

INAUGURAL ADDRESS

OF HIS EXCELLENCY

JOHN W. GRIGGS

Governor of New Jersey

JANUARY 21st, 1896



TRENTON, N. J.:
MACCRELLISH & QUIGLEY, CURRENT PRINTERS.

1896

INAUGURAL ADDRESS

OF HIS EXCELLENCY

JOHN W. GRIGGS

Governor of New Jersey

JANUARY 21st, 1896



TRENTON, N. J. :
MACCRELLISH & QUIGLEY, CURRENT PRINTERS.
1896.

INAUGURAL ADDRESS.

Gentlemen of the Senate and General Assembly:

With these brief and simple ceremonies the executive administration of the State passes from my predecessor to a new incumbent. Such simplicity is befitting the nature of a republic, where the imposition of the authority of government is not the conferring of personal title, but the official investiture of the power of public service upon the selected agent of the people. Trite though the remark may be, it cannot be too often repeated, that the public officer is merely the trustee of the commonwealth and owes to the people the duty, superior to all other considerations, of loyal and unselfish service.

It would be an affectation were I to leave unmentioned the fact that is in the thought of every citizen, that this event implies the passing of the executive control of New Jersey out of the hands of a party that has held it for nine successive terms.

The valuable function of political parties in republican government is too well established to be questioned, and too universal to be ignored in official addresses. It is well, however, to keep clearly in mind the truth that they are themselves but agencies, whereby the people are enabled to obtain the first and only desideratum of an organized state, that is, good government for the whole people. When the popular voice dismisses the represen-

tatives of one party and calls those of the opposition into office, it is not for the purpose of enabling the new incumbents to wreak vengeance on political adversaries, or merely to strengthen their own organization; it is to improve upon the quality of service theretofore rendered, and secure greater efficiency and devotion to the public welfare. In so far as I may on this occasion with propriety address the representatives of the party that now assumes control, I would conjure them not to imitate, but to avoid the mistakes of their political opponents; where they have been weak, let us be strong; where they have unduly hesitated, let us be bold; where they have been excessive, let us be moderate; if they have been selfish, let us devote ourselves entirely to the interests of the commonwealth, with an eye single only to her glory and the prosperity of all her people. The fair-minded and patriotic official can readily distinguish the line across which partisan considerations should not go, and will find no difficulty in rendering aid of the most important kind to his party if he will govern his conduct by the primary motive of true public service.

It is fortunate that there are few, if any, subjects of legislation in our State that furnish the occasion for party differences. You will, therefore, be able to give to each matter your independent, deliberate judgment, and to share with your political opponents the labor and responsibility.

It is scarcely my proper function at this time to call your attention to particular topics upon which legislation is desirable. If I deem it necessary I will hereafter, by

special message, communicate to you such matters as may need especially to be brought to your notice.

I consider it most important, however, that you should at once take into consideration the object of restriction in the volume of legislation. The mass of statute law has now become so immense that it may be said to be almost beyond the power of the legal mind to acquire it, or the judicial mind to interpret it. It was intended by the amendments to the Constitution adopted in 1875 to decrease the quantity of statute law by the abolition of special legislation upon several subjects, notably the government of counties and municipal corporations. Such decrease was for several years effected. But gradually aided by experience and a sharpened ingenuity, the draughtsmen of statutes came to know how to draw up laws, which, while possessing the form of generality required by the Constitution, had all the substance of special application to the desired locality, without becoming fastened to any unwilling municipality. It was the undoubted object of the constitutional amendments referred to, to provide a uniform system of laws for all the counties, cities, townships and other political subdivisions of the State; a system not merely applicable to all, but to be compulsorily applied to all, so that all cities, all counties, all townships, of the same class, should be governed by the same uniform systems. Unfortunately our courts have held that this constitutional requirement is satisfied in a statute when by its terms it is applicable to all the members of a class, although as a matter of fact it may be practically applied to only one of the class. In

other words, the courts hold that it is only necessary that all members of a class may take the benefit of a statute, but that the law need not be compulsory on all.

So it has become easy, by means of different forms of local option, such as popular elections for or against the adoption of any act, to pass laws in form of the most perfect universality, which in effect are special charters for a single city. On account of this unfortunate interpretation of the constitutional intent the so-called general laws relative to cities have become multitudinous. They fill over 350 pages in the new volume of General Statutes, and the laws under the title of Municipal Corporations will fill as many more. This condition of legislation as to cities might not have been unexpected in view of the fact that when the constitutional amendments requiring general legislation were passed all the cities of the State were already in existence under different special charters.

But a more striking instance of manifold legislation exists in the laws relating to boroughs. These forms of local government did not exist until recently. They were all created under so-called general laws. The spirit and letter of the Constitution required that they should be governed by a uniform system. Yet we find three different general acts now in force regulating the creation and government of boroughs. At each session of the Legislature numerous amendments to each of the three systems are passed, until this one title in the General Statutes now covers 111 pages. So variant, inconsistent and confused are these acts that no legal adviser or judicial interpreter can safely say what the law is on many

subjects relating to boroughs. Besides boroughs, we have separate systems respectively for borough commissions, for towns, for villages, for seaside resorts, and for townships, each possessing indiscriminately similar powers, and differing only in name and arrangement.

For some years past the annual volume of the laws has been growing in thickness. As an example, let me refer to the most recent, that of 1895. It contains one hundred and six different acts relating to cities, forty-three relating to boroughs, thirty-three relating to townships, thirteen relating to villages. It cannot be that any such number was necessary.

Take some other subjects. There are nine separate amendments to the school law, seven different acts on the subject of sidewalks, eight relating to the State House, five relating to swamps and marshes. Similar variety and multiplicity will be found in any volume of annual statutes for the last six or seven years.

When we consider that the power of legislation is the greatest that can be exercised by any human agency, that every law changes the rights and modifies the duties of a greater or less number of citizens, it is proper to inquire whether proposed laws are sufficiently considered before they are adopted. The same tendency to multitudinous and slipshod legislation prevails in other States of the Union, and has attracted the attention of many thoughtful persons.

Besides the uncertainty and confusion that ensue from the existence of so many separate statutes, the easy change of existing law tends to create popular disrespect

for the sanctity of the law. What can be so readily made and so easily altered, can fairly be considered as of small importance.

The general statutes of the State now in press will comprise three large volumes of over 1,000 pages each, and in bulk will be about twice as large as the general statutes of the United States. Unless we are to have to confess that our legislative system is a failure, we must find a method of remedying this excess. It is not yet too late to pass a system of laws of comprehensive form for the government of municipalities, which should be compulsory upon all, so that the uniformity of local government contemplated by the Constitution may be attained.

This increase of laws, affecting almost every interest in life, cannot continue without involving many important subjects in serious confusion and difficulty. Many of the acts relating to one or another kind of municipal bodies affect the levying and collection of taxes and the issue of bonds, matters in which not only the public but many private persons are financially interested. I shall offer some suggestions which, if adopted, will, in my opinion, mitigate, even if they do not entirely remove, the difficulty.

No law should be passed unless there is some public necessity demanding it. The fact that a proposed law is, as is often said, unobjectionable in itself, is no reason for its enactment. There should be positive reasons for law-making, not negative ones. Settled rules should not be easily disturbed. It is not enough to say of a bill that it does no harm; it should be one conferring positive benefits and demanded by public necessity or convenience, to

entitle it to the solemn sanction of the Legislature and the Governor. Every bill should be carefully considered in committee before submission to the proper House for passage. Its verbiage should be tested to see if it is accurate and expresses only what it is intended to effect. It should be compared with the existing law on the same subject, to ascertain if it harmonizes or is inconsistent therewith. It would save much trouble and confusion if, where there are several amendments proposed to the same law, they should be consolidated into one act.

And let it be remembered that in the discharge of the duty of a legislator there can be no consideration for such things as courtesy to a fellow-member or to the introducer of a bill, when the rights of the people of the State are to be affected.

In accordance with these views, I shall consider it my duty to withhold executive approval from all bills that have no positive advantages to the public, or are trivial or ill-considered in substance. I believe it is better to bear some inconvenience than to be constantly altering the statute law of the State.

These expressions are not intended to discourage or impede the passage of necessary laws in the interest of reform. Reform is necessary in the matter of legislation, as well as in other things.

There are subjects to which I hope the Legislature will give their most serious attention. The protection of life, limb and health against danger from public uses of the highways and streams of the State is one. Some well-considered and equitable plan of providing overhead or

underground crossings where railroads intersect the streets of populous cities should be devised and enacted. The experience of other progressive States that have dealt efficiently with the subject is available for our instruction and guidance.

We all know how the calendars of our courts are crowded with causes arising from accidents from trolley-cars. Doubtless many such accidents are due to the carelessness of the injured party. Nevertheless it is the duty of the Legislature to guard, if possible, even against the carelessness of people, because there are many, including especially children, not endowed with the full measure of ordinary carefulness. The existence of this new agency of electrical propulsion, which, through the most crowded of our streets, impels at speed such dangerous vehicles, makes it obligatory on the Legislature to provide such legal safeguards as are possible, consistently with necessary public convenience, in order to minimize the danger of accident. How far these lines should be permitted further to be constructed upon the streets and highways should be a matter of consideration for the Legislature. In some instances, especially in country districts, it would seem only right to require that electric railroads should hereafter be constructed either on the side of the road or entirely off the limits of the highway, thus preserving the roads for the use of the public in the manner originally intended.

The pollution of the rivers of the State by cities and towns through sewers and otherwise, whereby a public nuisance and menace to health is created, is another

subject that I am informed will be brought to your attention.

All these subjects are of the highest importance and extremely difficult to deal with. They call for the exercise of the highest ability and judicial spirit in the attempt to deal fairly with the rights of all concerned. Possibly upon some of these subjects you may not be able to advance beyond the stage of investigation. If so, it would be wise to have the result of your enquiries embodied in such form as to be available to the next Legislature.

I consider the result of the recent election in this State as a declaration of the people that they approve the policy of keeping our State charitable, educational and penal institutions free from political control; that they desire the most rigid economy in the management of State affairs; that no useless offices shall be created or continued; that officers who are receiving inordinate compensation through fees shall be put upon the basis of a fair salary and the fees be paid into the Treasury of the State for the benefit of the people; that public officials shall be held to strict account, not only for the discharge of their ordinary duties, but also for the public funds which they may handle; that frauds upon the State shall be fittingly punished, and moneys fraudulently gotten shall be recovered, if possible.

If I have learned anything of the sentiments of our people, it is that they desire, above all partisan considerations, the very highest, purest and best government that human wisdom can give them. The prosperity, the

peace, the honor of our State, are dear to them all. They want strict economy, wise counsels, prudent and guarded legislation, absolute honesty, fearless and unswerving adherence to those things that make for righteousness and exalt a people.

To the attainment of these things I am already pledged; but here, in this presence, with all the earnestness and solemnity that befits this occasion, I renew the pledge. To the service of the people, all the people, of our loved and honored State, I devote whatever of wisdom, whatever of patience, whatever of ability it has pleased God to endow me with.

And for my assistance I invoke the good-will, the patience, the loyalty and the patriotism of my fellow-citizens, and the favor of Almighty God.

