, old copper, and storing sundry materials.

One frame oil room, at Amboy depot, twenty feet by eleven feet.

One brick office, at Bordentown depot, two stories high, a fire proof building, with a fire safe, of brick and iron.

Wood Sheds.

One wood shed, at Amboy wharf, two hundred and forty feet by thirty feet.

One ditto, at Amboy depot, one hundred and seventy-seven feet by twenty-four feet.

One ditto, at ditto, one hundred and thirteen feet by thirty-four feet.

A range of wood sheds, at Bordentown depot, two hundred feet by one hundred and two feet.

One wood shed, at Trenton lower depot, sixty feet by fifteen feet.

One large brick water tank, at Amboy, filled by a force pump, worked by a locomotive, and the water conducted by iron pipes, two and a half inches in diameter in the clear, half a mile to a wooden tank on the wharf, for the supply of the steam-boat boilers, and a security against damage by fire to the buildings on the wharf.

One wooden tank, pump, and fixtures, at Amboy depot.

Two ice-houses, for the purpose of supplying the steam-boats, &c. at South Amboy.

Two water tanks, at Spottswood, with pumps and fixtures.

One water tank, at Hightstown, with a force pump, and fixtures.

One water tank, at Sand Hills, with pump and fixtures.

One ice-house, at Bordentown depot, to supply steam-boats, &c.

One water tank, at Bordentown depot, with fixtures.

One water tank, at Rancocus Creek, with force pump and fixtures.

One water tank, at Camden, with pump and fixtures.

One water tank, at Trenton depot; water raised by a water-wheel turned by waste water of the canal.

One water tank, at Kingston, with pump and fixtures.

One water tank, at the end of branch rail road, with pump and fixtures.

Wharf at Bordentown depot, five hundred and fifty feet front, and depth of water always sufficient for steam-boat landings, and other purposes; besides this there is a bulkhead or wharf two and a half miles along the Delaware river to Craft's creek.

Wharf at Camden, one hundred and ninety-two feet long, together with two piers into the Delaware, and forming a ferry slip; these piers extend out into the Delaware, one of them two hundred feet, and the other one hundred and seventy-four feet, width of one forty-four feet, and the other twenty-seven feet.

Wharf on Crosswick's Creek.

Dwelling houses and other property at South Amboy.

Four hundred acres of land.

One brick tavern house, three stories high, eighty-two feet long, thirty-four feet wide.

One frame house immediately connected, and part of tavern, thirty-three feet by twenty-nine feet.

One frame kitchen, nineteen feet long, seventeen feet wide.

One barn, for tavern, forty-one feet by twenty-eight feet.

One shed or cow house, forty-nine feet by nineteen feet.

One corn crib, twenty-one feet by six feet.

One superintendent's house, large size.

One store house.

Eighteen dwelling houses for workmen.

Bordentown Depot.

Twenty-three dwelling houses for workmen.

One boarding house for workmen.

One depot superintendent's house.

Bordentown Hotel, one hundred feet by forty feet, and lot.

One frame house, adjoining hotel, sixteen by eighteen feet.

One frame dwelling house, on wharf at Crosswick's Creek.

Two dwellings, under the hill, at Bordentown.

One lot of ground, in Bordentown, known as the Union Line lot.

One water tank, connected with the Bordentown hotel, and water pipes leading to it from Black's Creek, where there is a *tide water wheel* to raise the water to the tank.

One house and lot, together with its out buildings on the hill, known as the school property.

One tavern house, in the city of Trenton, known as the "Trenton House," together with an adjoining lot of ground, and out buildings.

Ten and a half acres of land, at Bordentown depot, with a large front on the Delaware river.

One tavern house, stabling and other out buildings, at Bloomsbury.

ABSTRACT

OF THE COST OF THE DELAWARE AND RARITAN CANAL.

Canal Sections, Embankments, Excavations, Waste Weirs, &c. . .	$1,354,372 50
Locks, ...	285,256 28
Culverts, ...	160,853 52
Bridges, ...	88,971 82
Fences, ...	26,387 04
Peir and Harbour at New Brunswick,	22,016 50
Wharfing, ...	8,379 99
Dredging Machine and Dredging at Bordentown, Bull's Island, and improving Raritan River, in addition to the sums received on this account from the U. States, ...	26,841 88
Timber, ...	132,509 69
Cement, ...	93,240 45
Real Estate, ...	271,000 66
Damages, ...	33,989 80
Engineer Department, ...	84,496 19
Legal Expenses, ...	15,299 91
Office Expenses, ...	1,653 14
Contingent Expenses, ...	35,573 42
Salaries to the time of completion, .	38,526 35
Barges, ...	319 23
Smith Shop, ...	1,427 77
Interest to the time of completion, .	100,529 07
Towing Establishment, Horses, Harness, &c.	9,876 39
Loan Expenses, 1st English Loan, .	15,460 00
Rail Road on Heath Cote and Lawrence Brook, ...	17,372 94
Rail Road Iron, balance, ...	3,936 05
Due by Contractors, ...	1,506 77
	$2,829,797 36

JOHN R. THOMSON, *Sect.*

Dr. *Account of Receipts and Expenditures of the Delaware and Raritan Canal Company.* *Cr.*

To cost of the Del. and Rar. Canal per J. R. Thomson's (sec.) statement,	$2,829,797 36		By capital stock paid in,	$1,496,000 00
Bills paid and not included in the above statement,	14,307 67		By cash from Loans,	1,279,278 88
		2,844,105 03	By Loans paid Interest, and for Real Estate per Loan account,	45,627 92
Balance due for advances to Camden and Amboy R. R. and Transportation Company,	18,293 86		By Rents from Water Power,	5,185 15
Notes of hand unpaid,	1,910 00		By Balance of Running account,	50,551 41
Cash on hand,	12,334 47			
		32,538 33		
		$2,876,643 36		$2,876,643 36

JAMES NEILSON, *Treasurer.*

Dr. *Dividend Account of the Delaware and Raritan Canal.* *Cr.*

To Current Expenses per J. R. Thomson's (sec.) account,	$210,344 42	By Tolls to Dec. 1, 1839,	$306,895 83
To Cash paid E. A. Stevens on Dividend account,	46,000 00		
To Balance to Construction account,	50,551 41		
	$306,895 83		$306,895 83

JAMES NEILSON, *Treasurer.*

Dr. *Joint Account of Receipts and Expenditures of the Delaware and Raritan Canal and Camden and Amboy Rail Road and Transportation Companies.* *Cr.*

To Instalments from stockholders,		$2,996,000 00	By cost of construction of the Cam. & Am. R. R. & Branch Road per statement,		$3,220,848 39
To receipts from loans including temporary loan of $14,640 42,		2,848,469 44	By cost of Del. & Rar. Canal,	$2,829,797 36	
To borrowed from the dividend of C. & A. R. R. & T. Co. for the construction of the road,	$131,071 29		By bills paid and not included in the above,	14,307 67	
To rents received by ditto,	5,322 16				2,844,105 03
To sundries received by ditto,	1,543 54		By notes of hand unpaid,		1,910 00
		137,936 99	By cash on hand,		12,334 47
To balance per construction account of C. & A. R. R. & T. Co.		170,025 79	By cash advanced for building boats and increasing the transportation of Coal through the Canal,		117,000 00
To rents from water power from the D. & R. Canal Co.	5,185 15		By loan expenses in England,		11,970 89
To balance of dividend account from ditto,	50,551 41				
		55,736 56			
		$6,208,168 78			$6,208,168 78

JOHN R. THOMSON, *Sect. Joint Board.*

Abstract of the annual Receipts and Expenditures of the Del. and Rar. Canal from 1834 *to* 1839 *inclusive.*

TOTAL RECEIPTS.		TOTAL EXPENDITURES.	
1834	$11,604 19	1834 } 1835 }	$49,243 74
1835	47,141 92		
1836	54,801 22	1836	34,764 89
1837	67,194 26	1837	27,079 21
1838	73,507 24	1838	46,007 72
1839	74,843 52	1839	44,698 48
		December	8,550 38
	329,092 35		210,344 42
Deduct allowances made on Coal, Merchants' line, &c. per order,	22,196 50	Balance to dividend account	50,551 41
		Paid on account of dividends,	46,000 00
	$306,895 85		

JOHN R. THOMSON, *Sect.*

Dr. *E. A. Stevens, Treasurer, in account with the Camden and Amboy Rail Road and Transportation Company.* *Cr.*

To Cash received	Instalments,	$1,500,000 00	To Cash paid per	R. Shippen's book,	$1,973,718 71
"	Loan,	1,394,591 75	"	I. A. Conover's do.	507,048 97
"	Travelling account,	131,071 29	"	Steam Boats,	359,354 04
"	Rents,	5,322 16	"	Interest,	102,795 66
"	Incidental,	1,543 54	"	Stock and Tools,	6,852 63
"	Del. and Rar. Canal,	18,293 86	"	Real Estate,	22,210 00
"	Balance,	170,025 79	"	Iron Rails,	178,429 47
			"	Coal Lands,	25,000 00
			"	Phil. & Tr. R. Road,	45,538 91
		$3,220,848 39			$3,220,848 39

E. A. Stevens, *Treasurer.*

Dr. *E. A. Stevens, Treasurer, in account with the Delaware and Raritan Canal and Camden and Amboy Rail Road and Transportation Companies.* *Cr.*

To balance of Travelling account	$146,823 11	By balance paid Construction account per account current,	$170,025 79
To balance taken from receipts of Travelling account since Dec. 1, 1839,	23,202 68		
	$170,025 79		$170,025 79

E. A. Stevens, *Treasurer.*

Dr. *Loans made by the Delaware and Raritan Canal and Camden and Amboy Rail Road and Transportation Companies.* *Cr.*

1834	To nett proceeds of American loan,	$832,513 27	By Camden and Amboy R. R. and T. Co. received of the loans,	$1,379,951 33
1835	To ditto of English loan of £210,000,	977,817 38	By Del. and Rar. Canal Company,	1,279,278 88
1837	To ditto of ditto of £225,000,	1,023,489 37	By ditto, Interest on loan of £210,000 per J. R. Thomson's statement,	35,551 26
			By ditto, Real Estate, per ditto,	10,076 66
			By expenses and unsettled accounts in England,	11,970 89
			By cash in Coal business,	117,000 00
		$2,833,829 02		$2,833,829 02

JOHN R. THOMSON, *Loan Agent.*

Statement (No. 9) *of the Nett Profits of the Delaware and Raritan Canal and Camden and Amboy Rail Road and Transportation Companies, and of the Dividends paid to the Stockholders, to the* 1*st Dec.* 1839.

Total amount of nett profits, after deducting interest and all other expenditures,	$1,962,354 04
Of which there has been paid to Stockholders in dividends,	1,595,000 00
Leaving an amount of nett profits undivided,	$367,354 04
Of which $165,270 59 will be divided with the Philadelphia and Trenton Rail Road Company, in conformity with the agreement of June 1836, share and share alike.	

Comparative Monthly Statement of Receipts and Expenditures of Camden and Amboy Rail Road.

Years.	Months.	Gross Receipts.	Disbursements.	Nett Gain.	Nett Loss.
1833	January	$16,387 20	$20,453 80		$4,066 60
1834	January	20,110 36	14,633 15	$5,477 21	
1835	January	27,533 21	17,693 80	9,839 41	
1836	January	26,874 62	9,242 57	17,632 05	
1837	January	29,289 22	35,699 60		6, 410 38
1838	January	30,892 16	25,417 27	5,474 89	
1839	January	24,365 96	8,959 51	15,406 45	
1833	February	$17,650 04	$6,895 10	$10,754 94	
1834	February	29,441 30	12,125 33	17,315 97	
1835	February	28,343 64	12,293 44	16,050 20	
1836	February	25,477 98	20,289 27	5,188 71	
1837	February	36,422 42	22,339 28	14,083 14	
1838	February	33,772 85	16,030 39	17,742 44	
1839	February	28,698 97	15,986 48	12,713 49	
1833	March	$31,849 86	$18,328 90	$13,520 96	
1834	March	45,196 18	24,627 04	20,569 15	
1835	March	42,750 60	21,080 08	21,670 52	
1836	March	43,942 28	36,937 49	7,004 79	
1837	March	64,655 77	35,419 75	29,236 01	
1838	March	57,692 77	38,490 76	19,202 01	
1839	March	49,813 60	25,631 19	24,182 41	

Years.	Months.	Gross Receipts.	Disbursements.	Nett Gain.	Nett Loss.
1833	July	$54,608 11	$36,778 85	$17,829 26	
1834	July	56,147 05	25,524 57	50,622 48	
1835	July	78,515 36	36,182 82	42,332 54	
1836	July	91,088 28	37,920 07	53,168 21	
1837	July	80,391 96	24,684 15	55,707 81	
1838	July	81,455 91	32,313 43	49,142 48	
1839	July	94,184 37	31,899 67	62,284 70	
1833	August	$63,845 04	$26,675 84	$37,169 20	
1834	August	62,470 98	27,431 85	35,039 13	
1835	August	85,657 13	22,698 69	62,958 44	
1836	August	98,615 78	31,631 46	66,984 32	
1837	August	74,182 59	26,997 58	47,185 01	
1838	August	80,765 12	24,029 53	56,735 59	
1839	August	69,297 22	22,484 24	46,812 98	
1833	September	$56,260 25	$28,227 37	$28,032 88	
1834	September	60,191 19	16,356 57	44,034 62	
1835	September	73,538 38	49,231 19	24,307 19	
1836	September	93,809 46	32,678 10	61,131 36	
1837	September	74,277 92	34,398 13	39,879 79	
1838	September	82,566 73	23,975 50	58,591 23	
1839	September	62,587 52	21,046 64	41,440 88	

1833	April	$38,749 25	$24,436 95	$14,312 30
1834	April	46,328 07	32,718 86	13,609 21
1835	April	53,524 91	20,362 30	33,162 61
1836	April	68,025 72	26,483 72	41,542 00
1837	April	72,056 50	35,960 30	36,096 20
1838	April	66,973 33	24,913 56	42,059 47
1839	April	66,642 95	22,522 92	44,120 03
1833	May	$47,414 22	$27,133 80	$20,280 42
1834	May	48,952 88	31,523 85	17,429 03
1835	May	59,118 08	27,282 34	31,835 74
1836	May	75,728 95	24,393 98	51,334 97
1837	May	70,605 58	31,066 76	39,538 79
1838	May	67,524 72	24,249 88	43,274 84
1839	May	78,576 83	25,263 23	53,313 60
1833	June	$42,189 27	$21,561 02	$20,628 25
1834	June	50,542 58	21,883 09	28,659 49
1835	June	63,357 62	27,814 63	35,542 99
1836	June	75,945 24	36,801 04	39,144 20
1837	June	61,488 04	24,092 26	37,395 78
1838	June	65,528 17	31,157 22	34,370 96
1839	June	46,921 52	21,333 39	25,588 13

1832	October	$20,003 03	$4,829 95	$15,173 08	
1833	October	56,576 19	19,702 30	26,864 89	
1834	October	53,671 95	19,713 84	33,958 11	
1835	October	69,415 06	23,459 46	45,955 60	
1836	October	76,197 31	41,074 25	35,123 06	
1837	October	72,677 61	31,240 82	41,436 79	
1838	October	78,019 02	31,715 61	46,303 41	
1839	October	61,382 71	24,145 51	37,237 20	
1832	November	$17,223 07	$10,663 71	$6,559 36	
1833	November	30,746 25	28,148 18	2,598 07	
1834	November	40,490 75	37,437 34	3,053 41	
1835	November	44,963 16	23,996 56	20,966 60	
1836	November	55,066 28	20,829 13	34,237 15	
1837	November	56,241 98	31,428 62	24,813 36	
1838	November	70,187 76	41,844 28	28,343 48	
1839	November	48,345 55	23,134 97	25,210 58	
1832	December	$13,465 98	$8,829 95	$4,636 03	
1833	December	21,875 82	28,749 79		$6,873 97
1834	December	32,750 25	48,786 19		16,035 94
1835	December	52,746 48	35,396 45	17,350 03	
1836	December	39,849 38	45,063 82		5,214 44
1837	December	39,705 66	26,183 16	13,522 50	
1838	December	39,511 67	41,011 68		1,500 01
1839	December	54,512 56	15,636 73	38,875 83	

E. A. Stevens.

Summary of Cost of the Camden and Amboy Rail Road, Branch Road and Appendages.

Grading,	$379,721 76	Locomotives,	123,840 67
Engineering,	94,294 77	Iron,	10,372 08
Wharfing,	55,644 55	Locust,	13,447 70
Stock and tools,	48,955 05	Printing,	1,679 32
Incidental Exp's,	32,384 90	Interest,	104,242 64
Timber,	121,153 65	Wood Rails,	7,310 57
Stone,	37,314 14	Steam Boats,	420,153 57
Office Expenses,	1,058 20	Property in trust to pay debts,	8,543 04
Real Estate,	371,769 68	Canal passage barges,	1,832 28
Culverts,	17,112 91	Sleepers,	35,170 60
Salaries,	26,858 22	Fencing,	2,245 35
Damages,	4,570 71	Salting Timber,	6,352 61
Carpenters,	5,482 85	Stable Expenses,	36 89
Legal Expenses,	6,701 51	Phil. & Tr. R. R.	46,569 54
Masonry,	14,768 36	Stone Rails,	3,457 59
Smithery,	10,067 08	Taxes,	209 09
Bridges,	78,459 37	Pine Wood,	75 12
Broken Stone,	103,372 64	Coal Lands,	25,000 00
Iron Rails,	517,907 62		
Gravelling,	22,223 44		$3,222,204 84
Trenching,	27,998 14	Deduct credits,	1,347 87
Stone Blocks,	111,524 73		
Laying Rails,	155,346 46		$3,220,857 02
Cars,	140,742 88		
Ditching,	26,232 61		

E. A. Stevens.