



VETO MESSAGES

OF

A. HARRY MOORE, *Governor*

TO THE

**One Hundred and Fifty-second Session
of the New Jersey Legislature**

1928



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VETO MESSAGES

The Clerk read the Governor's veto message as follows:

"STATE OF NEW JERSEY,
"Executive Department

March 26th, 1928.

SENATE NO. 98.

To the Senate:

I return, without my approval, Senate Bill No. 98, for these reasons:

The purpose of this measure is to make uniform all commissions paid to agents who write fire insurance business in this State.

Should the bill become law it will place upon a parity the agent who has to operate in the more populous and settled sections of the State, where necessarily the expense of conducting his business is greater, with the agent who conducts his business in the rural and suburban sections, where rents are cheaper, clerical hire less, and the general cost of maintaining his business lower.

I fear that, if law, the bill would reduce commissions in Hudson, Essex and Camden counties, without any compensating or resulting benefit to the public. There is some danger, in my judgment; that the enactment of this measure would result finally in the increasing of fire insurance rates.

Then, too, and probably of greater importance, is the fact that the fixing of a standard of compensation in one line of business would be establishing a precedent of which those in other fields of endeavor would be quick to take advantage.

Respectfully submitted,

(Signed) A. HARRY MOORE,
Governor.

Attest:

(Signed) FRED BLOODGOOD,
Secretary to the Governor."

STATE OF NEW JERSEY,
Executive Department.

April 4th, 1928.

SENATE NO. 190.

To the Senate:

I return, without my approval, Senate Bill No. 190.

This bill applies only to the town of Hackensack, which is the only city governed by a municipal commission.

The Mayor of that town, in his representative capacity, protests most vehemently against its enactment into law. He contends that the original act fixed the entire responsibility of local government upon the Mayor, and that was the only reason why this particular form of government was adopted. No popular demand exists for a change, in any way, of the manner in which the local affairs are being or have been conducted.

During the past twenty-two years the Mayor has never been handicapped in his appointments, but this year there is dissension between the Mayor and the members of the Commission, and this bill seeks to settle the controversy by lessening the powers of the Mayor, thus defeating the end to attain which the present charter was adopted.

Respectfully submitted,

(Signed) A. HARRY MOORE,

Governor.

Attest:

(Signed) FRED BLOODGOOD,

Secretary to the Governor.

STATE OF NEW JERSEY,
Executive Department.

April 4th, 1928.

SENATE NO. 244.

To the Senate:

I return, without my approval, Senate Bill No. 244, because it is not accompanied by proof of publication.

I have no objection to the bill itself, but proof of publication should have accompanied it at the time of its introduction.

Respectfully submitted,

(Signed) A. HARRY MOORE,

Governor.

Attest:

(Signed) FRED BLOODGOOD,

Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
April 4th, 1928. }

SENATE NO. 288.

To the Senate:

I return, without my approval, Senate Bill No. 288.

Not long ago the City of Bridgeton elected a Mayor of political faith opposite to that of the Council. In the natural course of events the Mayor would appoint the Recorder. This bill wrests from him that power, thus defeating the will of the people who elected the Mayor.

The Mayor naturally objects to this bill, and I sustain his objection.

Respectfully submitted,
A. HARRY MOORE,
Governor.

[SEAL.]

Attest:

FRED L. BLOODGOOD,
Secretary to the Governor.

STATE OF NEW JERSEY,
Executive Department.

April 4th, 1928.

SENATE NO. 286.

To the Senate:

I return, without my approval, Senate Bill No. 286, with Assembly amendments thereto, because I have been importuned to do so by the State Commander of the American Legion, the Past State Commander, and veterans' organizations throughout the State.

The bill provides that in each armory in this State suitable rooms shall be set aside for different veterans' organizations who may desire such rooms.

The protest is that no such privilege is desired, nor will it be accepted.

Respectfully submitted,
(Signed) A. HARRY MOORE,
Governor.

Attest:

(Signed) FRED BLOODGOOD,
Secretary to the Governor.

A message from the Governor with veto attached, Senate Bill No. 303, was received at the hands of his secretary, Mr. Fred Bloodgood.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
July 23d, 1928. }

SENATE NO. 303.

To the Senate:

I return, without my approval, Senate Bill No. 303, which provides that the Senate and General Assembly in joint session may remove at will any Superintendent of Elections, without specifying any cause for such removal. Under this provision, a Superintendent who fails to administer his office in the interest of the candidates of his party may be summarily dismissed. If there is any merit in the provision, it is in the fact that it gives fair warning to the Superintendent that he either does his best to win the election for his party, or loses his job.

May I respectfully remind you that the founders of our State and Nation were so strong for what they termed "sacred honor" that they wrote into the constitution of our State and Nation a provision that even a man accused of crime must be informed of the nature and cause of the accusation, and be given a fair and impartial trial. Surely an appointive official of the government is deserving of no less consideration.

Is political expediency so great or party fealty so dear as to cause you to be branded for all time as those who wrote into the laws of New Jersey a principle so wholly un-American and unfair as that provided by this bill?

My second reason for withholding my signature is the fact that I am opposed to Election Bureaus. They have been tried for a number of years and found absolutely useless—a fact which is generally conceded. Born of a desire of jobs for the faithful, they have made no adequate return for the hundreds of thousands of dollars which the taxpayers contribute for their maintenance.

Now that we have appointed committees to investigate instances of wasteful uses of the taxpayer's money, why not show our sincerity of purpose by abolishing once and for all this glaring example of waste of vast sums of the people's money?

I would gladly approve a bill repealing the law creating election bureaus.

Respectfully submitted,
(Signed) A. HARRY MOORE,
Governor.

[SEAL.]

Attest:

FRED L. BLOODGOOD,
Secretary to the Governor.

STATE OF NEW JERSEY,
Executive Department.

October 8th, 1928.

SENATE NO. 305.

To the Senate:

I return herewith, without my approval, Senate Bill No. 305.

This bill destroys the theory of popular government, because it allows a political official to take away the right of citizenship. Surely, this is not a power which should be lightly bestowed upon anyone. It smacks of the tyranny of despotism, and under the guise of insuring a fair election it actually furnishes a legal means of defeating the popular will.

By its terms the Superintendent of Elections, after a so-called investigation, could virtually disenfranchise the members of any political party whom he saw fit to make the object of his political tyranny.

The bill provides for investigation, and says that "Whenever, as a result of such investigation or during the course thereof said superintendent shall have ascertained" that persons registered have been found to be either dead or to have moved from the place of registry or have been found to be registered from some place other than the actual residence of the person whose name appears upon said registry, or are otherwise not entitled to vote at such election from the place of registry of said person, who are not qualified to vote at such election, then it shall be the duty of the Superintendent to serve an order in writing upon the District Board of Elections, etc.

This order requires notice to the person affected, and this is where the subtlety of the so-called notice to the person comes into play, although the Act permits notice to the person to be affected by the order of the Superintendent of Elections, either personally or by leaving at his place of residence with a person above the age of fourteen years, or affixing a copy of the notice to the outer door or to any other portion of the premises at least two entire days before the issuance of the order. The bill also provides, in the disjunctive rather than in the conjunctive form, that notice may be published in a newspaper, and is so worded as to make one at first blush believe that the publication must be on two different insertions, but a close reading of this language will indicate clearly that it is to be published at least two days before an order is made, in two or more daily papers, so that a compliance with this Act would be one publication in two papers on the same day, and within two days thereafter all the persons who have failed to examine that particular paper on that particular day, or who, by reason of their inability to read the

English language, should fail to disclose that their names are on the list to be posted as not entitled to vote, would be disenfranchised by the Superintendent of Elections.

I realize that in speaking of disenfranchisement it is a serious assertion. I use the word advisedly, notwithstanding the fact that the statute provides for a so-called appeal to our Court of Common Pleas.

Thousands of voters could be ordered stricken from the lists on the last day of the limit fixed by law, and it would be an impossible task for the Court of Common Pleas to hear even a substantial number of these appeals in the time intervening before Election Day.

Then, too, thousands of voters move between Registration Day and Election Day, and these voters have a perfect right to obtain a transfer on Election Day. If, in the meantime, the investigators find that the registrant has moved, and the Superintendent of Elections orders his right of citizenship taken away from him, there is no provision for reinstatement except by appeal to the Court of Common Pleas.

Respectfully submitted,

(Signed) A. HARRY MOORE,

Governor.

Attest:

(Signed) FRED BLOODGOOD,
Secretary to the Governor.

STATE OF NEW JERSEY,
Executive Department.

October 8th, 1928.

SENATE NO. 306.

To the Senate:

I return herewith, without my approval, Senate Bill No. 306, giving the Superintendent of Elections, his Chief Deputy and assistants, all the powers of constables, policemen and other peace officers.

This bill opens the way for the employment of hundreds and possibly thousands of men as party workers at the polls, and paying for them out of taxes, instead of out of the campaign fund.

If it were merely an attempt to offset a partisan police force by providing man for man against the members of that force, it would not be quite so bad, but it also provides that unless the regular force obey the orders of the attache of the Bureau of Elections, they will be guilty of a misdemeanor.

No man can serve two masters, and it places the rank and file of the police department in rather a quandary, and if the superior officer gives one order and the election official another, the officer must either obey the one and be guilty of a misdemeanor, or obey the other and be dismissed from the force for insubordination.

Under our present law we surround our elections with election officers of both parties, challengers for all of the candidates, watchers, workers, police, sheriffs, judges, the Bureau of Elections, and now we add a super-police force to all this array. The consideration of the present tendency to pile up watcher upon watcher reminds one of the famous limerick:

"Great Fleas have little fleas upon their backs to bite 'em,
And little fleas have lesser fleas,
And so *ad infinitum*."
And the taxpayer keeps right on paying.

Respectfully submitted,
(Signed) A. HARRY MOORE,
Governor.

Attest:
(Signed) FRED BLOODGOOD,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
April 4th, 1928. }

ASSEMBLY BILL, NO. 80.

To the House of Assembly:

I return, without my approval, Assembly Bill No. 80.

This bill permits the Board of Chosen Freeholders of any county of the second class to appoint a Water Supply Commission, to consist of seven persons.

The City Attorney of Elizabeth, New Jersey, strongly objects to the bill upon the ground that it will seriously interfere with the plans of that city, already under way, for a municipal water plant.

Respectfully submitted,
A. HARRY MOORE,
Governor.

Attest:
FRED L. BLOODGOOD,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
April 4th, 1928. }

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL NO. 271.

To the House of Assembly:

I return, without approval, Committee Substitute for Assembly Bill No. 271, with Senate Amendments.

This is the new Traffic Act, prepared by the Commission appointed for that purpose, and includes much of Chapter 156 of the Laws of 1915, known as the New Jersey State Traffic Act.

I am loath to withhold my approval because, in the main, the bill is most admirable, and represents much time and effort, but there are one or two exceptions of such importance as to warrant my doing so.

While my opinion is probably of no greater value than yours, yet the opinion of the Commissioner of Motor Vehicles, based upon long and varied experience, is worthy of more than passing notice. He is opposed to the bill insofar as it relates to speed limits.

The bill fixes uniform traffic signals throughout the State, a consummation greatly to be desired, because it eliminates confusion. But Article Nine makes confusion worse confounded by repealing the present limits and giving each municipality the right to fix them for itself.

It increases the speed from six to fifteen miles per hour within a school zone, and from seven to fifteen miles when traveling around curves. This matter should give us pause when we consider that in 1927, of the 1042 persons killed by automobiles, 283 were children under the age of fifteen years. The bill is silent on speeding and reckless driving, two matters which are of vital concern to the people of the State.

Respectfully submitted,
A. HARRY MOORE,
Governor.

Attest:
FRED L. BLOODGOOD,
Secretary to the Governor.

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STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
April 4th, 1928. }

ASSEMBLY BILL NO. 272.

To the House of Assembly:

Assembly Bill No. 272 is a repealer of the present Motor Vehicle Law, and I return it without approval, for the reasons indicated in my veto of Assembly Bill No. 271.

Respectfully submitted,
A. HARRY MOORE,

Governor.

Attest:

FRED L. BLOODGOOD,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
April 4th, 1928. }

ASSEMBLY BILL NO. 328.

To the House of Assembly:

I return, without my approval, Assembly Bill No. 328, because it is not accompanied by proof of publication.

I have no objection to the bill itself, but proof of publication should have accompanied it at the time of its introduction.

Respectfully submitted,
A. HARRY MOORE,

Governor.

Attest:

FRED L. BLOODGOOD,
Secretary to the Governor.

STATE OF NEW JERSEY,
Executive Department.

October 8th, 1928.

ASSEMBLY NO. 471.

To the House of Assembly:

I return herewith, without my approval, Assembly Bill No. 471.

I would have no hesitancy in signing this bill if it did not provide that a man or woman could be summarily dismissed "without cause."

I think this is a bad principle to enact into law. Surely, if there be no cause for dismissal, a person should not be dismissed.

A little application of the Golden Rule would not be amiss, even in the Legislature.

Respectfully submitted,
(Signed) A. HARRY MOORE,
Governor.

Attest:
Secretary to the Governor.

STATE OF NEW JERSEY,
Executive Department.

December 3d, 1928.

ASSEMBLY NO. 476.

To the House of Assembly:

I am constrained to return, without approval, Assembly Bill No. 476.

This bill opens the way to corruption and fraud, and should not become a law. Lands acquired for park purposes are, in many instances a public trust. Our parks are all too few and too valuable to the people to permit of their diversion for other purposes. This is especially true in our congested centers.

Under this bill such lands may be bartered away, it matters not how they have been acquired, whether from public-spirited citizens by gift, from moneys raised by taxation, or even lands acquired by condemnation proceedings.

Parks lands, such as are contemplated by this bill, are in many instances of immense value, and to lease them for what the bill calls "a reasonable consideration" paves the way for fraud. Further, they may be leased for a term of years without restriction, which may be for years and it may be forever.

This bill is for the special benefit of Atlantic City, where there is a tract of land acquired for park purposes admittedly valued at one million dollars, and which, so the objectors to the bill claim, is to be leased for a nominal yearly rental,—a fact which the proponents of the measure do not deny.

In and about Atlantic City there are many tracts of undeveloped land, but this is not true of the thickly-populated cities, where the bill would apply with equal force.

Respectfully submitted,
(Signed) A. HARRY MOORE,
Governor.

Attest:
(Signed) FRED BLOODGOOD,
Secretary to the Governor.