
MESSAGE
OF THE
GOVERNOR OF NEW JERSEY,
With Accompanying Documents.

1861.

MESSAGE.

Gentlemen of the Senate and House of Assembly.

That provision of the constitution which requires the Governor "to communicate to the legislature, at the opening of each session, the condition of the State, and recommend such measures as he shall deem expedient," is important in proportion to the influence such communication may exert on those to whom it is addressed. Believing that you will be disposed to give due consideration to what, on this occasion, may be submitted, I proceed to fulfil the duty imposed.

The report of the Treasurer will show that the income of the State was larger the past year than ever before. Notwithstanding this, the indebtedness has increased.

On the 1st instant there was due—

To the Bank of Savings, New York,.....	\$95,000 00
“ Trenton Banking Company, for warrant given for appropriation to the Lunatic Asy- lum,.....	9,000 00
To the several counties, balance of School ap- propriation for 1860,.....	28,244 34
Balance of appropriation to the Normal School,	1,400 00
Annual State tax and transit du- ties received in advance,.....	\$53,247 07
Deduct cash on hand,.....	25,138 58
	<hr/>
Liabilities on account of the State Prison,....	3,000 00
	<hr/>
Total,.....	\$164,752 83

The Treasurer's report for January, 1860, showed that the indebtedness of the state at that time was \$155,794 04. It has therefore been increased \$8,958 79. For particulars of the receipts and disbursements, and also for the condition of the School Fund, you are referred to the Treasurer's report.

The practice of anticipating the revenue of the state it is hoped may be discontinued; for, although the companies applied to have cheerfully responded to the call of the Treasurer, still the state is in the humiliating attitude of a suppliant, and it is hoped that the legislature will not suffer her again to be thus reduced.

With a constitutional prohibition to the creation by the legislature of any debt exceeding \$100,000, the statement submitted shows the necessity of prompt action. It is not sufficient that there are assets to meet every demand upon the Treasury, if they are not so applied; and, without inquiring how the debt was incurred, one thing is certain, and that is, the duty of the legislature to adopt such measures as will, with the least inconvenience to the people, and detriment to the interest of the State, reduce it within the limits prescribed by the constitution.

There is no probability of an important increase in the receipts, and we may therefore inquire whether the expenditure can be so reduced as to accomplish the object. The retrenchments recommended by my predecessor, in his last message, are judicious, some of which are again offered for your consideration. A niggardly policy, unworthy the dignity of the state, is not urged; but, that important reductions can be made, with advantage to the character and finances of the state, and without prejudice to its interests, is certain.

Your consideration is directed to the propriety of obliging each county to pay its bills of taxed costs. Justice and economy demand this.

Those counties having large towns within their limits, or such as are near the cities on either side of us, have advantages from these circumstances; and these also tend to in-

crease crime and the consequent expense. The counties that have not these advantages are also in a degree exempt from crime, but by existing regulations are compelled to bear an equal proportion of the expense incident to the whole. It is evidently just that, as each county has its peculiar advantages, each should bear its peculiar burdens. It is further believed that the expense incurred from criminal prosecutions would be much reduced if borne by the counties, subjected, as they would be, to the supervision of the county authorities. This branch of expense has increased without any apparent cause, as will be seen by comparing the result in former with recent periods. For instance, in the year 1849, the number of prisoners was 210, and the costs \$7,650; in the year 1859, the number of prisoners was 317, and the costs \$16,070. The clerical services and printing for the legislature for the year 1859 amounted to over \$23,000, and for the year 1860 to over \$26,000. A reform in the manner of engrossing bills (which is much needed), the exclusion of unimportant matter from the journals, and adjusting the accounts for these services in accordance with law, would, it is believed, reduce them at least \$10,000. A more particular examination of items in the incidental bill is much needed. The reforms here recommended, if adopted, would reduce the expenses of the state between \$25,000 and \$30,000 per annum, and with no unusual extraordinary expenses, would soon reduce the debt within the limits assigned by the constitution. If the economical policy suggested be deemed inexpedient, it is proposed that there should be a sufficient amount of the securities held by the state sold to effect the object, or, that the sum required be raised by taxation, as you may deem best.

Much has been done by our public school system for the advancement of education, but not enough to satisfy the real friends of our free institutions, the stability of which depend so much on the rising generation. In the effort to make scholars, it is feared the cultivation of the heart is overlooked,

forgetting that, as "knowledge is power," we but increase the capacity for evil in those on whom we bestow it, unless the *will* be towards that which is "true, honest, and of good report." Intellectual culture has been steadily increasing in our midst; it is to be feared that vice has not decreased in the same ratio, and need we refer to history to be assured that patriotism does not always thrive best among polished and intellectual people. The importance of a proper selection of books can scarcely be over estimated, and the teachers, on whom so much depends, should be virtuous as well as intelligent; such only should be entrusted with so great a responsibility. The Normal School is expected to furnish them. Those sent forth by that institution have done much for the cause of education in the state, and, under the present judicious management, much more may be expected. Great interest in the subject of education has been awakened in various sections, mainly by means of Teachers' Institutes, through the instrumentality of which, the importance of good public schools has been brought directly and forcibly to the attention of the people. While this is a subject for congratulation, it is to be regretted that every advantage cannot be taken of it in consequence of the insufficiency of our school laws to secure all the benefits derivable from the system they are intended to establish and maintain. It is desirable that the laws relating to schools should be examined, with a view of ascertaining what are their defects, and wherein they may be rendered more efficient. These laws have been framed at various times, as circumstances appeared to demand them, and in many particulars are so illy digested as to defeat rather than secure the ends for which they were intended: a careful revision of them is needed.

By the "Act to constitute and appoint trustees for the security and management of the school fund for the support of free schools," the Governor of the State, the President of the Senate, the Speaker of the House of Assembly, the At-

torney General, and Secretary of State are made trustees of the school fund, and the last proviso of the third section of the act provides, "that for no service performed either by the said trustees or treasurer, in pursuance of the directions of this act, shall any compensation be required." The President of the Senate and Speaker of the House of Assembly do not either of them usually reside in Trenton, and in order to attend to these duties are obliged at stated times to visit Trenton, at a sacrifice of time and money, for which, by the terms of the act, they can receive no compensation. With a conviction that this should not be so, it is recommended that the act be so amended as to allow the President of the Senate and Speaker of the House of Assembly a reasonable compensation.

The report of the Managers of the State Lunatic Asylum, herewith submitted, affords such information respecting its operations during the past year as will, it is believed, satisfy you that its efficiency has not diminished. There is ground for congratulation that its affairs, from the beginning, have been conducted in so judicious a manner as to obtain the confidence of our citizens, and that we have in our state an institution inferior to none, and worthy of all the aid it may require at your hands. The necessity that exists for enlarging it will be found in the report of the managers.

In the institutions for the instruction of the deaf and dumb, in New York and Philadelphia, there are twenty-six pupils who are receiving support and instruction from the fund provided by the state.

There are eighteen pupils in the blind Asylums of New York and Philadelphia, supported and instructed from the funds of the state. The propriety of these appropriations is unquestionable, they will be cheerfully continued until it shall be deemed expedient to establish asylums for these our afflicted brethren, in our own state.

In accordance with the policy of the state towards the indigent deaf and dumb, and blind, the legislature, at the last

session, passed an act appropriating the sum of \$3,000 for the maintenance and instruction of indigent children of feeble mind, in the Pennsylvania Training School at Media, near Philadelphia—the sum for each child not to exceed \$200. This provides for fifteen children. The fund was placed, under certain conditions, in charge of the Governor of the State. It soon appeared that there would be more applicants than the fund would suffice for, and in order to its impartial distribution it was determined that two only should be received from one county: in carrying this arrangement into effect, several applicants have been denied. Probably a sum as large again as has been appropriated would be needed to provide for all such children in the state; an increase is not deemed desirable until the result of the effort to instruct children of this character is more fully ascertained. There are now in the institution at Media twelve children supported by the funds appropriated by the state, viz:—Two from the county of Camden, two from the county of Burlington, two from the county of Mercer, two from the county of Salem; from Cumberland, Sussex, Gloucester and Morris, one each.

The State Agricultural Society has not received such encouragement from the government as has in most other states been extended to similar institutions. If it were made really a state society it would be much more efficient in attracting attention to agricultural pursuits, increasing interest in farming operations, stimulating those engaged in them to further advances, and in diffusing valuable information. The appearance in neighboring states of a contagious disease among cattle, called "pleuro pneumonia," and the alarm thereby created, are well known. Being stealthy in its commencement, and very fatal in its results, the magnitude of the danger was deemed sufficient to warrant the convening of the legislature in Massachusetts, that measures might be taken to arrest its progress, and a large sum was appropriated for that purpose. In several other states the government acted with reference

to this disease. When it appeared in this state, in the spring of the past year, the alarm among the owners of cattle was so great, that calling the legislature together was seriously contemplated. At this juncture, the State Agricultural Society, through its president and executive committee, came forward and offered to take such steps as the exigency required. They acted promptly—sent a committee to Massachusetts, which obtained such information respecting the disease and treatment of it as when made public by the society, allayed the alarm and induced a quiet waiting for further developments. The Geological Survey of the State (which had been stopped,) was resumed by an act of the last legislature, through the exertions of the State Agricultural Society. In view of the important interests it is designed to foster, and the benefits already derived from this society, will any one deny the propriety of making it a liberal appropriation? Simple justice demands it should be equal to the expense incurred in the investigation and publication made by it for the benefit of the state. A report of the committee is herewith transmitted.

The act of the last legislature, "providing for the more effectual organization of the militia," by dividing them into two classes, "the active and inactive," appears to give general satisfaction. It is necessary there should be in the state an efficient military force, under the command of officers of ability, that may be ready on occasions of riot or outbreak, which the regular police force may not be strong enough to control, and it is recommended that a proper encouragement be extended by the legislature to our military organizations, and that, as far as practicable, they be furnished with suitable arms and all else required to make them an efficient and respectable citizen soldiery, so that those in command, who devote much time and labor to these organizations, may feel a just pride in the equipment and discipline of their corps, and that all engaged may know that the state appreciates their services and public spirit.

The accompanying report of the Commissioners of Pilotage contains information of what has been done in their department the past year. Their duties appear to have been faithfully performed, and the usefulness of the board increasing. The supplement to the law respecting pilotage, passed the last session of the legislature, it is believed will render the board more efficient, by restricting the members to practical men.

A communication has been addressed to me by G. W. Blunt, Esq., Pilot Commissioner of New York, suggesting the propriety of establishing an exterior and bulk head line, opposite New York, on the waters of this state, beyond which nothing could be built. The communication I herewith transmit you; you will probably be addressed on the subject by citizens of our own state, and, if advocated by them, the proposal is commended to your favorable consideration.

At the last session of the legislature an act was passed authorizing the inspectors to "erect a wing, with additional cells, to the State Prison, of the size, plan and specifications submitted by the Joint Committee on State Prison Accounts last year to the inspectors of the state prison, the said plans, specifications and contracts to be first submitted to the Governor and Chancellor, and by them approved before having force or effect." The plans were accordingly submitted and approved, and a contract made with Austin H. Patterson, Esq., by which he engaged to build the wing and cells for the sum of fifteen thousand three hundred and fifty dollars.

The report of the inspectors will give the particulars of this and also of some additional improvements made by them under the authority with which they believe themselves invested.

Although the addition is not in all respects such as those best acquainted with the management of the prison could have desired, yet it adds to the comfort of the prisoners and the convenience of those having them in charge. There are now four hundred persons confined in the prison, and notwith-

standing the addition it is still crowded, so that it is necessary to place more than one in some of the cells. This, with the certainty that the number of prisoners will increase at least in proportion to the increase of population, shows the urgent need of still further enlargement. Next to supporting the constitution, no duty is more imperative on the legislature than the adoption of measures promoting a due observance of the laws; if the punishment of their non-observance is to be imprisonment, it becomes obligatory to make such imprisonment effectual for the punishment, and, as far as possible, the reformation of the offender. For the attainment of this end, the "solitary system" is thought by most of those who have interested themselves in this subject, to have advantages over the social, and if the legislature coincide with this opinion, then that system should be adopted so far as it can be—no advance can be made towards it without additional room, which should be secured as soon as practicable. There being no unoccupied space within the present enclosure, the outer wall must be extended if more buildings are to be erected. Without enquiring what would be necessary to increase the capacity of the institution at Trenton, let us consider whether it would not be wiser to build another in the eastern part of the state? Notwithstanding the weight of testimony in favor of the solitary system, there are good men opposed to it. The erection of another prison, as proposed, will afford an opportunity for comparing the two systems, and may lead to the adoption of the better. The present prison can, with small cost, be adapted to either, and the one to be built can be arranged for that to which the present is least suited. From reports of those who have for years made this subject a study, it is believed that in order to secure the greatest benefit, not more than three hundred persons should be kept in one enclosure.

By a comparison of the number of convicts in the State Prison with the population at different periods, we find that in the year 1810 the number was as 1 to 4,000 inhabitants.

1830	“	“	1 to 2,600	“
1840	“	“	1 to 2,300	“
1860	“	“	1 to 1,600	“

Showing that crime has increased in a greater ratio than population, and appealing to the legislature to adopt measures *in accordance with this fact.*

Placed, as our penitentiary system is, entirely under the control of the legislature, it is on them the responsibility rests of making it what it should be, and they ought not to be satisfied until our state prison becomes what our lunatic asylum already is—without a superior. So great is the necessity for additional prison accommodation, that it is recommended the incipient legislation required to effect it be enacted without delay, by the appointment of commissioners instructed to devise a plan, fix the location, and compose the laws for the government of a new prison, and that they report to the legislature as early as practicable.

In addition to the duty of providing for the reduction of the debt of the state within the constitutional limit, and enlarging the state prison, your attention is asked to the exposed and crowded condition of the state library, which should be placed in a fire-proof building without delay, as its destruction would be an irreparable loss; to the need of further accommodations in the lunatic asylum; to the propriety of subscribing to a new edition of “Nixon’s Digest,” the late edition of which is nearly exhausted; and also to the policy of cancelling the whole indebtedness of the state. With obligations approaching the constitutional limit, we are unprepared for emergencies to which we are constantly exposed—such as the destruction of the state house or other public buildings, the possibility of which warn us of the inconvenience to which we may be subjected by suffering a debt of such magnitude to rest on us. In view of the above, you are asked to consider whether the time has not fully come, when the income of the state should not be increased by taxation? The favor with which the measure will be received by the people, depends

on the faithfulness with which economy is practiced in the administration of the affairs of the government, and the purposes to which the revenue is applied. If they are satisfied it is used for the benefit of the whole, to protect and advance the interests of the state and maintain its honor, not to reward partisans or for vain show, it will be cheerfully met. A tax of fifty thousand dollars, (which would be less than eight cents to each inhabitant,) with the present income and the reforms suggested, would, in a short time, enable the legislature to meet all the requirements that have been offered for your consideration. This is an age of advancement; in this and other christian countries the benevolent are increasing their efforts for the relief of suffering humanity—especially interested are they to render the punishment of crime less barbarous and more reformatory—to soften the lot of the insane, the idiotic, the blind, the deaf and dumb. Those appreciating the blessings of intellectual culture are exerting themselves to make all of their kind sharers in these enjoyments, and shall New Jersey be laggard in a march that has for its goal the mental and moral elevation of her citizens? “There is that scattereth, and yet increaseth; there is that withholdeth more than is meet, and it tendeth to poverty.”

The prosperity that has attended these United States we should have supposed would insure their continued unity; but we learn that a portion of the confederacy propose to secede, believing that the evils to which they are subjected in the Union, outweigh the advantages which they enjoy; therefore, they propose to dissolve the connection and establish an independent government, composed of one or more states. South Carolina has already declared herself released from her obligations to the general government, and it is feared others are preparing to do likewise. We do not consent to such a proposition, nor for a moment recognize the right—the principles of which, if carried out, would lead to anarchy. The chief reasons alleged for secession are: First—

“That the non-slaveholding states have not recognized, been bound by or obeyed the supreme law of the land—the Constitution and the laws made under it, viz: the Fugitive Slave law and the decisions of the Supreme Court.” Second—“That the citizens of the slave states are by the others denied equal rights in the territories.” The first of these charges addresses itself to the states in their separate capacity, and in that aspect we propose to meet it. Since the adoption of the constitution, New Jersey has, with a faithfulness that has never been questioned, excepting through ignorance, fulfilled every obligation assumed under its provisions, fully, fairly and distinctly. The laws on our statute books in relation to fugitives were enacted for the purpose of facilitating their rendition to their owners. Since their passage, the Supreme Court have made some decisions which make it proper that these laws should be carefully examined, and if found to conflict with the constitution or laws of the United States, they should be at once repealed or amended. The decisions of the Supreme Court have ever been held by New Jersey as the law of the land, and we trust ever will, whether distasteful or not.

The subject of slavery in the territories is one, the settlement of which does not come within our province; it belongs to the general government, in which we, together with all the states, are represented, and with them we leave the subject, confident that they will be disposed to harmonize as far as possible all conflicting interests.

It does not appear that the legislature of New Jersey is at present called on to do anything beyond what has been proposed, unless it may be to give some expression to her views. The people of the State beyond all question, stand as a unit in favor of the Union, and are prepared to defend it, and to make all reasonable and proper concessions to insure its perpetuity. They also believe that the constitution as it is, affords protection to the rights of all. Cherishing the most friendly spirit towards their brethren of the south,

they would be the last to interfere with their rights. We remember that they are burdened with the anxieties and responsibilities of an institution for the introduction of which they are not accountable, but which was entailed upon them, and for the abolition of which the wisdom of man has failed to suggest a humane and feasible plan, and which God, in His own good time and way, will bring about; and also, that they have been irritated by a continued system of interference with their affairs, for the management of which they only are responsible. That they have done and said much that was unwise and uncalled for, and that serious countercharges could readily be made, is certain; but they have enough of perplexity connected with their peculiar institution to induce those not so burdened to refrain from aggravating their troubles. If the pulpit, the press, and all who wish well to their country would unite in promoting sentiments of love, forbearance and charity among the whole people of this Republic, and frown upon vituperation, false charges and retaliatory measures, the effect would be to strengthen those bonds without which our Union is but a name.

The troubles connected with slavery have, in a great measure, been brought on by a few persons of extreme views *both* North and South, who, by constantly presenting to the public, in its most exaggerated form, whatever is calculated to estrange and exasperate, have excited jealousy and distrust where, but for those efforts, fraternal fellowship would have continued.

On the one hand are those who regard slavery as a sin so monstrous that all connected with it are consigned to condemnation. They see it through a medium that enlarges all its deformities and dims all its palliatives, will listen to no arguments, attach no importance to the opinions of others, the practice of their forefathers, or the requirements of the constitution. We give some of them credit for sincerity; but if so sensitive to wickedness, they will find enough to

exercise their time and talents within the bounds of their own state, and probably within a narrower circle.

On the other hand are those who believe that all who live on the north side of a certain geographical line are their enemies, and willing to violate every obligation of the constitution and laws—who deem a constitutional election of a president sufficient cause for dissolving the union; such do not desire to remain in it. They dream of a Southern Confederacy that is to embrace all of southern soil within the Union that is desirable—eventually to absorb Mexico, and it may be Cuba—constituting a southern galaxy, composed of stars of the first magnitude, with the rest of mankind gazing with wonder and admiration on its greatness; dreams which the realities of the experiment would speedily dissipate, and in which they forget that a world would stand in opposition to their principles, and that the position they now hold as being a part of the Great American Republic would crumble beneath them, and they awake to the realization of having “sold their birthright for a mess of pottage.”

Most of the differences that set people and nations at variance, could be adjusted if the fear of compromising what is called “honor” did not deter each from making concessions. It requires more courage to acknowledge and make reparation than to persist—more to yield than to fight. The sneers of those who, from innate littleness, cannot comprehend the motives that induce forgiveness of injuries and acknowledgment of errors, prevent the performance of many righteous acts. Let us hope that the representatives of all the states at Washington will rise above such fears—above the temper that vents itself by spiteful actions and opprobrious epithets, and act with an eye single to the welfare of the whole country.

The great mass of the people in all sections, we are thankful to believe, are strongly attached to the Union; a majority of the southern states, and those most exposed to the evils connected with the agitation of slavery, are still standing

with us in favor of the Union. To these true-hearted patriots we owe much, and let us strengthen their hands by a disposition to conciliate and yield to all proper demands.

Unwilling to abandon the cause, and clinging to the hope that the Committees of Congress appointed for that purpose will agree on measures of compromise, we anxiously await the result. If it should appear that their views cannot be harmonized, then I earnestly recommend that (unless some more approved plan is proposed,) without delay you adopt a resolution inviting all the states to appoint delegates, in such manner as can be most speedily and satisfactorily done, who shall meet and endeavor to agree upon terms by which our Union may be saved. We cannot believe it possible that such a convention would fail to agree on terms acceptable to a majority in all sections of the country, and these terms could then be presented to Congress as the united wish of the people of the states.

It is not for our own state that we plead. With a genial climate, productive soil, and favorable location, her people moral, industrious and enterprising, New Jersey whether alone or connected with others, can take care of herself; but it is for that glorious Union of which she is a part, for the illustrious past, the hopeful future, the cause of freedom everywhere, the claims of our children to the right of citizenship in the noblest republic the world has ever seen, and for the example we afford the nations of the earth. In the hand of God, who we confidently believe will order all things according as we put our trust in Him, we leave the issue, praying that in mercy He would save us from ourselves.

In entering on the duties of legislation, which to many of you are new, it is proper to remember that the obligations assumed are solemn and important, requiring the most serious consideration. You have been selected by your fellow citizens to take charge of the affairs of the state, whose interest will be advanced or retarded by your action. We should further remember that all human efforts are vain [unless

blessed by God, and while we thank Him for the much He has given that was undeserved, let us pray that His mercies may be continued to us, and be received with greater thankfulness.

CHARLES S. OLDEN.

TRENTON, January 8, 1861.