

board and have the board appoint the head of the department if it is a professional department, that appointee being subject to the approval of the governor.

Although in New Jersey the governor appointed the commissioner of education, it should certainly be a nonpolitical appointment. I was happy that the man I appointed commissioner of education was reappointed by two of my successors.

We have in our constitution a conditional veto. This has been of tremendous help both to the legislature and to the governor. Because frequently the purpose of a bill is a good one. Due to faulty draftsmanship, the governor in the absence of a conditional veto must either veto it outright because it is faulty in part or with tongue in cheek approve it hoping that in due course the legislature will amend it.

We also have a provision which I commend to you for your consideration. The legislature comes back automatically after forty-five days after adjourning sine die to consider veto messages. To the extent it was humanly possible for us to do so on the basis of the then available knowledge, we eliminated the vest pocket veto, and the governor had to face up to every issue and say yes, I am going to sign the bill or no, I am not going to sign the bill, and this is the reason I am not going to sign the bill. or I am sending the bill back with a conditional veto, and if you will incorporate the following, spelled out in the veto message, I will probably sign it.

In New Jersey our greatest problem was the problem of the judiciary. We had every known court that you could think of. We were one of the last states to give up the court of chancery that we had inherited from our mother country. It can be said justice delayed is justice denied, and in New Jersey it was possible to delay justice for a very long time, while appeals were taken from one court to another.

We had the Court of Errors and Appeals which was higher than the Supreme Court for which provision was made for lay judges on the Court of Errors and Appeals, this being the Court of Last Resort, sometimes referred to as the Court of Errors and no appeals. This was a check, you see, within the judicial system, these laymen were going to see to it that the lawyers did justice even though they might not know very much law.

We had a system whereby these lay judges could practice law even while sitting on the top court. We had one instance in

my early days where a judge, lay judge, wrote an opinion, he being a lawyer, and then appeared before a common pleas judge down at the bottom of the ladder and cited his own decision as being conclusive evidence of the fact the case should be decided in favor of his client. Needless to say that went out the window.

Many of the courts that we had were discontinued, including justice of the peace. I might add, we had thousands of justices of the peace and there were people who said, if you meddle with the justice of the peace, you are going to have a tremendous following against the constitution. Well, it did not work out that way. It did not work out that way because the citizens of New Jersey back in 1947 were convinced that these delegates that had worked through one long, hot summer, had studied the whole proposition thoroughly and had the courage of their convictions and that they must be right or they would not have made the proposals.

One change we did not make that I think we should have made, we continued county courts even though the chief justice, through his administrative assistant, had authority to confer upon the county courts the jurisdiction of superior courts, and to have them hear cases in counties other than their own, where the docket was overcrowded. In retrospect I think it would have been better had we simply had district courts for minor municipal matters, and one superior court system with a supreme court and let it go at that.

Well, I am sure you have your mind on the ball game and I have talked longer than I was told I should talk.

I might add I received the invitation to address this august body about 3 o'clock yesterday afternoon when I was in the middle of a lot of busy appointments. I am sure it can be said of you that you will so conduct yourselves that it will be said of your work, as James Madison said of the work of the Convention in Philadelphia in 1787, whatever may be the judgment pronounced on the competency of the architects of the constitution, or whatever may be the destiny of the edifice prepared by them, I feel it a duty to express my profound and solemn conviction derived from my intimate opportunity of observing and appreciating the views of the convention collectively and individually, there never was an assembly of men charged with a greater and more arduous trust who were more pure in their motives or more exclusively or more anxiously devoted to the ob-