

LAWS—NEW JERSEY  
1918

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# ACTS

OF THE

**One Hundred and Forty-second Legislature**

OF THE

STATE OF NEW JERSEY

AND

**Seventy-fourth Under the New Constitution**



UNION HILL, N. J.  
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The following laws, passed by the One Hundred and Forty-second Legislature, are published in accordance with "An act for the publication of the laws," passed June 13th, 1895, and "A supplement to the act entitled 'An act relative to statutes,' " approved March twenty-seventh, eighteen hundred and seventy-four, which supplement was approved February 4th, 1896.

The proclamations of the Governor follow. An index of all the laws, compiled in accordance with the act of 1895, completes the work.

THOMAS F. MARTIN,  
*Secretary of State.*



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OF THE  
**One Hundred and Forty-second Legislature  
of New Jersey**

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# **L A W S**

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# ACTS

PASSED BY THE

## One Hundred and Forty-Second Legislature.

### CHAPTER 1.

A Supplement to an act act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Wherever in any county of this State which had adopted the act entitled "An act to reduce the number of members of the board of chosen freeholders in counties of this State, and to fix the salaries and provide for the election of the members of said boards," approved March twenty-sixth, one thousand nine hundred and two, or the act to which this act is a supplement, the members of the board of chosen freeholders have not heretofore been elected in the manner or for the terms provided in section one of the act to which this act is a supplement, but have been elected in ac-

Election of  
certain free-  
holders  
validated.

Terms.	<p>cordance with the provisions of said first mentioned act and the supplements thereto, said elections are hereby validated and confirmed, and the persons so elected are hereby declared to have constituted and to constitute (except as hereinafter provided) during the terms prescribed in the act under which they were so elected the lawful boards of chosen freeholders in the counties respectively in and for which they were elected, and all their acts and contracts as such board are hereby legalized and declared to be valid as though said board had been duly elected and constituted in accordance with the act to which this act is a supplement.</p>
Acts and contracts legalized.	<p>2. The members of the board of chosen freeholders heretofore elected as mentioned in the first section of this supplement, whose terms under the said act approved March twenty-sixth, one thousand nine hundred and two, have not yet expired, are hereby required without delay to meet in the counties respectively in and for which they were so elected, and to determine by lot among themselves which of them shall hold office for each of the terms for which under section one of the act to which this act is a supplement members of said boards should have been chosen if said election had been the first election after the adoption of said act in said county; and record shall be made of such determination by lot in the minutes of said board, and the said members shall hold office in accordance with such determination and as if said members respectively had been elected for the terms so allotted.</p>
Determination by lot of terms of remaining members of board.	<p>In case a less number of persons were chosen in any such county than are necessary under section one of the act to which this act is a supplement to constitute the board of chosen freeholders in such county, the persons elected as members of said board and whose terms as prescribed in the act under which they were elected have not yet ex-</p>
Result recorded.	
Vacancies how filled.	

pired, shall fill the vacancy or vacancies so arising until the first Monday in January after the next annual election; and the said persons so elected, together with the persons chosen by them to fill said vacancy or vacancies, shall constitute the lawful board of chosen freeholders in said county as if they had all been duly elected as members thereof pursuant to the act to which this act is a supplement, and at said next election some fit person or persons shall be elected to fill such office or offices in which the vacancy or vacancies had been so filled, for the unexpired term if any, and if there shall be no unexpired term, then for the full term of three years. The vacancy or vacancies so filled by appointment shall be deemed to have been in the offices held for the shortest terms under said section one of the act to which this act is a supplement, and the persons heretofore elected and making the appointments to fill said vacancies shall be deemed to have been elected to the longer terms, so far as possible in accordance with said section one; and the determination by lot as above mentioned shall in all cases be made and conducted accordingly.

Lawful board.

Terms of  
those elected.

3. This act shall take effect immediately.

Approved January 24, 1918.

WALTER E. EDGE,  
*Governor.*

## CHAPTER 2.

An Act to prohibit the sale, or offer, or exposure for sale, or furnishing or otherwise dealing in intoxicating liquor as a beverage and the granting of licenses therefor in any town, township, village, borough, city or other municipality (not a county) in this State where the legal voters thereof shall decide by a majority vote in favor of such prohibition or the continuance thereof."

BE IT ENACTED *by the Senate and General*

*Assembly of the State of New Jersey:*

Definitions.

1. The words and phrases mentioned in this act and in proceedings pursuant thereto shall, unless the same be inconsistent with the context, be construed as follows:

"Municipality."

"Municipality" shall mean any town, township, village, borough or city, and also any municipality governed by a board of commissioners or by an improvement commission, as the case may be, but shall not include counties.

"Clerk."

"Clerk" shall mean the clerk of the municipality, or the officer performing the duties commonly appertaining to the office of the clerk, as the case may be.

"Governing body."

"Governing body" shall mean any body or board, "common council," "town council," "borough council," "board of aldermen," "township committee," "village trustees," "improvement commission," "board of commissioners," or any other similar board, body, council, committee or commission, exercising general legislative powers within the limits of any municipality and having general control over the affairs of any municipality, no matter by what name designated.



The word "person" shall mean natural persons, firms, copartnerships, corporations, and all associations of natural persons, whether acting by themselves or by servants, agents or employees. "Person."

Whenever in this act the word "election" is used in connection with the submission of the questions herein provided for, it shall be deemed to apply either to a special election at which such question is submitted, or to a general election at which such question is submitted. "Election."

For the purpose of signing any petition herein provided for, the term "legal voter" shall mean any person who is a resident of the municipality wherein any question provided for herein is to be submitted, and who is qualified to vote therein and whose name appears on the registry list at the last preceding election at which members of the General Assembly were elected; and for the purpose of voting on any question to be submitted under this act, at any general election as herein provided, the term "legal voter" shall mean any person qualified to vote at such election; and at any special election as herein provided, the term "legal voter" shall mean any person qualified to vote at such election, and whose name appears on the registry list at the last preceding election at which members of the General Assembly were elected, or whose name shall have been added to such registry list in the manner hereinafter provided. "Legal voter."

The term "intoxicating liquor," as used in this act, shall mean any spiritous, vinous, malt, brewed or any other intoxicating liquor by whatever name the same shall be known. "Intoxicating liquor."

The word "furnishing" shall include every provision of intoxicating liquors, as defined in this act, except that which results from a sale as defined in this act; *provided, however*, that it shall not include the gratuitous service of intoxicating liquor by any person in his place of personal residence to any bona fide guest, nor the use of wine in any church. "Furnishing."

Proviso.

or place of worship in accordance with established rites of service.

"Sale;"  
"sell."

The word "sale" and the word "sell" shall each include every method by which intoxicating liquor is or may be furnished to any person for a consideration otherwise than as authorized and permitted by the provisions of this act.

Petition for  
an election.

2. Upon application for an election by a petition signed by not less than twenty per centum of the legal voters of the municipality, as hereinafter provided, being filed with the clerk of such municipality, he shall forthwith prepare a written notice setting a time for a meeting of the governing body of such municipality to be held at the regular meeting place of such governing body. The time

Governing  
body notified  
to meet.

Time fixed.

How notifica-  
tion given.

fixed for such meeting shall be not less than eight, nor more than twelve days, exclusive of Sundays, from the date of the filing of such petition with the clerk. The clerk shall, at least five days before the date fixed for such meeting, mail a certified copy of such notice to each member of the governing body of such municipality, postage prepaid, addressed to the last known post-office address of each member, or shall deliver a certified copy of such notice personally to each member of the governing body, or leave a certified copy thereof at the dwelling place of each member, with some member of his family of the age of fourteen years or over. The failure of any member of the governing body to receive such notice shall not affect the validity of any order for an election that may be made by such governing body. The notice, in addition to fixing the time for such meeting, shall state that at such time the governing body shall consider said application and hear any objections as to the legality of such petition. Such petition shall be a public record and shall be open for inspection by any person interested. Certified copies of the notice for the hearing on such petition shall, at least five days before the date fixed

Object of  
meeting  
stated.

Petition a  
public record.  
Copies posted.

for such meeting, be posted by the clerk of such municipality in not less than five conspicuous places in such municipality, and a copy of said notice shall also be published by said clerk at least once in a newspaper published in such municipality, or if none be therein published, then in a newspaper published in the county wherein such municipality is located, and circulating in such municipality.

Advertisement  
published.

3. Any clerk of such municipality who shall willfully neglect or refuse to prepare such written notice or to mail or deliver copies thereof to the members of the governing body of such municipality, or to leave same at the dwelling place of each member, with a member of his family, of the age of fourteen years or over, or to post and publish said notice as herein required, shall be guilty of a misdemeanor, and shall be punishable as now provided by law in case of misdemeanors.

Failure of  
clerk to act a  
misdemeanor.

4. At the time fixed by such notice for such meeting, the governing body shall meet and shall proceed forthwith to inspect the petition and to hear any objections that may be made thereto, and to determine from such inspection and upon any evidence that may be submitted at the hearing whether or not the said petition is sufficient.

Meeting—  
inspection of  
petition and  
objections.

5. The governing body shall determine the sufficiency of the petition within ten days after the time fixed for the hearing, and if the governing body shall find that such petition was signed by legal voters not less in number than twenty per centum nor more than thirty per centum of the number of legal ballots cast in said municipality at the last preceding election at which members of the General Assembly were elected, then the petition for any election provided for in this act shall be deemed sufficient, and the clerk of said municipality shall, within three days after such determination, direct the county clerk of the county wherein such municipality is situated, by written

Sufficiency  
of petition.

Percentage of  
signers.

County clerk  
notified;  
his duty.

notice, to place on the ballot to be used in said municipality at the next ensuing general election at which members of the General Assembly are to be elected the appropriate form of question and the accompanying instructions to voters as hereinafter set forth, and the county clerk shall have such question and instructions printed in an appropriate place on such ballot for submission to the voters of such municipality at said next ensuing general election.

If more than  
30% sign,  
special elec-  
tion held.

6. If, however, the governing body shall find that such petition was signed by legal voters in number more than thirty per centum of the number of legal ballots cast in said municipality at the last preceding election at which members of the General Assembly were elected, then the petition for any election provided for in this act shall be deemed sufficient, and the governing body of said municipality shall forthwith issue an order for a special election to determine by ballot the question whether the sale of intoxicating liquor as a beverage in such municipality shall be prohibited or shall continue to be prohibited, as the case may be. Such order shall fix the date of such special election, which shall not be less than thirty days nor more than sixty days from the date of said order; *provided*, that no special election under the provisions of this act shall be ordered to be held on or between the first day of July and the first day of December of each year; *provided, further*, that if the governing body shall find any such petition sufficient at such a time that the order for a special election made pursuant to the provisions of this act would bear date on any day between May first and October tenth, then such question shall not be submitted at a special election, but shall be submitted at the general election at which members of the General Assembly are to be elected held next after the date of the filing of such petition, in the manner directed by this act; *provided, further*, that

Date fixed.

Proviso.

Proviso.

Proviso.

if the governing body shall find any such petition to be sufficient at such a time that the order for a special election shall bear date on any day between October tenth and November first, then such special election shall be held on a date after the first day of December and within sixty days after the date of such order. The clerk of such municipality shall, at least fifteen days before the date of such special election, post in not less than five conspicuous places in such municipality a notice stating the date of such election and the question to be submitted thereat; such notice shall also be published by said clerk at least once in a newspaper published in such municipality, or if none be therein published, then in a newspaper published in the county wherein such municipality is located, and circulating in such municipality. Said clerk shall also print and distribute to the various district boards of registry and election a sufficient supply of ballots, which ballots shall be numbered, shall contain the signature of the clerk printed thereon, and no ballot shall be taken from the polling place or distributed under any pretext whatever. Such ballots shall be printed and distributed at the expense of the municipality.

Notice of  
election  
posted and  
published.

Supply of  
ballots.

7. The district boards of registry and election in the several districts or precincts shall conduct any special election hereunder; the poll shall be opened and closed at the times fixed by law for opening and closing the polls at the election for members of the General Assembly, and such special election shall be conducted, and the vote cast therein shall be counted and canvassed, so far as practicable, in the same manner as required by law for conducting elections for members of the General Assembly, except as otherwise directed in this act, and the members of such boards of registry and election shall receive the same compensation from such municipality for such special election as in the case of other special elections. When any elec-

Election, how  
conducted.

Canvass.

tion is held under this act at the same election at which members of the General Assembly are elected, the vote cast on the question submitted under this act at such election shall be counted and canvassed, so far as practicable, in the same manner as required by law for conducting elections for members of the General Assembly, except as otherwise directed in this act.

Registry.

The registry for special elections held under the provisions of this act shall be the registry list containing the names of those persons qualified to vote at the last preceding general election at which members of the General Assembly were elected; transfers from one district of such municipalities to another shall be granted, as provided by the laws appertaining to general elections in this State.

Transfers.

How unregis-  
tered voters  
may qualify.

Qualified voters of such municipalities, whose names do not appear on such registry list, may have their names added to such registry list by applying to a judge of the Court of Common Pleas of the county in which such municipality is located, during the week next preceding the holding of such special election; and if upon such application it is made to appear to such judge that such person is entitled to vote at said special election, an order shall be made by such judge directing the proper district board of registry and election to accept such vote; *provided*, such voter shall make and subscribe an affidavit containing the information requisite to be given under the election laws of this State, and shall file such affidavit together with said order with said district board of registry and election, which said board shall return said affidavit and order to the clerk of the municipality within three days after the holding of such election, to be kept and filed in the office of such clerk

Proviso.

Names added  
by county  
boards of  
election.

for at least one year. Names may also be added to such registry lists for any special election provided for under this act by the order of the county board of election of such county in the manner prescribed

for adding names to registry lists by county boards of election for special elections to be held in any city in this State, as provided for in an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight, and the acts supplementary thereto and amendatory thereof.

8. The allowance of a writ of certiorari to review any determination, order or other proceeding of said governing body for any election to be held pursuant to the provisions of this act, shall in no case supersede or stay any of the proceedings for such election, unless the Supreme Court, or a justice thereof, shall so direct. In the event that any election is stayed or delayed by reason of the allowance of a writ of certiorari, or by any appeal from any judgment entered on such writ, or by any other judicial action, if the proceedings for such election are sustained the Supreme Court, or a justice thereof, shall, on application by any signer of the original petition, make an order designating the date for the holding of such election, which date shall be not less than thirty nor more than sixty days from the date of such application. Such election shall be either at the next ensuing general election or shall be a special election, as the court or justice shall direct; *provided*, that no special election shall be ordered by such court or justice to be held on or between the first day of July and the next ensuing first day of December. Such election shall, in all other respects, be conducted in the manner herein provided.

9. In case any such governing body shall find the number of voters signing any such petition insufficient to give validity thereto, or shall fail for any reason to order said question to be submitted as aforesaid, they shall, within three days, file with the clerk of the municipality their findings and reasons in writing and in detail, including the names and addresses of any signer or signers

Effect of  
writ of cer-  
tiorari.

Proceedings  
if stay  
granted.

When election.

Proviso.

If petition  
found insuf-  
ficient or  
election not  
ordered.

Voter may  
ask review.

Summary  
determination  
by court.

Election  
ordered.

Proviso.

Proviso.

Right of  
mandamus.

claimed by the governing body to be illegal signers of such petition; and any voter of such municipality believing that such findings or reasons are illegal or contrary to fact, may, within ten days after the filing of said findings or reasons, by a duly verified petition, apply to the Supreme Court, or to any justice of said court, for a summary review thereof, which review may be made, if sufficient grounds therefor be made to appear, on such terms as may appear to said court or justice to be appropriate. The Supreme Court, or a justice thereof, shall have power to determine in a summary way under this procedure the sufficiency of the petition; and if the same shall be found to be sufficient, then the governing body shall forthwith proceed to order an election to be held within the time and in the manner prescribed by this act. Such election shall be a special election, irrespective of the number of signers in excess of twenty per centum of the number of ballots received in said municipality at the last preceding election at which members of the General Assembly were elected; *provided, however*, that if the Supreme Court, or a justice thereof, shall find said petition to be sufficient at such a time that the order for a special election, if made forthwith, would bear date on any day between May first and October tenth, then such question shall be submitted at the general election at which members of the General Assembly are to be elected held next after the date of the finding by said court or justice of the sufficiency of such petition; *and provided, further*, that if the said court or justice shall find said petition to be sufficient at such time that the order for a special election, made pursuant to the provisions of this act, shall bear date between October tenth and November first, then such special election shall be held on a date after the first day of December and within sixty days after the date of said finding by said Supreme Court or justice. This procedure



to review the action of the governing body shall not prevent an action in mandamus to compel such governing body to order such election.

10. In determining the sufficiency of the petition, such petition shall be deemed to be prima facie sufficient if it contains the required per centum of signers thereto. No person shall be permitted to add his signature to or withdraw it from such petition after the petition is filed with the clerk of the municipality. At the hearing on the petition, such governing body shall keep a record of the hearing and the testimony presented. The petitioners and their opponents may be represented in person or by attorney, and shall have the right to have copies of all the papers and proceedings and a transcript of the testimony, and the right to present evidence and to cross-examine witnesses.

As to  
sufficiency of  
petition.

Records kept.

Attorneys  
and copies of  
papers.

11. The petition for any election under the provisions of this act may consist of one or more separate sheets of paper; each sheet shall contain substantially the form of petition herein set forth, and the signatures and dates of signing on each sheet shall be verified by the oath of the person in whose presence the signatures were made, and not more than twenty-five signatures shall be attached to any one sheet, and all the sheets shall be securely bound together before filing. The petition shall set forth the date on which each name was signed thereto and shall be filed not later than sixty days after the date of the earliest signature thereon.

Petition and  
signers.

The form of the petition shall be substantially as follows:

Form of  
petition to  
prohibit sale  
of liquor.

First. In the case of an election to determine whether the sale of intoxicating liquor as a beverage in a municipality shall be prohibited, the form shall be substantially:

"A petition for an election to determine whether or not the sale of intoxicating liquor as a beverage in ..... (designating the municipality) shall be prohibited.

To the Common Council (or the designation, as the case may be, of the governing body) of the ..... (designating the municipality) in the county of ..... in the State of New Jersey:

We, the undersigned, respectfully represent that we are legal voters of the ..... (designating the municipality), in the county of ..... in the State of New Jersey, and that we hereby request you to order an election under the provisions of chapter (designating chapter number of this act) ..... of the laws of one thousand nine hundred and eighteen, to determine whether or not the sale of intoxicating liquor as a beverage in ..... (designating municipality) shall be prohibited.

Name.	Street and number, if any, of residence.	Date of signing.
.....	.....	.....
.....	.....	.....

(Form of affidavit to be attached to each sheet of petition and verified, separately.)

State of New Jersey, }  
County of ..... } ss.

..... being duly sworn according to law on his oath says that the signatures attached to the foregoing petition were made in his presence at the respective dates set opposite thereto, and that the several persons who made said signatures bear, to the best of his knowledge and belief, the names signed thereto by each of them respectively, and that said persons are legal voters of the municipality of ..... (designating the municipality).

Subscribed and sworn to before me }  
this ..... day of ..... }  
A. D. 19.... }

Second. In the case of an election to determine whether the sale of intoxicating liquor as a beverage in a municipality shall continue to be prohibited, the form shall be substantially:

Form of  
petition to  
continue  
prohibition  
of sale of  
liquor.

"A petition for an election to determine whether or not the sale of intoxicating liquor as a beverage in ..... (designating the municipality) shall continue to be prohibited.

To the common council (or the designation, as the case may be, of the governing body) of the ..... (designating the municipality) in the county of ..... in the State of New Jersey:

We, the undersigned, respectfully represent that we are legal voters of the ..... (designating the municipality) in the county of ..... in the State of New Jersey, and that we hereby request you to order an election under the provisions of chapter ..... (designating the chapter number of this act) of the laws of one thousand nine hundred and eighteen, to determine whether or not the sale of intoxicating liquor as a beverage in ..... (designating the municipality) shall continue to be prohibited.

Name.	Street and number, if any, of residence.	Date of signing.
.....	.....	.....
.....	.....	.....

(Form of affidavit to be attached to each sheet of petition and sworn, separately.)

State of New Jersey,        }  
County of .....        } ss.

..... being duly verified according to law on his oath says that the signatures attached to the foregoing petition were made in his presence at the respective dates set opposite thereto, and that the several persons who made said signatures

shall make an X mark in the square at the right of and opposite the word "No," it shall be counted as a vote against the municipality continuing the prohibition of the sale of intoxicating liquor as a beverage; and in case no X mark shall be made in either of the said squares, it shall not be counted as a vote cast on the question submitted.

Result  
determined.

16. The result of any election under the provisions of this act shall be determined by a majority of the votes cast on the question submitted, and shall forthwith be entered upon the records of the clerk of the municipality wherein such election shall have been held.

Entry of  
result:

17. The following shall be deemed a sufficient entry of the result of any election held under the provisions of this act:

Under first  
condition:

1st. In the case of an election held to determine whether or not the sale of intoxicating liquor as a beverage in a municipality shall be prohibited, the form shall be substantially:

"The election held on the ..... day of ..... in the year ..... within and for the ..... (designating the municipality), in the county of ..... in the State of New Jersey, under chapter ..... (designating the chapter number of this act) of the laws of one thousand nine hundred and eighteen, resulted as follows:

Whole number of votes cast in favor of said ..... (designating the municipality), prohibiting the sale of intoxicating liquor as a beverage ..... (designating the number of votes, both in words and figures) .....

Whole number of votes cast against said ..... (designating the municipality), prohibiting the sale of intoxicating liquor as a beverage ..... (designating the number of votes, both in words and figures) .....

Majority in favor of (or against, as the case may be) prohibiting the sale of intoxicating liquor as a

beverage ..... (designating the number of votes, both in words and figures) .....

2d. In the case of an election held to determine whether or not the sale of intoxicating liquor as a beverage in a municipality shall continue to be prohibited, the form shall be substantially:

Under second condition.

"The election held on the ..... day of ..... in the year ..... within and for the ..... (designating the municipality), in the county of ..... in the State of New Jersey, under chapter ..... (designating the chapter number of this act), of the laws of one thousand nine hundred and eighteen, resulted as follows:

Whole number of votes cast in favor of said ..... (designating the municipality) continuing to prohibit the sale of intoxicating liquor as a beverage ..... (designating the number of votes, both in words and figures).

Whole number of votes cast against said ..... (designating the municipality), continuing to prohibit the sale of intoxicating liquor as a beverage ..... (designating the number of votes, both in words and figures).

Majority in favor of (or against, as the case may be) continuing to prohibit the sale of intoxicating liquor as a beverage ..... (designating the number of votes, both in words and figures)."

18. It shall be the duty of the board of registry and election conducting such election in each election district to admit as challengers and watchers in each election district two legal voters of the municipality of good character, appointed in writing by the chairman of the committee managing the interests of those in favor of, and two legal voters of the municipality of good character, appointed in writing by the chairman of the committee managing the interests of those opposed to such municipality prohibiting or continuing to prohibit, as the case may be, the sale of intoxicating liquor as a

Challengers and watchers.

beverage; and such challengers and watchers shall have all the duties, rights and powers of agents or challengers at a general election in this State.

If majority  
in favor to  
prohibit,  
no licenses  
to be granted.

19. If the majority of the votes cast at such election shall be in favor of prohibiting the sale of intoxicating liquor as a beverage in such municipality, then it shall be unlawful for any judge, court, excise board, governing body or other board or authority, to grant a license to sell, or offer, or expose for sale, or furnish or otherwise deal in intoxicating liquor as a beverage within the limits of such municipality.

If majority  
not favorable  
to continue  
prohibition,  
licenses may  
be granted.

If a majority of the votes cast at any election where the question submitted shall have been "Shall the sale of intoxicating liquor as a beverage in such municipality continue to be prohibited?" shall not be in favor of continuing such prohibition, then licenses for the sale of intoxicating liquor as a beverage therein may be granted in accordance with the provisions of any State law that may then be applicable to such municipality; but nothing in this act shall affect, amend or repeal any other law which now prohibits within the limits of any municipality, or any portion thereof, either the sale, or offer, or exposure for sale, or furnishing or otherwise dealing in intoxicating liquor, or the keeping of a place where intoxicating liquor is sold, furnished or otherwise dealt in.

Penalty for  
selling, fur-  
nishing, etc.  
in prohibited  
territory.

20. Any person who, individually, or by agent, servant or employee, shall directly or indirectly sell, offer or expose for sale, furnish, or otherwise deal in any intoxicating liquor, within the limits of any municipality in which the majority of votes cast at such election shall have been in favor of prohibiting the sale of intoxicating liquor as a beverage, except as herein provided, shall be guilty of a misdemeanor, and shall be punishable as now provided by law in case of misdemeanors, and in case of a second or any subsequent offense shall be guilty of a high misdemeanor, and shall be punish-

able as now provided by law in case of high misdemeanors.

21. In any complaint, indictment or other proceeding for violation of section twenty of this act, it shall not be necessary to set forth that the required number of voters in any municipality, petitioned for an election, nor that an election was held, nor that the majority of the legal voters in any municipality voted in favor of prohibiting or continuing to prohibit the sale of intoxicating liquor as a beverage in any such municipality, nor shall it be necessary in any such complaint, indictment or other proceeding to aver the kind of intoxicating liquor sold, or offered or exposed for sale, or furnished or otherwise dealt in, nor to name the person to whom the intoxicating liquor was sold, or offered or exposed for sale, or furnished or otherwise dealt in. It shall be sufficient to set forth that the act complained of was then and there prohibited and unlawful, specifying the time and place of the alleged act. It shall not be necessary, in order to convict a principal for the acts of his agent or servant, to prove the knowledge or authority of said principal.

As to  
complaints,  
indictments,  
etc.

What com-  
plaint to  
show.

Principal's  
responsibility.

22. In all trials for violations of section twenty of this act the original entry of the record, or a copy thereof, certified by the clerk of such municipality, provided said record shows that a majority of the votes cast at said election was in favor of prohibiting or continuing to prohibit the sale of intoxicating liquor as a beverage, shall be prima facie evidence that the sale, or offer or exposure for sale, or furnishing or otherwise dealing in intoxicating liquors, except as herein provided, was then and there unlawful.

Prima facie  
evidence of  
unlawful sale.

23. Money received from fines imposed under the provisions of this act shall be paid into the treasury of the municipality wherein the offense was committed, and moneys so collected shall be

Disposition  
of fines.

applied to such uses as the governing body of said municipality may direct.

Expiration  
of license.

24. Any license to sell, or offer or expose for sale, or furnish or otherwise deal in intoxicating liquor as a beverage within the limits of any municipality, which license shall have been granted subsequent to the passage of this act, shall expire at the end of thirty days after the date of holding such election, provided a majority of the votes cast at said election shall have been cast in favor of prohibiting the sale of intoxicating liquor as a beverage in such municipality; *and provided, further*, that nothing contained in this act shall affect the right of any person holding a license to sell intoxicating liquor, issued prior to the passage of this act, to sell such liquors under such license, until the expiration thereof. Any licensee whose license shall expire in accordance herewith, shall be entitled to a refund of the pro rata portion of said license fee, based on the term for which said license was originally granted from the county or municipality receiving the same.

Proviso.

Pro rata  
refund.

Contesting  
validity of  
election.

25. Any person being a legal voter of a municipality wherein an election shall have been held, and who voted at such election as provided for in this act, may contest the validity of such election by filing a petition, duly verified, with any justice of the Supreme Court within ten days after the result of the election has been duly determined, setting forth the grounds of said contest. The justice may require the person or persons contesting the election to furnish proper security for costs. The justice, upon the filing of such petition, shall fix the time and place at which said contest shall be heard, which time shall not be less than twenty nor more than thirty days from the filing of such petition, and shall order the petitioners forthwith to publish in at least one newspaper (to be designated by said justice) in the said municipality, or, if there be none so published, then in one of the



newspapers published in the county in which said municipality is situated, a notice announcing the filing of such petition, and stating the time and place at which the contest shall be heard by said justice, and copies of such notice shall also be posted in the same manner as is herein provided for the posting of the notice for a hearing on an application for an election as set forth in section two of this act. A copy of such petition and notice shall be served forthwith upon the clerk of the said municipality; and it shall thereupon be the duty of the governing body of said municipality to defend the validity of said election, but any legal voter of said municipality may, on terms to be fixed by said justice, intervene in said contest, and may appear, either in person or by attorney, for the purpose of assisting the governing body of said municipality in defending the validity of said election.

26. The justice of the Supreme Court with whom such petition to contest the validity of such election may be filed is hereby authorized to hear and determine such contest in a summary manner, and his decision as to all questions of fact shall be conclusive; *provided*, that nothing herein contained shall be construed as limiting the jurisdiction of the Supreme Court to review questions of law by certiorari; *and provided, further*, that the allowance of a writ of certiorari to review any determination of such justice in any such contest shall in no case supersede or stay the result of such election, unless the Supreme Court or a justice thereof shall so direct.

Summary  
hearing.

Proviso.

Proviso.

27. Any proceeding in any court of this State, or before any justice or judge of any court, which directly affects the validity of any resolution, determination, order or other matter relative to any election or elections to be held pursuant to the provisions of this act, including any proceeding contesting the validity of any such election or elec-

Precedence  
in court.

tions or any review of any decision respecting the validity of any such election or elections, shall have preference over all other civil proceedings in any court of this State, or before any justice or judge of any court.

Resubmission  
after two  
years.

28. At any time after two years from the date of any election held under the provisions of this act, but not before, another election may be ordered and held in the same manner, regardless of the result of any previous election, in which case such subsequent election shall be ordered and held as provided for in this act.

Manufacturer  
may sell  
wholesale  
outside.

29. Nothing contained in this act shall in any manner affect the right of any manufacturer of intoxicating liquor, whose manufactory is located in a municipality wherein the sale of intoxicating liquor as a beverage is prohibited, to sell, deliver or furnish his product in wholesale quantities to any person or persons outside the limits of said municipality; nor shall anything in this act be construed to apply to the manufacture, sale, distribution, giving away, dispensing or possession of any alcoholic compound, preparation or remedy, containing drugs or medicine, which does not contain more alcohol than is necessary for the legitimate purpose of extraction, solution or preservation, and which contains a drug or drugs, either singly or in combination, in sufficient quantities to render such compound, preparation or remedy ordinarily unsuitable for use as a beverage, nor to mechanical, culinary or toilet preparations which contain no more alcohol than is necessary to dissolve the oils or extract the desired active principles and hold them in solution; *provided*, such products are nonpotable; *and further provided*, that such compounds, preparations, remedies, perfumes, essences, extracts and syrups are not manufactured, bought, sold, dealt in or used as a beverage or intoxicant; nor shall anything in this act be construed to forbid or prevent a duly registered phar-

As to drugs.

Proviso.

Proviso.

Prescriptions.

macist, conducting an established pharmacy or drug-store within such municipality, from selling intoxicating liquor or alcohol for medicinal purposes only on a written prescription, issued, signed and dated in good faith by a physician in active practice and duly licensed to practice in this State, said prescription to be filled but once and kept for reference for not less than five years; *provided*, such pharmacist in good faith shall keep a special book, which he shall provide for the purpose, in which he shall record such prescriptions so filled, showing the date of each sale, the name and address of each purchaser, the quantity and kind of liquor sold, and the purpose for which the same was sold, the quantity and kind of liquor purchased by said pharmacist, the dates when and the names of the persons from whom purchased, and shall file each month with the clerk of such municipality a copy of such record showing purchases and sales for the previous month not later than the tenth of the following month; such copy shall be a public record and shall be verified by oath by such pharmacist as a correct statement of all intoxicating liquor purchased and sold by such pharmacist during the time mentioned therein; *and provided*, *further*, that such pharmacist shall, during business hours, keep such book and prescriptions open to the full and free inspection of the police, and all other proper officers of the county, or of the municipality, or to such other person or persons as may, upon sufficient ground shown by a proper petition, be authorized by an order from one of the justices or judges presiding in the Court of Common Pleas, Circuit or Supreme Court in any county, to make such inspection; *and provided*, *further*, that such liquor so sold shall not be drunk upon the premises. The word "alcohol" as used herein being intended to apply to ethyl or grain alcohol, nothing herein being intended to apply to methyl or wood alcohol, nor to denatured alcohol; nor

Proviso.

Record  
kept by  
pharmacists.

Copy of record  
filed with  
municipal  
clerk.

Proviso.

Proviso.

"Alcohol"  
defined.

Legitimate  
use; record  
kept.

shall anything in this act be construed to forbid or prevent such duly registered pharmacist from selling alcohol in quantities of one quart or more for chemical or manufacturing purposes only, on a written order, duly issued in good faith, signed and dated by any reputable person or corporation engaged in business requiring the use of alcohol for any legitimate chemical or manufacturing purpose, or from selling wine for communion purposes on a written order, duly signed and dated by the proper officer of any duly organized church, stating the amount and kind of wine ordered and that same is for communion purposes, such order for alcohol or wine to be filled but once and kept for reference for at least five years, so long as such pharmacist in good faith shall record same in the book and report the same as above provided for in the case of a prescription for the sale of intoxicating liquors, showing the date of such sale, the name and address of each purchaser, the quantity of alcohol or wine, and the purpose for which the same was sold, and shall keep the said book open for inspection as above provided for in the case of the sale of intoxicating liquor for medicinal purposes.

Wholesale  
druggist may  
sell to  
pharmacist.

Proviso.

Nothing in this act shall be construed to forbid or prevent any wholesale druggist from selling, delivering or furnishing alcohol or intoxicating liquor direct to a registered pharmacist in business as aforesaid in prohibition territory, on an order from such pharmacist; *provided*, such wholesale druggist preserves for five years such order, and shall record in a special book the date of sale, the name and address of such registered pharmacist, the quantity and kind of liquor or alcohol sold, and keep the said book for inspection and report the same as provided for in the case of a registered pharmacist.

Act to be  
liberally  
construed.

30. This entire act shall be deemed to be an exercise of the police power of the State for the pro-

tection of the economic welfare, health, peace, safety, and morals of the people of the State, and all of its provisions shall be liberally construed for the accomplishment of these purposes.

31. All acts and parts of acts inconsistent with this act, to the extent of such inconsistency only, shall be and the same hereby are repealed. If any provision or provisions of this act shall be held, for any reason to be unconstitutional or invalid, it shall not affect or impair the validity of the other provisions of this act, or any of them.

Repealer.

As to validity.

32. This act shall take effect immediately.

Approved January 29, 1918.

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### CHAPTER 3.

An Act to regulate the sale, or offer, or exposure for sale, or furnishing or otherwise dealing in intoxicating liquor as a beverage and the granting of licenses therefor in any town, township, village, borough, city or other municipality (not a county) in this State, by ordinance, where the legal voters of such municipality shall initiate and vote in favor of such ordinance.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The words and phrases mentioned in this act and in proceedings pursuant thereto, shall, unless the same be inconsistent with the context, be construed as follows:

Definitions.

"Municipality" shall mean any town, township, village, borough or city, and also any municipality governed by a board of commissioners or by an

"Municipality."

improvement commission, as the case may be, but shall not include counties.

"Clerk."

"Clerk" shall mean the clerk of the municipality, or the officer performing the duties commonly appertaining to the office of the clerk, as the case may be.

"Governing body."

"Governing body" shall mean any body or board, "common council," "town council," "borough council," "board of aldermen," "township committee," "village trustees," "improvement commission," "board of commissioners" or any other similar board, body, council, committee or commission, exercising general legislative powers within the limits of any municipality and having general control over the affairs of any municipality, no matter by what name designated.

"Person."

The word "person" shall mean natural persons, firms, copartnerships, corporations, and all associations of natural persons, whether acting by themselves or by servants, agents, or employees.

"Election."

Whenever in this act the word "election" is used in connection with the submission of the questions herein provided for, it shall be deemed to apply either to a special election at which such question is submitted, or to a general election at which such question is submitted.

"Legal voter."

For the purpose of signing any petition herein provided for, the term "legal voter" shall mean any person who is a resident of the municipality wherein any question provided for herein is to be submitted, and who is qualified to vote therein and whose name appears on the registry list at the last preceding election at which members of the General Assembly were elected; and for the purpose of voting on any question to be submitted under this act, at any general election as herein provided, the term "legal voter" shall mean any person qualified to vote at such election; and at any special election as herein provided, the term "legal voter" shall mean any person qualified to vote at such

election, and whose name appears on the registry list at the last preceding election at which members of the General Assembly were elected, or whose name shall have been added to such registry list in the manner hereinafter provided.

The term "intoxicating liquor," as used in this act, shall mean any spiritous, vinous, malt, brewed, or any intoxicating liquor by whatever name the same shall be known. "Intoxicating liquor."

The word "furnishing" shall include every provision of intoxicating liquors, as defined in this act, except that which results from a sale as defined in this act; *provided, however*, that it shall not include the gratuitous service of intoxicating liquor by any person in his place of personal residence to any bona fide guest, nor the use of wine in any church or place of worship in accordance with the established rites of service. "Furnishing."

The word "sale" and the word "sell" shall include each and every method by which intoxicating liquor is furnished to any person for a consideration otherwise than as authorized and permitted by the provisions of this act. "Sale;" "sell."

2. Hereafter the voters in any municipality shall be authorized in the manner hereinafter provided to regulate the terms, conditions and restrictions under which intoxicating liquor as a beverage shall be sold in said municipality, and to determine the terms, conditions and restrictions under which the authority having power to license the sale of intoxicating liquor as a beverage in said municipality shall issue such licenses; *provided, however*, that no municipality shall be authorized to permit the issuance of a greater number of such licenses than is now permitted by any State law, nor to reduce the minimum license fees now provided by any State law, nor to permit the sale of intoxicating liquor as a beverage to any persons, or during any hours, or on any days, or at any places now prohibited by any State law; *and provided, further*, Municipality to regulate sale of liquors.

Proviso.

Proviso.

that nothing in this act shall be construed to permit the sale of intoxicating liquor as a beverage within the limits of any municipality where such sale is now or may hereafter be prohibited by any State law.

Petition for election.

Governing body notified to meet.

Time fixed.

How notification given.

Object of meeting stated.

Petition a public record.

Copies posted.

Upon petition for an election signed by not less than twenty per centum of the legal voters of any municipality, as hereinafter provided, and setting forth in full the proposed ordinance, being filed with the clerk of such municipality, he shall forthwith prepare a written notice setting a time for a meeting of the governing body of such municipality to be held at the regular meeting place of such governing body. The time fixed for such meeting shall not be less than eight, nor more than twelve days, exclusive of Sundays, from the date of the filing of such petition with the clerk. The clerk shall, at least five days before the date fixed for such meeting, mail a certified copy of such notice to each member of the governing body of such municipality, postage prepaid, addressed to the last known post-office address of each member, or shall deliver a certified copy of such notice personally to each member of the governing body, or leave a certified copy thereof at the dwelling place of each member, with some member of his family of the age of fourteen years or over. The failure of any member of the governing body to receive such notice shall not affect the validity of any order for an election that may be made by such governing body. The notice, in addition to fixing the time for such meeting, shall set forth the proposed ordinance or state clearly the substance of the provisions thereof, and shall further state that at such time the governing body shall consider said application and hear any objections as to the legality of such petition. Such petition shall be a public record and shall be open for inspection by any person interested. Certified copies of the notice for the hearing on such petition shall, at least five days before the date fixed for



such meeting, be posted by the clerk of such municipality in not less than five conspicuous places in such municipality, and a copy of said notice shall also be published by said clerk at least once in a newspaper published in such municipality, or if none be therein published, then in a newspaper published in the county wherein such municipality is located, and circulating in such municipality.

Advertisement  
published.

3. Any clerk of such municipality who shall willfully neglect or refuse to prepare such written notice, or to mail or deliver copies thereof to the members of the governing body of such municipality, or to leave same at the dwelling place of each member, with a member of his family of the age of fourteen years or over, or to post and publish said notice as herein required, shall be guilty of a misdemeanor, and shall be punishable as now provided by law in case of misdemeanors.

Failure of  
clerk to act a  
misdemeanor.

4. At the time fixed by such notice by such meeting the governing body shall meet and shall proceed forthwith to inspect the petition and to hear any objections that may be made thereto, and to determine by such inspection and upon any evidence that may be submitted at the hearing whether or not said petition is sufficient.

Meeting—  
inspection of  
petition; ob-  
jections.

5. The governing body shall determine the sufficiency of the petition and the legality of the proposed ordinance within ten days after the time fixed for the hearing, and if the governing body shall find that such proposed ordinance does not violate the provisions of this act, or of any other law of this State, and that said petition was signed by legal voters not less in number than twenty per centum, nor more than thirty per centum of the number of legal ballots cast in said municipality at the last preceding election at which members of the General Assembly were elected, then the petition for any election provided for in this act shall be deemed sufficient, and the clerk of said municipality shall, within three days after such deter-

Sufficiency of  
petition.

Percentage of  
signers.

County clerk  
notified; his  
duties.

mination, direct the county clerk of the county wherein such municipality is situated, by written notice, to place on the ballot to be used in said municipality at the next ensuing general election at which members of the General Assembly are to be elected the proposed ordinance and the appropriate form of question and the accompanying instructions to voters as hereinafter set forth, and the county clerk shall have such ordinance, question and instructions printed in an appropriate place on such ballot for submission to the voters of such municipality at said next ensuing general election.

If more than  
30% sign, spe-  
cial election  
held.

6. If, however, the governing body shall find that such petition was signed by legal voters in number more than thirty per centum of the number of legal ballots cast in said municipality at the last preceding election at which members of the General Assembly were elected, and that such proposed ordinance does not violate the provisions of this act, or of any other law of this State, then the petition for any election provided for in this act shall be deemed sufficient and the governing body of said municipality shall forthwith issue an order for a special election to determine by ballot the question whether the proposed ordinance shall be adopted in such municipality. Such order shall fix the date of such special election, which shall be not less than thirty days nor more than sixty days from the date of said order; *provided*, that no special election under the provisions of this act shall be ordered to be held on or between the first day of July and the first day of December of each year; *provided, further*, that if the governing body shall find any such petition sufficient, at such a time that the order for a special election, if made pursuant to the provisions of this act, would bear date on any day between May first and October tenth, then such question shall not be submitted at a special election, but shall be submitted at the general election at which members of the General Assembly

Date fixed.

Proviso.

Proviso.

are to be elected held next after the date of the filing of such petition, in the manner directed by this act; *provided, further*, that if the governing body shall find any such petition to be sufficient at such a time that the order for a special election shall bear date on any day between October tenth and November first, then such special election shall be held on a date after the first day of December and within sixty days after the date of such order. The clerk of such municipality shall, at least fifteen days before the date of such special election, post in not less than five conspicuous places in such municipality, a notice stating the date of such election and the question to be submitted thereat, including a copy of the proposed ordinance, such notice shall also be published by said clerk at least once in a newspaper published in such municipality, or if none be therein published, then in a newspaper published in the county wherein such municipality is located, and circulating in such municipality. Said clerk shall also print and distribute to the various district boards of registry and election a sufficient supply of ballots, which ballots shall be numbered, shall contain the signature of the clerk printed thereon, and no ballot shall be taken from the polling place or distributed under any pretext whatever. Such ballots shall be printed and distributed at the expense of such municipality.

Proviso.

Notice of election posted and published.

Supply of ballots.

7. The district boards of registry and election in the several districts or precincts shall conduct any special election held hereunder; the polls shall be opened and closed at the times fixed by law for opening and closing the polls at the election for members of the General Assembly, and such special election shall be conducted, and the vote cast therein shall be counted and canvassed, so far as practicable, in the same manner as required by law for conducting elections for members of the General Assembly, except as otherwise directed in this

Election, how conducted.

Canvass.	act, and the members of such boards of registry and election shall receive the same compensation from such municipality for such special election as in the case of other special elections. When any election is held under this act at the same election at which members of the General Assembly are elected, the vote cast on the question submitted under this act at such election shall be counted and canvassed, so far as practicable, in the same manner as required by law for conducting elections for members of the General Assembly, except as otherwise directed in this act.
Registry.	The registry for special elections held under the provisions of this act shall be the registry list containing the names of those persons qualified to vote at the last preceding general election at which members of the General Assembly were elected; transfers
Transfers.	from one district of such municipalities to another shall be granted, as provided by the laws appertaining to general elections in this State.
How unregistered voters may qualify.	Qualified voters of such municipalities whose names do not appear on such registry list, may have their names added to such registry list by applying to a judge of the Court of Common Pleas of the county in which such municipality is located, during the week next preceding the holding of such special election: and if upon such application it is made to appear to such judge that such person is entitled to vote at said special election, an order shall be made by such judge directing the proper district board of registry and election to accept such vote, and such order shall be filed with such district board of registry and election and shall be returned by said board to the clerk of such municipality within three days after the holding of such election, to be kept and filed in the office of such clerk for at least one year; <i>provided</i> , such voter shall make and subscribe an affidavit containing the information requisite to be given under the election laws of this State, and shall file such affidavit with said
Proviso.	

district board of registry and election at the time of filing said court order. Names may also be added to such registry lists for any special election provided for under this act by the order of the county board of election of such county in the manner prescribed for adding names to registry lists by county boards of election for special elections to be held in any city in this State, as provided for in an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight, and the acts supplementary thereto and amendatory thereof.

Names added  
by county  
boards of  
election.

8. The allowance of a writ of certiorari to review any determination, order or other proceeding of said governing body for any election to be held pursuant to the provisions of this act, shall in no case supersede or stay any of the proceedings for such election, unless the Supreme Court, or a justice thereof, shall so direct. In the event that any election is stayed or delayed by reason of the allowance of a writ of certiorari, or by any appeal from any judgment entered on such writ, or by any other judicial action, if the proceedings for such election are sustained, the Supreme Court, or a justice thereof, shall, on application by any signer of the original petition, make an order designating the date for the holding of such election, which date shall be not less than thirty nor more than sixty days from the date of such application. Such election shall be either at the next ensuing general election or shall be a special election, as the court or justice shall direct; *provided*, that no special election shall be ordered by such court or justice to be held on or between the first day of July and the next ensuing first day of December. Such election shall in all other respects be conducted in the manner herein provided.

Effect of writ  
of certiorari.

Proceedings  
if stay  
granted.

When election.

Proviso.

9. In case any such governing body shall find the number of voters signing any such petition in-

If petition  
found insuf-  
ficient or  
election not

ordered.

Voter may  
ask review.Summary  
determination  
by court.Election  
ordered.

Proviso.

Proviso.

sufficient to give validity thereto, or shall fail for any reason to order said question to be submitted as aforesaid, they shall, within three days, file with the clerk of the municipality their findings and reasons in writing and in detail, including the names and addresses of any signer or signers claimed by the governing body to be illegal signers of such petition; and any voter of such municipality believing that such findings or reasons are illegal or contrary to fact, may, within ten days after the filing of said findings or reasons, by a duly verified petition, apply to the Supreme Court, or to any justice of said court, for a summary review thereof, which review may be made, if sufficient grounds therefor be made to appear, on such terms as may appear to said court or justice to be appropriate. The Supreme Court, or a justice thereof, shall have power to determine in a summary way under this procedure the sufficiency of the petition; and if the same shall be found to be sufficient, then the governing body shall forthwith proceed to order an election to be held within the time and in the manner prescribed by this act. Such election shall be a special election irrespective of the number of signers in excess of twenty per centum of the number of ballots received in said municipality at the last preceding election at which members of the General Assembly were elected; *provided, however*, that if the Supreme Court, or a justice thereof, shall find said petition to be sufficient at such a time that the order for a special election, if made forthwith, would bear date on any day between May first and October tenth, then such question shall be submitted at the general election at which members of the General Assembly are to be elected held next after the date of the finding by said court or justice of the sufficiency of such petition; *and provided, further*, that if the said court or justice shall find said petition to be sufficient at such a time that the order for a special election, made pur-

suant to the provisions of this act, shall bear date between October tenth and November first, then such special election shall be held on a date after the first day of December and within sixty days after the date of said finding by said Supreme Court or justice. This procedure to review the action of the governing body shall not prevent an action in mandamus to compel such governing body to order such election.

Right of  
mandamus.

10. In determining the sufficiency of the petition, such petition shall be deemed to be prima facie sufficient if it contains the required per centum of signers thereto. No person shall be permitted to add his signature to or withdraw it from such petition after the petition is filed with the clerk of the municipality. At the hearing on the petition, such governing body shall keep a record of the hearing and the testimony presented. The petitioners and their opponents may be represented in person or by attorney and shall have the right to have copies of all the papers and proceedings and a transcript of the testimony, and the right to present evidence and to cross-examine witnesses.

As to  
sufficiency of  
petition.

Records kept.

Attorneys  
and copies  
of papers.

11. The petition for any election under the provisions of this act may consist of one or more separate sheets of paper; each sheet shall contain substantially the form of petition herein set forth, and the signatures and dates of signing on each sheet shall be verified by the oath of the person in whose presence the signatures were made, and not more than twenty-five signatures shall be attached to any one sheet, and all the sheets shall be securely bound together before filing. The petition shall set forth the date on which each name was signed thereto and shall be filed not later than sixty days after the date of the earliest signature thereon.

Petition and  
signers.

The form of the petition shall be substantially as follows:

Form of  
petition:

New Jersey State Library

"A petition for an election to determine whether or not a majority of the legal voters of the..... (designating the municipality), in the State of New Jersey, are in favor of the adoption of an ordinance providing that (setting forth the proposed ordinance or stating clearly the substance of its provisions).

"To the Common Council (or the designation, as the case may be, of the governing body) of the ..... (designating the municipality) in the County of ..... in the State of New Jersey:

"We, the undersigned, respectfully represent that we are legal voters of the ..... (designating the municipality) in the County of ..... in the State of New Jersey, and that we hereby request you to order an election under the provisions of Chapter ..... (designating the chapter number of this act) of the Laws of one thousand nine hundred and eighteen, to determine whether or not a majority of the legal voters of ..... (designating the municipality) are in favor of the adoption of the following ordinance: (setting forth the proposed ordinance).

Name.	Street and number, if any, of residence.	Date of signing.
.....	.....	.....
.....	.....	.....

(Form of affidavit to be attached to each sheet of petition and verified separately).

State of New Jersey                    }  
County of..... } ss.:

....., being duly sworn according to law on his oath says that the signatures attached to the foregoing petition were made in his presence at the respective dates set opposite thereto, and that the several persons who made said signatures



bear, to the best of his knowledge and belief, the names signed thereto by each of them respectively, and that said persons are legal voters of the municipality of ..... (designating the municipality).

Subscribed and sworn to before me, }  
 this ..... day of ..... }  
 A. D. 19.... }

12. The ballot to be used shall be in the following form:

"Shall the following ordinance be adopted?" (setting forth the proposed ordinance or stating clearly its provisions).	Yes.		Form of ballot.
	No.		

There shall be printed on each ballot immediately under the said form the following instructions to voters:

#### INSTRUCTIONS TO VOTERS.

To vote for the adoption of the ordinance make an X mark in the square at the right of and opposite the word "Yes." To vote against the adoption of the ordinance, make an X mark in the square at the right of and opposite the word "No."

Marking  
ballots.

13. If the voter shall make an X mark in the square at the right of and opposite the word "Yes" it shall be counted as a vote in favor of the adoption of the ordinance; if the voter shall make an X mark in the square at the right of and opposite the word "No" it shall be counted as a vote against the adoption of the ordinance; and in case no X mark shall be made in either of said squares it shall not be counted as a vote cast either for or against the adoption of the ordinance.

Counting  
ballots.

14. The result of any election under the provisions of this act shall be determined by a majority of the votes cast on the question submitted, and

Result de-  
termined.

shall forthwith be entered upon the records of the clerk of the municipality wherein such election shall have been held.

Entry of  
result.

15. The following shall be deemed a sufficient entry of the result of any election held under the provisions of this act:

The election held on the ..... day of ..... in the year ..... within and for the ..... (designating the municipality) in the county of ..... in the State of New Jersey, under Chapter ..... (designating the chapter number of this act) of the laws of one thousand nine hundred and eighteen, resulted as follows:

Whole number of votes cast in ..... (designating the municipality) in the county of ....., in favor of the adoption of the following ordinance, (setting forth the ordinance) ..... (designating the number of votes, both in words and figures.)

Whole number of votes cast in ..... (designating the municipality) in the county of ..... against the adoption of said ordinance ..... (designating the number of votes, both in words and figures).

Majority in favor of (or against, as the case may be) the adoption of said ordinance ..... (designating the number of votes, both in words and figures).

Challengers  
and watchers.

16. It shall be the duty of the board of registry and election conducting such election in each election district to admit as challengers and watchers in each election district two legal voters of the municipality of good character, appointed in writing by the chairman of the committee managing the interests of those in favor of, and two legal voters of the municipality, of good character, appointed in writing by the chairman of the committee managing the interests of those opposed to the adoption of such proposed ordinance, and such chal-

lengers and watchers shall have all the duties, rights and powers of agents or challengers at a general election in this State.

17. If the majority of the votes cast at such election shall be in favor of the adoption of such proposed ordinance, then it shall be unlawful for any judge, court, excise board, governing body or other board or authority, to grant a license to sell, offer or expose for sale, furnish or otherwise deal in intoxicating liquor as a beverage within the limits of such municipality, except in accordance with the terms, conditions and restrictions prescribed by said ordinance.

Licenses  
granted in ac-  
cordance with  
ordinance.

18. Any person who individually or by agent, servant or employee, shall directly or indirectly sell, offer or expose for sale, furnish or otherwise deal in any intoxicating liquor within the limits of any municipality in which the majority of votes cast at such election shall be in favor of prescribing terms, conditions and restrictions for the sale of intoxicating liquor as a beverage by means of an ordinance as herein provided, except in accordance with the terms, conditions and restrictions prescribed by such ordinance, shall be guilty of a misdemeanor, and shall be punishable as now provided by law in case of misdemeanors; and in case of a second or any subsequent offense shall be guilty of a high misdemeanor and shall be punishable as now provided by law in case of high misdemeanors.

Penalty for  
selling, fur-  
nishing, etc.,  
contrary to  
ordinance.

19. In any complaint, indictment or other proceeding under this act for any violation thereof or for any violation of any of the regulations prescribed by any ordinance adopted pursuant to this act, it shall not be necessary to set forth that the required number of voters in any municipality, petitioned for an election, nor that an election was held, nor that the majority of the legal voters in any municipality voted in favor of adopting any such ordinance; nor shall it be necessary in any

As to com-  
plaints, in-  
dictments,  
etc.

What complaint to show.	such complaint, indictment, or other proceeding to aver the kind of intoxicating liquor sold, offered or exposed for sale, furnished or otherwise dealt in, nor to name the person to whom intoxicating liquor was sold, offered or exposed for sale, furnished or otherwise dealt in. It shall be sufficient to set forth that the act complained of was then and there prohibited and unlawful, specifying the time and place of the alleged act, and further specifying the provisions of any ordinance which it is alleged has been violated. It shall not be necessary, in order to convict a principal for the acts of his agent or servant, to prove the knowledge or authority of said principal.
Principal's responsibility.	
Prima facie evidence of unlawful sale.	20. In all trials for violation of this act, or for any violation of any of the terms, conditions and restrictions prescribed by any ordinance adopted pursuant to this act, the original record of the entry of the record, or a copy thereof, certified by the clerk of such municipality, provided said records show that a majority of the votes cast at said election was in favor of the adoption of the proposed ordinance, shall be prima facie evidence that the sale, offer or exposure for sale, furnishing or otherwise dealing in intoxicating liquors, except as herein provided, was then and there unlawful.
Disposition of fines.	21. Money received from fines imposed under the provisions of this act shall be paid into the treasury of the municipality wherein the offense was committed, and moneys so collected shall be applied to such uses as the governing body of said municipality may direct.
Expiration of license.	22. Any license to sell, or offer or expose for sale or furnish or otherwise deal in intoxicating liquor as a beverage within the limits of any municipality, which license shall have been granted subsequent to the passage of this act, shall expire at the end of thirty days after the date of holding such election, provided a majority of the votes cast

at such election shall have been cast in favor of the adoption of the proposed ordinance; except, however, that the holder of any such license shall have the option to continue to sell, offer or expose for sale, furnish or otherwise deal in intoxicating liquor as a beverage during the remaining term of his license, subject to the terms, conditions and restrictions prescribed by said ordinance; and in the event that the holder of any such license decides to exercise such option, he must signify that he exercises such option by filing forthwith after the adoption of such ordinance a written notice thereof with the judge, court, excise board, governing body or other board or authority by which or by whom his license was originally granted, and in default of so filing such written option then his license shall expire at the end of thirty days after the date of holding such election as aforesaid; *and provided, further*, that nothing contained in this act shall affect the right of any person holding a license to sell intoxicating liquor issued prior to the passage of this act, to sell such liquors under such license until the expiration thereof. Any licensee, whose license shall expire, in accordance herewith, shall be entitled to a refund of the pro rata portion of his license fee, based on the term for which said license was originally granted, from the county or municipality receiving the same.

Continuation  
of business.

Intention  
signified.

Proviso.

Pro rata  
refund.

23. Any person being a legal voter of a municipality wherein an election shall have been held, and who voted at such election as provided for in this act, may contest the validity of such election by filing a petition, duly verified, with any justice of the Supreme Court within ten days after the result of the election has been duly determined, setting forth the grounds of said contest. The justice may require the person or persons contesting the election to furnish proper security for costs. The justice, upon the filing of such petition, shall fix the time and place at which said contest shall be

Contesting  
validity of  
election.

heard, which time shall be not less than twenty nor more than thirty days from the filing of such petition, and shall order the petitioners forthwith to publish in at least one newspaper (to be designated by said justice) in the said municipality, or, if there be none so published, then in one of the newspapers published in the county in which said municipality is situated, a notice announcing the filing of such petition, and stating the time and place at which the contest shall be heard by said justice, and copies of such notice shall also be posted in the same manner as is herein provided for the posting of the notice for a hearing on an application for an election as set forth in section two of this act. A copy of such petition and notice shall be served forthwith upon the clerk of the said municipality; and it shall thereupon be the duty of the governing body of said municipality to defend the validity of said election, but any legal voter of said municipality may, on terms to be fixed by such justice, intervene in said contest, and may appear, either in person or by attorney, for the purpose of assisting the governing body of said municipality in defending the validity of said election.

Summary  
hearing.

24. The justice of the Supreme Court with whom such petition to contest the validity of such election may be filed is hereby authorized to hear and determine such contest in a summary manner, and his decision as to all questions of fact shall be conclusive; *provided*, that nothing herein contained shall be construed as limiting the jurisdiction of the Supreme Court to review questions of law by certiorari; *and provided, further*, that the allowance of a writ of certiorari to review any determination of such justice in any such contest shall in no case supersede or stay the result of such election, unless the Supreme Court or a justice thereof shall so direct.

Proviso.

Proviso.

25. Any proceeding in any court of this State, or before any justice of any court, which directly affects the validity of any resolution, determination, order or other matter relative to any election or elections to be held pursuant to the provisions of this act, including any proceeding contesting the validity of any such election or elections or any review of any decision respecting the validity of any such election or elections, shall have preference over all other civil proceedings in any court of this State, or before any justice or judge of any court.

Preference  
in court.

26. At any time after two years from the date of any election held under the provisions of this act, but not before, another election may be ordered and held in the same manner, regardless of the result of any previous election, in which case such subsequent election shall be ordered and held as provided for in this act; but nothing in this act shall affect, amend or repeal any other law which now prohibits within the limits of any municipality, or any portion thereof, either the sale, or offer or exposure for sale, or furnishing or otherwise dealing in intoxicating liquor, or the keeping of a place where intoxicating liquor is sold, furnished or otherwise dealt in.

Resubmission  
after two  
years.

Effect on  
other laws.

27. Nothing contained in this act shall in any manner affect the right of any manufacturer of intoxicating liquor, whose manufactory is located in a municipality wherein the sale of intoxicating liquor as a beverage is prohibited, to sell, deliver or furnish his product in wholesale quantities to any person or persons outside the limits of said municipality; nor shall anything in this act be construed to apply to the manufacture, sale, distribution, giving away, dispensing, or possession of any alcoholic compound, preparation or remedy, containing drugs or medicine, which does not contain more alcohol than is necessary for the legitimate purpose of extraction, solution or preserva-

Manufacturers  
may sell  
wholesale  
outside.

As to drugs.

tion, and which contains a drug or drugs, either singly or in combination, in sufficient quantities to render such compound, preparation or remedy ordinarily unsuitable for use as a beverage, nor to mechanical, culinary or toilet preparations which contain no more alcohol than is necessary to dissolve the oils or extract the desired active principles and hold them in solution; *provided*, such products are nonpotable, *and further provided*, that such compounds, preparations, remedies, perfumes, essences, extracts and syrups are not manufactured, bought, sold, dealt in or used as a beverage or intoxicant; nor shall anything in this act be construed to forbid or prevent a duly registered pharmacist, conducting an established pharmacy or drug store within such municipality, from selling intoxicating liquor or alcohol for medicinal purposes only on a written prescription, issued, signed and dated in good faith by a physician in active practice and duly licensed to practice in this State, said prescription to be filled but once and kept for reference for not less than five years; *provided*, such pharmacist in good faith shall keep a special book, which he shall provide for the purpose, in which he shall record such prescription so filled, showing the date of each sale, the name and address of each purchaser, the quantity and kind of liquor sold, and the purpose for which the same was sold, the quantity and kind of liquor purchased by said pharmacist, the dates when and the names of the persons from whom purchased, and shall file each month with the clerk of such municipality a copy of such record showing purchases and sales for the previous month not later than the tenth of the following month; such copy shall be a public record and shall be verified by oath by such pharmacist, as a correct statement of all intoxicating liquor purchased and sold by such pharmacist during the time mentioned therein; *and provided, further*, that such pharmacist shall, during

**Proviso.**

**Proviso.**

**Prescriptions.**

**Proviso.**  
Record kept  
by pharmacist.

**Copy of record filed with  
municipal clerk.**

**Proviso.**



business hours, keep such book and prescriptions open to the full and free inspection of the police, and all other proper officers of the county, or of the municipality, or to such other person or persons as may, upon sufficient ground shown by a proper petition, be authorized by an order from one of the justices or judges presiding in the Court of Common Pleas, Circuit or Supreme Court in any county, to make such inspection; *and provided, further,* that such liquor so sold shall not be drunk upon the premises. The word "alcohol" as used herein being intended to apply to ethyl or grain alcohol, nothing herein being intended to apply to methyl or wood alcohol, nor to denatured alcohol; nor shall anything in this act be construed to forbid or prevent such duly registered pharmacist from selling alcohol in quantities of one quart or more for chemical or manufacturing purposes only, on a written order, duly issued in good faith, signed and dated by any reputable person or corporation engaged in business requiring the use of alcohol for any legitimate chemical or manufacturing purpose, or from selling wine for communion purposes on a written order, duly signed and dated by the proper officer of any duly organized church, stating the amount and kind of wine ordered and that same is for communion purposes, such order for alcohol or wine to be filled but once and kept for reference for at least five years, so long as such pharmacist in good faith shall record same in the book and report the same as above provided for in the case of a prescription for the sale of intoxicating liquor, showing the date of such sale, the name and address of each purchaser, the quantity of alcohol or wine, and the purpose for which the same was sold, and shall keep the said book open for inspection as above provided for in the case of the sale of intoxicating liquor for medicinal purposes.

Nothing in this act shall be construed to forbid or prevent any wholesale druggist from selling,

Proviso.

"Alcohol"  
defined.

Legitimate  
use: record  
kept.

Wholesale  
druggist may  
sell to  
pharmacist.

Proviso. delivering or furnishing alcohol or intoxicating liquor direct to a registered pharmacist in business as aforesaid in prohibition territory, on an order from such pharmacist; *provided*, such wholesale druggist preserves for five years such order, and shall record in a special book the date of sale, the name and address of such registered pharmacist, the quantity and kind of liquor or alcohol sold, and keep the said book for inspection and report the same as provided for in the case of a registered pharmacist.

Act to be construed liberally.

28. This entire act shall be deemed to be an exercise of the police power of the State for the protection of the economic welfare, health, peace, safety and morals of the people of the State, and all of its provisions shall be liberally construed for the accomplishment of these purposes.

Repealer.

Proviso.

29. All acts and parts of acts inconsistent with this act, except as herein provided, to the extent of such inconsistency only, shall be and the same are hereby repealed; *provided, however*, that nothing in this act shall be construed to repeal or modify, or in any way affect any provisions of any statute of this State, now or hereafter in effect, authorizing the voters of any municipality to prohibit therein the sale of, or the granting of licenses to sell, offer or expose for sale, or otherwise deal in, intoxicating liquor as a beverage.

30. This act shall take effect immediately.

Approved January 29, 1918.

## CHAPTER 4.

A Supplement to an act entitled "An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State," approved March twelfth, one thousand eight hundred and seventy-three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The Governor of this State, or person administering the government, may, by executive order, duly signed and filed in the office of the Secretary of State, authorize any executive officer of this State to exercise and perform all or any of the powers and duties conferred or imposed upon the Governor by the act to which this act is a supplement, or by any act amendatory of or supplemental to said act. When acting pursuant to such order the act of the said executive officer shall have the same effect as the act of the Governor. Any such order may be revoked at any time by the Governor by filing in the office of the Secretary of State an order of revocation, duly signed.

Governor may authorize executive officer to perform certain duties.

Revocation.
2. This act shall take effect immediately.

Approved February 4, 1918.

## CHAPTER 5.

An Act to authorize the Governor to delegate to any executive officer of this State the duty now imposed by any law upon the Governor, of approving plans, specifications and contracts.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Governor may  
authorize  
executive  
officer to  
perform  
certain duties.

1. Wherever the approval of the Governor is required by any law of this State for any plans or specifications for any building or other structure to be erected, repaired or altered, or for any work to be done by or on behalf of any officer, board or department of this State, or of any contract made by or on behalf of any State officer, board or department, for the construction or alteration of any building or other structure, the purchase of any land, or any real property of any kind or character, the purchase of supplies, or any personal property of any kind or character, or the performance of any work, the Governor may, in his discretion, by executive order, duly signed and filed in the office of the Secretary of State, authorize any executive officer of this State to exercise the power and perform the duty imposed upon the Governor by any such law. When acting pursuant to such order, the act of any such executive officer shall have the same effect as the act of the Governor. Any such order may be revoked at any time by the Governor by filing in the office of the Secretary of State an order of revocation, duly signed.

Revocation.

2. This act shall take effect immediately.

Approved February 4, 1918.

## CHAPTER 6.

A Supplement to an act entitled "An act to provide for the establishment of a State Institution for Feeble-Minded," approved March twenty-seventh, one thousand eight hundred and eighty-eight, the title of which said act was amended by act approved April fifth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The Governor of this State, or person administering the government, may, by executive order, duly signed and filed in the office of the Secretary of State, authorize any executive officer of this State to exercise and perform all or any of the powers and duties conferred or imposed upon the Governor by the act to which this act is a supplement, or by any act amendatory of or supplemental to said act. When acting pursuant to such order, the act of said executive officer shall have the same effect as the act of the Governor. Any such order may be revoked at any time by the Governor by filing in the office of the Secretary of State an order of revocation, duly signed.

Governor may  
authorize  
executive  
officer to  
perform  
certain duties.

Revocation.

2. This act shall take effect immediately.

Approved February 4, 1918.

## CHAPTER 7.

An Act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 4  
amended.

1. Section four of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Exemption of  
firemen,  
soldiers, etc.

4. All persons enrolled as active members of the fire department or of any organized volunteer fire department of any taxing district or fire district under the control of any township committee, common council or other authorized public body; all exempt firemen of any taxing district; all honorably discharged soldiers and sailors who have served in the army or navy of the United States during any war or rebellion and their widows during widowhood; and all members of the National Guard during their term of service, and all persons engaged in any branch of the military or naval service either of this State or of the United States, during the period of the present war, shall be exempt on proper claim made therefor from poll taxes and from State, county and municipal taxation upon real and personal property, or both, to a valuation not exceeding in the aggregate five hundred dollars, which may be assessed against their property, in the case of active and exempt firemen in the municipality or township under the supervision of which they may be doing public fire duty, or in the service of which they became exempt; in the case of soldiers and sailors, in the municipality or township wherein they reside; no taxpayer shall be allowed more than one exemption under this

\$500 exempt.

section; the right to claim exemption shall extend to cases where it has accrued before and exists on the date when taxes are due and payable; sufficient evidence to the assessor or collector of taxes of the right to the exemptions in this section authorized shall be as follows: in the case of active and exempt firemen, the certificate of the proper public official in charge of the records showing that the claimant is such fireman, which shall be furnished without charge, and in the case of honorably discharged soldiers or sailors, or their widows, an honorable discharge, which shall be the last discharge, or the certificate of the Adjutant-General of this State, and in the case of commissioned officers of the National Guard the certificate of the Adjutant-General of this State, and in the case of other members of the National Guard, and persons engaged in any branch of the military or naval service either of this State or of the United States, other than commissioned officers, the certificate under oath of the commander of their company, battery or band; in the case of commissioned officers in the military or naval service of the United States, a certificate signed by the commanding officer of such commissioned officers. Such certificates, where two or more claimants are entitled in the same taxing district, may be in the form of a list, certified and verified by oath and filed with the assessor or collector at or before the time when taxes are payable.

Right to exemption;  
evidence of.

List  
certified.

2. This act shall take effect immediately.

Approved February 4, 1918.

## CHAPTER 8.

A Supplement to an act entitled "An act concerning the militia of the State," approved March twentieth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Reserve force  
organized.  
Home Guards  
may be  
members.  
Enlistment.

1. The Governor, in order to provide for the defense of the State during the present war, and to supplement the State militia in any emergency, shall have power to raise, by voluntary enlistment, and organize a State Militia Reserve force. The several Home Guard units of this State may, upon complying with the terms of this act and the rules and regulations made under the authority herein conferred, become members of such State Militia Reserve.

Limits of  
service.

2. The members of such State Militia Reserve shall be enlisted for the period of the present war and for one year thereafter, unless sooner discharged. In case of actual or threatened insurrection, invasion, tumult, riot, breach of the peace, or imminent danger to public safety, they shall be required to serve within the limits of the municipality in which they shall be enlisted or enrolled, and may voluntarily serve in such case anywhere within the limits of this State, but shall not be required to serve outside the limits of such municipality.

Organized  
units.

3. Such State Militia Reserve shall be organized into such units of such numerical strength as may be determined by executive order. The Governor is hereby authorized to prescribe regulations governing the enlistment and form of enlistment, as well as any preliminary declaration with respect thereto, and to make such changes in organization

Enlistments.



as from time to time may be deemed necessary or proper. The Governor is also authorized to prescribe rules and regulations for the administration, regulation and government of the State Militia Reserve, and for the discipline of officers and enlisted men, and to transfer, furlough and discharge enlisted men, to issue commissions to the several officers thereof, and warrants to non-commissioned officers, to secure from the Federal Government, for the use of the State Militia Reserve, all necessary uniforms, arms and equipment available for such purpose, to extend the facilities of State armories and their equipment, and such other State premises and property as may be available, to said State Militia Reserve, for the purposes of drill and instruction. The Governor shall also fix the pay of officers and enlisted men when in actual service. The procedure for the enforcement of such of the rules governing said State Militia Reserve shall, so far as possible, conform to the procedure described in the act to which this act is a supplement.

Rules and  
regulations.

Equipment.

Pay.

Enforcement  
of rules.

Liability  
for acts.

4. The members of the State Militia Reserve ordered into the active service of the State by proper authority, shall not be liable, civilly or criminally, for any act or acts done, pursuant to law, while engaged in the performance of their official duties. When a suit or proceeding shall be commenced in any court by any person against any officer or enlisted man of the State Militia Reserve, for any act done by such officer in his official capacity in the discharge of any duty under this act, or against any person acting under the authority of any such officer, or by virtue of any warrant issued by him pursuant to law, the defendant may require the person prosecuting or instituting the suit or proceedings to file security for the payment of the costs that may be awarded to the defendant therein, and the defendant, in all cases, may make a general denial and give the special matter in evidence. In case the plaintiff

Prosecuting  
party to file  
security.

If non-suit. shall be nonsuited, or have a verdict or judgment rendered against him, the defendant shall recover treble costs.

5. This act shall take effect immediately.

Approved February 4, 1918.

## CHAPTER 9.

An Act to amend an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in places where biscuits, pies, bread crackers, cakes, macaroni and other foodstuffs, confectionery, candy, ice cream or frozen sweets are manufactured or made for the purpose of sale, and providing for the sanitation, sanitary condition and licensing of such places," approved March twenty-first, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 9  
amended.

1. Section nine of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Bakeries, etc.,  
licensed.

9. No person or corporation shall hereafter engage or continue in the business of making or manufacturing biscuits, pies, bread, crackers, cakes, macaroni and other foodstuffs, candy, ice cream, confectionery or frozen sweets for the purpose of sale, unless he shall first obtain from the Commissioner of Labor of this State a license so to do.

Application.

The applicant for any such license shall state in his application the location of the place at which he intends to engage in such business and such license shall not be issued unless the said commissioner is satisfied that such place conforms to all the requirements of this act. Such license shall

Place of  
business.

specify the place at which such business is authorized to be carried on, and shall not authorize the engaging in such business at any other place. When it shall be made to appear to the said commissioner that any place at which such business is carried on under a license as aforesaid is not kept in accordance with or does not conform to the requirements of this act, or that any provision of this act is being violated therein, said commissioner may, after giving not less than forty-eight hours' notice in writing, which notice may be served by any representative of the Department of Labor, either personally on the proprietor of such place or by affixing the same on the inside of said place, revoke the license of the person engaging in such business at such place. Such license if not revoked as aforesaid shall remain in force for one year from the date of its issuance at which time it shall expire. Any such license may be renewed upon application of the holder thereof upon payment of the fee below prescribed if the place named in the application for such renewal is conducted in accordance with the terms of this act. No person, whose license to engage in such business has expired or been revoked, shall engage or continue in such business in this State until he has procured a renewal or a new license in accordance with the terms of this act. Any applicant for any such license or a renewal thereof shall pay to the Commissioner of Labor a license fee of one dollar, which fee shall be returned to such applicant in case the license is not granted. No other license shall be required by any other State or municipal authority.

Revocation  
of license.

Renewal of  
license.

License fee.

2. This act shall take effect immediately.

Approved February 6, 1918.

## CHAPTER 10.

An Act to amend an act entitled "An act to improve the condition of tenement houses in this State, and to establish a State Board of Tenement House Supervision," approved March twenty-fifth, one thousand nine hundred and four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Paragraph 2  
amended.

1. Paragraph two of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Tenement  
house  
defined.

2. A tenement house is any house or building or portion thereof which is rented, leased, let or hired out to be occupied or is occupied as the home or residence of three families or more, living independently of each other and doing their cooking upon the premises.

Approved February 6, 1918.

## CHAPTER 11.

An Act to amend an act entitled "An act to establish a uniform standard of weights and measures in this State, to establish a Department of Weights and Measures, and to provide penalties for the use of other than standard or legal weights and measures," approved April twenty-fourth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 3  
amended.

1. Section three of the act to which this act is an amendment be and the same hereby is amended so as to read as follows:

Pounds per  
bushel of  
various  
commodities.

3. All commodities hereinafter named in this section shall be sold either by the bushel or by weight, and when sold by the bushel, the bushel shall consist

of the number of pounds hereinafter stated; and whenever such commodities as hereinafter named are sold in the subdivisions of the bushel, the number of pounds in such subdivisions shall consist of the fractional part of the number of pounds as hereinafter set forth for the bushel, namely:

	Pounds Per Bushel.
Alfalfa seed, .....	60 pounds;
Apples, .....	48 pounds;
Apples, dried, .....	25 pounds;
Barley, .....	48 pounds;
Beans, .....	60 pounds;
Beans, Lima, .....	56 pounds;
Beans, shell, .....	28 pounds;
Beans, green or string, .....	24 pounds;
Beans, wax, .....	24 pounds;
Beets, .....	60 pounds;
Beet greens, .....	12 pounds;
Bran, .....	20 pounds;
Buckwheat, .....	48 pounds;
Cabbage, .....	50 pounds;
Carrots, .....	50 pounds;
Castor beans, .....	46 pounds;
Charcoal, .....	20 pounds;
Chestnuts, .....	50 pounds;
Clover seed, .....	60 pounds;
Coal, Anthracite, .....	75 pounds;
Coal, Bituminous, .....	76 pounds;
Coke, .....	40 pounds;
Corn, on cob, .....	70 pounds;
Corn, shelled, .....	56 pounds;
Corn, Kaffir, .....	56 pounds;
Corn, cracked, .....	50 pounds;
Corn meal, .....	50 pounds;
Cotton seed, upland, .....	30 pounds;
Cotton seed, sea island, .....	44 pounds;
Cranberries, .....	32 pounds;
Cucumbers, .....	48 pounds;
Currants, .....	40 pounds;
Dandelions, .....	12 pounds;

Flaxseed, .....	56 pounds;
Gooseberries, .....	40 pounds;
Grass seed, Hungarian, .....	50 pounds;
Grass seed, native blue, .....	14 pounds;
Grass seed, orchard, .....	14 pounds;
Hemp seed, .....	44 pounds;
Herds grass seed, .....	45 pounds;
Hickory nuts, .....	50 pounds;
Horseradish, .....	50 pounds;
Kale, .....	12 pounds;
Millet seed, .....	50 pounds;
Oats, .....	32 pounds;
Onions, .....	57 pounds;
Onion sets, top, .....	28 pounds;
Parsnips, .....	50 pounds;
Peas, dried, .....	60 pounds;
Peas, unshelled green, .....	28 pounds;
Peaches, .....	48 pounds;
Peaches, dried, .....	33 pounds;
Peanuts, green, .....	22 pounds;
Peanuts, roasted, .....	20 pounds;
Pears, .....	58 pounds;
Plums, .....	64 pounds;
Potatoes, Irish, .....	60 pounds;
Potatoes, sweet, .....	54 pounds;
Quinces, .....	48 pounds;
Red Top seed, .....	14 pounds;
Rice, rough .....	45 pounds;
Rutabagas, .....	60 pounds;
Rye, .....	56 pounds;
Rye meal, .....	50 pounds;
Shorts, .....	20 pounds;
Spinach, .....	12 pounds;
Timothy seed, .....	45 pounds;
Tomatoes, .....	56 pounds;
Turnips, .....	55 pounds;
Walnuts, .....	50 pounds;
Wheat, .....	60 pounds;

Proviso.

*provided, however, that apples, cabbage, cucumbers, peaches and pears may be sold by numerical count.*

2. Section seventeen of the act of which this act is an amendment be and the same hereby is amended so as to read as follows:

Section 17  
amended.

17. Upon the request of any citizen, firm, corporation or other interested party made to the State Superintendent or any municipal or county superintendent, such superintendent shall cause test to be made of any weights or measures; and if such weight or measure be found correct, or be made correct, such superintendent or assistant shall affix thereto the seal of the department certifying to the correctness thereof.

Tests.

Seal of  
correctness.

It is the purpose of this act that all the weights and measures used in trade within this State shall be tested and sealed at least once in each year; and it hereby becomes the duty of every county or municipal superintendent to cause such inspection of the weights and measures used within his jurisdiction to be made as heretofore provided.

Weights and  
measures  
tested and  
sealed  
annually.

3. Section nineteen of the act of which this act is an amendment be and the same hereby is amended so as to read as follows:

Section 19  
amended.

19. It shall also be the duty of the State Superintendent to disseminate such information to the citizens of this State as will tend to protect them from the use of false weights and measures.

Information  
supplied.

Every superintendent shall keep a complete record of all standards examined by him, and every municipal and county superintendent shall once in each month, not later than the fifth day thereof, send to the State Superintendent of Weights and Measures, upon blanks furnished by said State Superintendent, a report.

Records.

Such report shall contain: (1) the number of tests made since the last preceding report, (2) the number of weights, measures and balances found by such tests to be correct, (3) the number of weights, measures and balances found by such tests to be false, (4) the number of prosecutions instituted by such superintendents since the last preceding report, together with the name and ad-

What to  
show.

dress of the accused, the name of the court where proceedings were instituted, and the result of such prosecutions, (5) such other matters as the State Superintendent may from time to time prescribe.

Annual  
reports.

Every municipal and county superintendent shall also make an annual report in writing of his work to the State Superintendent, which annual report shall be duly subscribed and sworn to by such superintendent making report and shall be forwarded to the State Superintendent within ten days after the last day of the State fiscal year. Such annual report shall contain a transcript of the reports of all inspections; and the State Superintendent shall within thirty days after the last day of the State fiscal year make a report to the Legislature, which shall contain, besides any recommendations or suggestions deemed necessary or desirable, an abstract or digest of the reports of the municipal and county superintendents.

Annual tests  
in State de-  
partments.

The State Superintendent or one of his assistants shall at least once annually test all weights and measures used in checking the receipt or disbursement of supplies in any department or institution maintained wholly or in part by the State. He shall keep a complete record of all the orders and rules of his department, of all the standards, balances and other apparatus in his custody belonging to the State, and shall take an itemized receipt from his successor in office of all such standards, balances and other apparatus.

Section 26  
amended.

4. Section twenty-six of the act of which this act is an amendment be and the same hereby is amended so as to read as follows:

Penalties.

26. Any person who injures or defrauds another by using, or causes to be used, or has in his possession a false weight, measure or other apparatus for determining the quantity of any commodity, or article of merchandise, or sells or exposes for sale less than the quantity he represents, shall for the first offense be liable to a penalty of not less than



twenty-five dollars nor more than fifty dollars, and for a second offense be liable to a penalty of not less than fifty dollars nor more than one hundred dollars, and for each subsequent offense shall be liable to a penalty of not less than one hundred dollars nor more than two hundred dollars, or imprisonment for not less than thirty days nor more than ninety days, or both, the amount of said penalty to be determined, as aforesaid, in the discretion of the District Court or police magistrate having jurisdiction, and if any person or persons shall fail to pay the penalty or penalties as imposed, together with the cost of prosecution, the said court or police magistrate shall issue execution against the goods and chattels and body or bodies of the defendant or defendants as provided in section thirty-nine hereof with the same force and effect; *provided, however*, that the period of detention of ten days provided therein shall in this case be extended to a period not exceeding ninety days.

Recovery of  
penalty.

Proviso.

5. Section thirty-nine (b) of which this act is an amendment be and the same hereby is amended so as to read as follows:

Section 39(b)  
amended.

39b. Any party to any proceeding instituted under this act may appeal from the judgment or sentence of the District Court or police magistrate to the Court of Common Pleas of the county in which the said proceedings take place; *provided*, that the party appealing shall, within ten days after the date of the said judgment, file a written notice of appeal with the District Court or police magistrate, pay the costs of such proceedings, and deliver to such District Court or police magistrate a bond to the opposite party in double the amount of the judgment appealed from, with at least one sufficient surety, conditioned to prosecute the said appeal and to stand to and abide by such further order or judgment as may hereinafter be made against said party, which appeal shall act as a stay of execution, unless said appeal shall be dis-

Right of  
appeal.

Proviso.

Appeal acts  
as stay of  
execution.

missed for want of jurisdiction in the court appealed to, in which case the District Court or police magistrate may issue execution as in this act provided upon the remanding and dismissal of the appeal papers to said District Court or magistrate with certified copy of the order of dismissal as aforesaid.

6. This act shall take effect immediately.  
Approved February 6, 1918.

## CHAPTER 12.

An Act to amend an act entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this State,' approved April third, one thousand nine hundred and two," which supplement was approved April sixth, one thousand nine hundred and eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act to which this act is an amendment is hereby amended so as to read as follows:

Assistant  
prosecutors.

1. In any county in which there are two or more judges in the Court of Common Pleas, it shall be lawful for the prosecutor of the pleas to appoint not more than three assistant prosecutors, who, having taken an oath or affirmation before the clerk of the Court of Common Pleas of the county wherein they are appointed, to faithfully and justly perform the duties of the appointment to the best of their ability, shall hold said appointment at the pleasure of the prosecutor of the pleas.

Section 2  
amended.

2. Section two of the act to which this act is an amendment is hereby amended so as to read as follows.

Designation  
and salary.

2. One of said assistants shall be designated as first assistant prosecutor, and shall receive an annual salary of six thousand dollars; the other as-

sistants shall be designated as assistant prosecutors, one of whom shall receive an annual salary of five thousand dollars and the others of whom shall each receive an annual salary of four thousand dollars, which salaries shall be paid semi-monthly by the county collector.

3. Section three of the act to which this act is an amendment is hereby amended so as to read as follows: Section 3 amended.

3. It shall be lawful for the first assistant prosecutor and either or any of said assistant prosecutors to attend the sessions of the grand jury, and render therein any service or perform any duty that might be rendered or performed by the prosecutor if he were present. Attendance on grand juries.

4. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately. Repealed.

Approved February 6, 1918.

### CHAPTER 13.

An Act to amend an act entitled "An act to regulate cold storage of food and the sale or distribution of articles of food after cold storage," approved March sixteenth, nineteen hundred and sixteen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section thirteen of the act to which this act is amendatory shall be and the same hereby is amended so as to read as follows: Section 13 amended.

13. Any and all penalties prescribed for violation of any provision of this act shall be recovered in an action of debt by and in the name of the De- Recovery of penalties.

Pleadings.

As to technical defects.

partment of Health of the State of New Jersey, or by and in the name of any board of health of any municipality of this State, as the case may be, as plaintiff. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect, the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceedings in said court.

Approved February 6, 1918.

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#### CHAPTER 14.

An Act to amend an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 55  
amended.

1. Section fifty-five of an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, be and the same is hereby amended to read as follows:

55. After conviction and sentence the court before which such conviction was had, upon the application of the defendant for a new trial, shall have power, at any time during the term in which the judgment is entered, to open and vacate the same and grant a new trial and discharge the defendant from custody upon bail, pending such new trial, or may, at any time during the term in which the judgment is entered, upon the application of the defendant or on its own motion, open and vacate the judgment entered on any conviction and resentence the defendant, as right and justice may seem to require and discharge the defendant from custody upon bail, pending such resentence; *provided*, no writ of error has been issued to review such judgment.

Application  
for new  
trial.

Proviso.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved February 9, 1918.

#### CHAPTER 15.

An Act to repeal an act entitled "An act to provide compensation for employees of the State or any subdivision or municipality thereof, while performing military duty as members of the National Guard," approved March thirty-first, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The act referred to in the title of this act be and the same hereby is repealed.

Act Repealed.

2. This act shall take effect immediately.

Approved February 9, 1918.

## CHAPTER 16.

An Act to permit the payment of compensation to employees of the State, or any subdivision or municipality thereof, while performing military or naval duty.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Compensation  
during mili-  
tary service.

Proviso.

1. It shall be lawful for the officer, department, institution, committee, commission or other body of the State, or any subdivision or municipality thereof, to pay in his or their discretion the whole or a part of the salaries or compensation of their employees or attaches during the time said employees or attaches are engaged in any branch of the military or naval service of the National Government or of this State; *provided, however,* that in the case of any commissioned officer no greater portion of his salary or compensation as an employee of any department of the State or municipal government shall be paid under this act than will, when added to his salary as such commissioned officer, equal the amount of salary or compensation paid to him by such State or municipal department before entering such military or naval service.

2. This act shall take effect immediately.

Approved February 9, 1918.

## CHAPTER 17.

An Act to authorize the Commissioner of Labor to charge a fee for the approval of plans of buildings, for issuance of certificates of approval for work performed, and for publications of the Department of Labor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The Commissioner of Labor is hereby authorized to charge a fee of not less than one dollar nor more than five dollars for the issuance of a certificate of approval of any plans or specifications required by any law or regulation of the Department of Labor of this State to be submitted to him for his approval. Said commissioner shall also be authorized to charge a fee of not less than one dollar nor more than five dollars for the issuance of any certificate of approval of any factory building or of any alteration or new work performed therein, upon the recommendation of said commissioner. Said commissioner shall be governed in fixing the fees above mentioned by the amount of trouble and expense involved in the examination of said plans, specifications or work.

Fee for approving plans and issuing certificate.

2. The Commissioner of Labor is hereby authorized to charge a reasonable fee for blue prints, literature and publications issued by the Department of Labor.

Fee for publications.

3. The moneys paid to the Commissioner of Labor under this act shall be paid by him to the Treasurer of the State of New Jersey.

Money paid into treasury.

4. This act shall take effect immediately.

Approved February 9, 1918.

## CHAPTER 18.

A Supplement to an act entitled "An act providing for the preparation and use of maps for the purposes of taxation in all taxing districts," approved April first, one thousand nine hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Tax maps  
unnecessary  
in certain  
townships.

1. Hereafter it shall be unnecessary to provide for the preparation and use of maps for purposes of taxation in townships having a population of less than twenty-five hundred inhabitants as shown by the last State or Federal census, nor shall the State Board of Taxes and Assessments cause such maps to be prepared in such townships.

2. This act shall take effect immediately.

Approved February 9, 1918.

## CHAPTER 19.

An Act to amend an act entitled "An act to regulate the practice of pharmacy in this State," approved March nineteenth, one thousand nine hundred and one.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act to which this act is an amendment be and the same is hereby amended to read as follows:

State board  
of pharmacy.  
members.

1. There shall be in this State a board of pharmacy, to be known as "The Board of Pharmacy of



the State of New Jersey," which shall be composed of five members (who shall be registered pharmacists of and engaged in the practice of pharmacy in this State), to be appointed from time to time as hereinafter directed, by the Governor, from among the able and skilled pharmacists in New Jersey, who are not teachers or instructors in any college of pharmacy; each appointee must be a citizen of and have been registered as a pharmacist in New Jersey for at least five years prior to his appointment, and he must be actually engaged in conducting a pharmacy at the time of his appointment and continue in the practice of pharmacy during the term of his office; each of the appointed members to hold office for the term of five years, dating from the first day of June of the year of appointment, and their respective terms of office shall be so arranged that the term of not more than one member shall expire in any one year; if the office of any appointed member shall for any cause become vacant before the expiration of the term for which said member was appointed, the same shall be filled by the Governor for the unexpired term only; and "The New Jersey Pharmaceutical Association" may annually hereafter send to the Governor the names of three registered pharmacists engaged in the practice of pharmacy in this State, who shall have the qualifications required by this act, of whom the Governor may appoint one to fill any vacancy occurring in said board; *provided, however,* whereas a State board of pharmacy has heretofore been created in this State and is now, in fact, constituted and organized (in the manner hereinbefore prescribed), the members of said board heretofore created shall constitute and henceforth be deemed and taken to be "The Board of Pharmacy of the State of New Jersey," established by this act, that the appointed members of said board heretofore created shall respectively continue to hold office as members of the board established under this act, until the thirty-first day

Terms.

Vacancies.

Proviso.

Oath.	of May of the fifth year following each respective appointment, unless previously removed; each person so appointed shall, within thirty days after his appointment, take and subscribe an oath, before any officer authorized to administer oaths in this State, that he will faithfully discharge the duties prescribed by this act, and file the same within sixty days after his appointment, in the office of the Secretary of State, and in default thereof the Governor may fill such vacancy so caused by such failure to take and file said oath, in the manner prescribed by this act; the Governor may remove a member of said board upon proven charges of inefficiency, incompetency, immorality or professional misconduct.
Section 4 amended.	2. Section four of the act to which this act is an amendment be and the same is hereby amended to read as follows:
Requisites for registration.	4. Every person applying for registration as a pharmacist under this act shall not be less than twenty-one years of age, be of good moral character, and not a chronic or persistent inebriate and not addicted to the use of any narcotic drug, and shall have had not less than four years' practical experience under a registered pharmacist in a pharmacy where prescriptions of medical practitioners are compounded and drugs are sold at retail, at least one year of such experience must have been had in a pharmacy in the United States within five years of the date of the application for registration as a pharmacist; <i>provided</i> , that a credit of not more than two years may be given in lieu of store experience for an equal time spent in a course of study and laboratory instruction in a school of pharmacy, and shall have been duly graduated from a school of pharmacy complying with the rules and regulations of "The Board of Pharmacy of the State of New Jersey," and shall present to the board a certificate from the Commissioner of Education of this State showing that such applicant, before entering the school of pharmacy,
Proviso.	
Educational requirements.	

had obtained an education equivalent to the standard established by the Board of Pharmacy of the State of New Jersey; the requirements of this section of the act relating to the certificate of preliminary education and to graduation from a school of pharmacy shall not become operative until September first, one thousand nine hundred and twenty, nor shall the requirement of the act relating to the certificate of preliminary education apply to any applicant for registration as a pharmacist who was a graduate of an approved school of pharmacy prior to September first, one thousand nine hundred and twenty; and each applicant before examination shall pay to the secretary of the board of pharmacy a fee of ten dollars, and upon passing an examination satisfactory to said board, he or she shall receive from said board a certificate of registration to practice pharmacy in this State; in case of failure to pass a satisfactory examination, the applicant shall be granted a second examination, without payment of another fee, at any regular examination within the year from the first examination; the board may waive the examination of any applicant for registration who is registered in the District of Columbia or any State or Territory or insular possession of the United States, or any foreign country that has an equivalent standard for registration, and if the board of pharmacy of the District of Columbia or such other State or Territory or insular possession of the United States or such foreign country shall grant to pharmacists or assistant pharmacists registered in accordance with this act, the same privilege to practice pharmacy in the District of Columbia or in such other State or Territory or insular possession of the United State or in such foreign country; such reciprocal registration of certificates shall be subject to such rules and regulations as may from time to time be made by the Board of Pharmacy of the State of New Jersey, and each applicant for such reciprocal registration shall pay

Fee.

Re-examination.

Reciprocal privileges.

Fee for reciprocal registration.

Moral requirements.	<p>a fee of twenty-five dollars for registration; every person applying for registration as an assistant pharmacist shall be not less than eighteen years of age, be of good moral character, and not a chronic or persistent inebriate, and not addicted to the use of any narcotic drug and shall have had at least three years' practical experience under a registered pharmacist in a pharmacy where prescriptions of medical practitioners are compounded and drugs are sold at retail; <i>provided</i>, that a credit of not more than one year be given in lieu of store experience for an equal time spent in a course of study and laboratory instruction in a school of pharmacy complying with the rules and regulations of "The Board of Pharmacy of the State of New Jersey"; each applicant for such examination shall pay to the secretary of the board of pharmacy before examination a fee of five dollar, and in case of failure to pass a satisfactory examination, the applicant may be granted a second examination at the discretion of the board, without the payment of another fee, at any regular examination within one year from the first examination, and upon passing a satisfactory examination before said board of pharmacy, he or she shall receive from said board a certificate of registration as an assistant pharmacist, which certificate shall entitle such person to all the privileges of a registered pharmacist during the temporary absence of the registered pharmacist in charge, but shall not entitle such assistant to engage in business on his or her own account, or as a manager to conduct a pharmacy or drug store; <i>provided</i>, that any person engaged in the drug business who has enlisted or who may enlist or is drafted into the war service of the government, or any person who has been engaged in pharmaceutical service in any department of the Federal government, shall be eligible for examination and registration under this act at any examination of the Board of Pharmacy of</p>
Proviso.	
Examination fee.	
Assistant pharmacists.	
Proviso.	

the State of New Jersey under the conditions and requirements of the act entitled "An act to regulate the practice of pharmacy in this State," approved March nineteenth, one thousand nine hundred and one; every pharmacist owning, conducting or employed in any drug store or pharmacy and every registered assistant pharmacist employed in any drug store or pharmacy shall conspicuously display his or her certificate of registration and renewal certificate in said pharmacy or drug store, and any failure so to do shall be prima facie evidence that such person is not a registered pharmacist; every pharmacy in this State must have displayed on a sign, so as to read from the outside, the name of the registered pharmacist who is in charge; and every registered pharmacist and every registered assistant pharmacist shall, once in two years on such date as the board of pharmacy shall prescribe, pay to the secretary of the board a registration renewal fee of one dollar in return for which he or she shall receive a renewal certificate of registration; the board shall have the power to refuse an applicant for examination or to revoke the certificate of a registered pharmacist or a registered assistant pharmacist for any of the following causes, when the application or the registration is shown to have been obtained by misrepresentation or fraudulent means, or when the applicant or registrant is guilty of chronic or persistent inebriety or addiction to the use of narcotic drugs, two convictions of violations of chapter 197, P. L. of 1908, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight," and the amendatory acts thereto commonly known as the anti-narcotic act, or the holder of the certificate has been found guilty of continuous and wilful violations of this or any other statute relating to the practice of pharmacy, before any certificate

Display of  
certificate.

Pharmacist  
in charge of  
store.

Fee for  
renewal

Revocation  
of license.

Right of  
appeal.

shall be refused or revoked, the accused person shall be furnished with a copy of the complaint and given a hearing before the board, any person whose certificate shall be refused or revoked by the board of pharmacy shall have the right to appeal by certiorari to the Supreme Court for a review of such action.

Approved February 9, 1918.

#### CHAPTER 20.

A Supplement to an act entitled "An act for the incorporation of cities and providing for their officers, government and powers," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Continuance  
of proceedings  
heretofore  
begun.

1. In case any city, town, borough, township or part thereof has heretofore adopted or may hereafter adopt the provisions of the act to which this act is a supplement, and become incorporated under said act any and all proceedings which may have been instituted and commenced for the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents and to impose and levy a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof by the sale of lands subject to future taxation and assessment, and which may be pending and remain unfinished and incomplete at the time of incorporation under or adoption of the act to which this act is a supplement by any city, town, borough, township or part thereof, shall be proceeded with and completed under the laws in force at the time such proceedings were commenced, and as if such city, town, borough, township or part thereof had not become incorporated

under said act; and no proceeding so instituted and commenced pending and remaining unfinished and incomplete at the time of such incorporation under the act to which this act is a supplement shall be rendered invalid or void by reason of the incorporation under or adoption of said act by such city, town, borough, township or part thereof, but shall in all respects be deemed valid, to the end that such proceedings may be proceeded with and completed under the laws in force at the time such proceedings were commenced and as if such city, town, borough, township or part thereof had not become incorporated under said act.

Validity  
of proceed-  
ings.

2. All acts or parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved February 9, 1918.

## CHAPTER 21.

A Further Supplement to an act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in towns, townships, boroughs and other municipalities except cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages and to enforce the payment thereof, and to provide for the sale of lands subject to future taxation and assessment," approved May eighteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In case any town, township, borough or other municipality of this State shall have heretofore instituted and commenced or may hereafter institute

Continuance  
of proceed-  
ings.

and commence proceedings under the provisions of the act to which this act is a supplement, and shall have heretofore or shall hereafter while such proceedings were or are pending and unfinished and incomplete undergone a transition and risen from a lower to a higher grade of municipality and become incorporated as a township, borough, city or other municipality, such proceedings commenced under the provisions of the act to which this act is a supplement shall be proceeded with and completed under the provisions thereof and as if such town, township, borough or other municipality had not undergone such transition and risen from a lower to a higher grade of municipality and become incorporated as a township, borough, city or other municipality.

Validity of  
proceedings.

2. In case any town, township, borough or other municipality of this State shall have heretofore instituted and commenced proceedings under the provisions of the act to which this act is a supplement, and shall have heretofore undergone a transition and risen from a lower to a higher grade of municipality and become incorporated as a township, borough, city or other municipality, and shall have after such transition and incorporation continued such proceedings under the provisions of the act to which this act is a supplement, any and all proceedings so had between such transition and incorporation and the passage of this supplement are hereby validated and confirmed, and shall be as effective as if such town, township, borough or other municipality had continued such proceedings without undergoing such transition, rising from a lower to a higher grade of municipality and becoming incorporated as a township, borough, city or other municipality.

Repealer.

3. All acts or parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Approved February 9, 1918.



## CHAPTER 22.

An Act to amend an act entitled "An act to amend an act entitled 'An act relating to persons or corporations engaged in the business of transmitting money to foreign countries, or of receiving money on deposit to be transmitted to foreign countries,' approved April twelfth, one thousand nine hundred and ten."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act to which this is an amendment is hereby amended to read as follows:

Section 1  
amended.

1. Hereafter no person other than an individual or private banker authorized by the Commissioner of Banking and Insurance to transact business in this State, nor any corporation other than a bank, a trust company, or an express company or telegraph company, or a passenger steamship company receiving moneys for transmission through its regularly authorized agencies, shall engage in the business of transmitting money to foreign countries, or of receiving money on deposit to be transmitted to foreign countries, without a certificate of authority to transact said business granted by the Commissioner of Banking and Insurance of this State. Said certificate of authority shall be renewed annually, and the person or corporation receiving the same shall pay to said commissioner a fee of ten dollars; *provided*, nothing in this act shall be construed to authorize any person or corporation to whom such certificate is issued to receive money on deposit on any other terms than that said money shall be forwarded to a foreign country forthwith, or not later than five days from the receipt thereof; *provided, further*, no person shall be licensed under this act who is not a citizen of the United States.

Certificate  
of authority  
necessary.

Fee for  
renewal.

Proviso.

Proviso.

2. This act to take effect immediately.

Approved February 9, 1918.

## CHAPTER 23.

An Act to provide for the examination and licensing of superintendents and operators in charge of water purification or treatment plants and sewage treatment plants under the direction of the Department of Health of the State of New Jersey.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Examination  
of operators.

1. In order that municipalities, corporations or individuals owning or operating water purification or sewage disposal plants may secure the services of capable superintendents or operators, the Department of Health of the State of New Jersey is hereby authorized to cause examinations to be made, by such persons and at such times and places as it may appoint and under such rules and regulations as it may adopt, for the purpose of determining the qualifications of applicants for licenses as superintendents or operators in charge of any water purification or treatment plants purifying or treating water used for potable purposes by this State or of any sewage treatment plants discharging and effluent into any of the waters of this State. Every such examination shall be in such subjects and conducted in such a manner as the Department of Health of the State of New Jersey shall direct, and every applicant whose examination shall be approved by said department shall receive a license as superintendent or operator of public water treatment plants or public sewage treatment plants, as the case may be.

License.

Operator  
must be  
licensed.

2. No municipality, corporation or individual shall appoint any person as superintendent or operator in charge of any water purification or treatment plant purifying or treating water used for potable purposes by inhabitants of this State or of any sewage treatment plant discharging an effluent into any of the waters of this State, or permit any person to discharge the duties of superintendent or

operator in charge of such plant who is not the holder of a license issued by the Department of Health of the State of New Jersey under the provisions of this act; *provided, however*, that nothing herein contained shall prevent any municipality, corporation or individual from continuing in office any person now occupying the office of superintendent or operator in charge of any water purification or treatment plant or any sewage treatment plant, and the Department of Health of the State of New Jersey, upon certification from the proper municipal officer, corporation or individual, that such person held the office of superintendent or operator in charge of such water purification or sewage treatment plant at the time this act became effective, shall issue a license to said person in the same manner as if he had passed an examination held by the aforesaid department.

Proviso.

Continuance  
of present  
operators.

3. The Department of Health of the State of New Jersey may revoke the license of any superintendent or operator in charge of any water treatment or sewage treatment plant if, after a hearing held by said department at which said superintendent or operator shall have had an opportunity to be heard, either in person or by counsel, said department shall determine that the said superintendent or operator in charge is incompetent to manage said plant, or that he has wilfully neglected his duty in supervising the operation of said plant, or that he has disregarded or disobeyed the lawful orders, rules or regulations of said department.

Revocation  
of license.

Penalty for  
violation.

4. Any person who shall violate any of the provisions of this act shall be liable to a penalty of ten dollars for each day on which such violation has occurred. All penalties prescribed by this section shall be recovered in an action of debt by and in the name of the Department of Health of the State of New Jersey as plaintiff.

5. All penalties collected under the provisions of this act shall be paid into the treasury of the State of New Jersey.

Penalties paid  
into treasury.

Restraining  
violations by  
injunction.

6. Whenever any municipality, corporation or individual shall violate any of the provisions of this act, it shall be lawful for the Department of Health of the State of New Jersey, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, to file a bill in the Court of Chancery, in the name of the State, at the relation of such department, for an injunction to restrain such violation and for such other or further relief in the premises as the Court of Chancery shall deem proper, but the filing of such bill, nor any of the proceedings thereon, shall not relieve any party to such proceedings from the penalty or penalties prescribed by this act for such violation.

Repealer.

7. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

8. This act shall take effect immediately.

Approved February 9, 1918.

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#### CHAPTER 24.

A Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Uniform  
compensation.

1. Appropriations and payments of compensation or rates of wages provided for offices, positions or employments in the State classified service in all State departments, boards, commis-

sions and institutions shall be uniform for all offices, positions or employments having substantially similar duties, work requirements, authority and responsibility and similar requirements as to training and experience, and shall be in conformity with the rules and regulations providing uniform employment control and the schedules and standard specifications of services, grades, titles, duties, qualifications and compensation or wage rates for such offices, positions or employments in the State classified service as set out in the specifications for personal service which shall be provided and adopted by the State Civil Service Commission, or such as shall be adopted hereafter. No person now or hereafter filling an office, position or employment in any State department, board, commission or institution to which the specifications for personal service apply, and for which a definite compensation or salary range has been designated, shall receive from said State department, board, commission or institution in which such person is employed any compensation or salary in addition to that so fixed; *provided*, that nothing in this act shall reduce the salary or compensation of any person now employed.

Rules appli-  
cable.

No extra  
compensation.

Proviso.

2. In addition to the powers enumerated in the act to which this act is a supplement and the various acts supplemental thereto and amendatory thereof, the State Civil Service Commission shall have the power and shall provide, by rule, adopt and maintain a classification of the State classified service, based on the duties, work requirements, authority and responsibility, and requirements as to training and experience, which classification shall include schedules and standard specifications of services, grades, titles, duties, qualifications and compensation or rates of wages of all offices, positions and employments in the State classified service, and to provide and establish definite procedure and regulations governing advancement in

Classification  
as to work  
and re-  
sponsibility.

Advance-  
ment.

compensation or rates of wages based on meritorious action, efficiency and seniority, and lines of promotion through different grades of the services and uniform regulations governing hours of work, vacation and sick leave and other matters affecting service and employment in the State departments, boards, commissions and institutions.

Personnel  
committees  
for classes of  
service.

3. The State Civil Service Commission is hereby authorized and it shall have the power to establish official Civil Service Personnel Committees for each class of service in the State Government, consisting of departmental officials and bureau and other administrative aids, as designated by the heads of departments, boards, commissions and institutions, which committees shall meet with, advise and suggest to the State Civil Service Commission such changes or additions in the specifications for personal service as may be found necessary and practicable, and on the schedules of compensation or rates of wages for the offices, positions and employments in the State classified service as adopted by the State Civil Service Commission, or such as shall be adopted hereafter; to suggest ways and means of improving service and employment conditions and methods and to aid the State Civil Service Commission in enforcing the provisions of the Civil Service law and rules.

Duties.

4. Upon the appointment and designation of members of the Civil Service Personnel Committees, it shall be the duty of all such members to attend the meetings called by the State Civil Service Commission and to conform and comply with all requests made by the said State Civil Service Commission for information relative to service and employment matters and conditions in order to enable the State Civil Service Commission to maintain the classification of the State classified service and develop efficiency and service standards; to further improve service and employment condi-

tions and to enforce the provisions of the State Civil Service law and rules.

5. There is hereby created the Bureau of Personal Service Standards and Records, the offices, positions and employments of which shall be filled according to law and shall be under the jurisdiction of the State Civil Service Commission. Such bureau shall regularly collect and analyze information and data on the work requirements, duties, responsibilities, qualifications and tenure of incumbents of offices, positions and employments within the State classified service, with a view to maintain and keep up-to-date the classification schedules and standard specifications of services, grades, titles, duties, qualifications and compensation or rates of wages for such offices, positions and employments; to appraise the value of such duties and services; to develop and maintain efficiency standards and records, and cooperate with administrative officials in maintaining such efficiency records; to render possible definite proof of meritorious service for use in supervisory control and in recommending advancement and promotion of officers and employees, and to furnish expert aid to legislative and departmental officials on matters relating to employment, departmental organization and administrative management.

Bureau of  
personal  
service.

Records,  
data,  
standards,  
etc.

Proofs of  
service.

6. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed; *provided, however*, that nothing herein contained shall be construed as altering, repealing or in any way affecting the provisions of chapter forty-nine, Laws of one thousand nine hundred and sixteen, and this act shall take effect immediately.

Repealer.

Proviso.

Approved February 9, 1918.

## CHAPTER 25.

An Act to amend an act entitled "An act respecting proceedings in certain criminal cases in certain cities of the second class in this State and to regulate and increase the powers of the police courts, recorder's courts and similar municipal courts known by any other name in any such city, and providing for the appointment and compensation of a city prosecutor and regulating the compensation of judges or recorders presiding over the said courts," approved March sixteenth, one thousand nine hundred and sixteen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

Jurisdiction  
of recorders,  
police jus-  
tices, etc.

Under §50.

1. Section one of the above entitled act be amended to read as follows:

1. Hereafter in all cities of the second class in this State now or hereafter having a population of over fifty thousand, the recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction of criminal offenses and power of committal shall, in addition to the powers now possessed by him, have jurisdiction to try and determine all cases of assault, simple assault and battery, malicious mischief, larceny or embezzlement where the price or value of the article or property or thing taken is under fifty dollars; obtaining money or property under false pretenses where the amount of the article, property or thing alleged to have been obtained is under fifty dollars; receiving stolen property where the value of the article, property or thing alleged to have been received is under fifty dollars, and also other criminal offenses, the penalty for which does not exceed a fine of one hun-



dred dollars or imprisonment for a term not exceeding six months, where any of the specified crimes are committed within the corporate limits of the municipality in which such criminal court is established; *provided*, the person or persons charged with any such offense shall in writing waive indictment and trial by jury.

2. This act shall take effect immediately.

Approved February 9, 1918.

## CHAPTER 26.

An Act to amend a supplement to an act approved March twenty-third, one thousand nine hundred and ten, entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section three hundred and one of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 301 amended.

301. If at any primary any person is nominated as a candidate for office who before the holding of such primary had not filed a certificate consenting to stand as a candidate if so nominated, the name of such candidate shall not be printed on the official ballot unless the person so nominated as a candidate shall, within five days after the holding of such primary, file in the office of the clerk of the county within which said primary was held a certificate stating that he is qualified for the office and accepts such nomination.

Acceptance of nomination necessary to place name on ballot.

2. All acts and parts of acts inconsistent therewith are hereby repealed.

Repealer.

3. This act shall take effect immediately.

Approved February 9, 1918.

## CHAPTER 27.

An Act to incorporate the Second Judicial District of the county of Morris.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Second judicial district of Morris county how composed.

1. All that part of the county of Morris, in the State of New Jersey, comprised within the following town, boroughs and townships, within said county, to wit:

The town of Dover, the borough of Rockaway, the borough of Wharton, the borough of Netcong, the borough of Mt. Arlington, the township of Randolph, township of Mount Olive, township of Roxbury, township of Denville, township of Rockaway and the township of Jefferson be and the same are hereby established and incorporated to be the Second Judicial District of the county of Morris, and the provisions of an act entitled "An act concerning District Courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, and the various amendments thereof and supplements thereto, as far as the same may be applicable, shall apply to the district hereby established.

2. This act shall take effect immediately.

Approved February 9, 1918.

## CHAPTER 28.

An Act to provide for officers of the Senate and General Assembly and to fix their compensation.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Hereafter the officers of Senate and General Assembly, other than the presiding officers, shall be those named in this act, and no others, and that such officers shall receive the annual compensation provided in this act, which shall be in full payment of all their services, subject, however, to the provisions of section four of this act.

Officers of  
the Legisla-  
ture.

2. The following shall be the officers of the Senate, who shall severally receive the annual compensation herein prescribed, that is to say:

Officers and  
employees of  
the Senate  
and their  
compensation.

Secretary of the Senate, fifteen hundred dollars;

Assistant Secretary of the Senate, twelve hundred dollars;

President's Secretary, six hundred dollars;

Chaplain, three hundred dollars;

Supervisor of Bills, twelve hundred dollars;

Assistant Supervisor of Bills, six hundred dollars;

Second Assistant Supervisor of Bills, five hundred dollars;

Journal Clerk, one thousand dollars;

Assistant Journal Clerk, five hundred dollars;

Second Assistant Journal Clerk, four hundred dollars;

Calendar Clerk, five hundred dollars;

Bill Clerk, five hundred dollars;

Assistant Bill Clerk, five hundred dollars;

Sergeant-at-Arms, seven hundred dollars;

Assistant Sergeant-at-Arms, five hundred dollars;

Clerk to the Committee on Printed Bills, five hundred dollars;

Clerk to Committee on Appropriations, five hundred dollars;

Clerk to Committee on Stationery and Incidentals, two hundred dollars;

Secretary to Committee on Appropriations, five hundred dollars;

Four clerks to committees, to be assigned to duty by the Secretary of the Senate, three hundred and fifty dollars each;

Four Stenographers, five hundred dollars each;

Five Doorkeepers, three hundred and fifty dollars each;

Three Gallery Keepers, three hundred and fifty dollars each;

Four File Clerks, three hundred and fifty dollars each;

Six pages, two hundred dollars each.

Officers and  
employees of  
the Assembly  
and their  
compensation.

3. The following shall be the officers of the House of Assembly, and shall severally receive the annual compensation herein prescribed, that is to say:

Clerk of the House, fifteen hundred dollars;

Assistant Clerk, twelve hundred dollars;

Calendar Clerk, five hundred dollars;

Speaker's Secretary, six hundred dollars;

Speaker's Assistant Secretary, five hundred dollars;

Journal Clerk, one thousand dollars;

Two Assistant Journal Clerks, five hundred dollars each;

Supervisor of Bills, thirteen hundred dollars;

Three Assistant Supervisors of Bills, six hundred dollars each;

Sergeant-at-Arms, seven hundred dollars;

Two Assistant Sergeants-at-Arms, five hundred dollars each;

Bill Clerk and one Assistant Bill Clerk, five hundred dollars each;

Clerk to Committee on Printed Bills, five hundred dollars;

Eight clerks to committees, to be assigned to duty by the Clerk of the House, three hundred and fifty dollars each;

Three Stenographers, five hundred dollars each;

Clerk to the majority leader and the clerk to the minority leader, five hundred dollars each;

Twelve doorkeepers, three hundred and fifty dollars each;

Fifteen File Clerks, three hundred dollars each;

Ten Pages two hundred dollars each.

4. The Sergeant-at-Arms of the respective houses of the Legislature shall keep a record of the attendance at each session of either house of the Legislature of all of the officers of such house whose compensation is above provided for, except the Secretary of the Senate, the Assistant Secretary of the Senate, the Journal Clerk, Sergeant-at-Arms, Supervisor of Bills, President's Secretary, and Chaplain of the Senate, the Clerk of the House, the Assistant Clerk of the House, the Journal Clerk, Supervisor of Bills, Sergeant-at-Arms, Speaker's Secretary, and Speaker's Assistant Secretary, of the House, and secretaries and clerks of committees of the Senate and House. Any officer whose record of attendance the Sergeant-at-Arms is required to keep, who shall be absent during any portion of any session of either house, shall be marked absent on such record for the date on which such absence occurs, unless such absence is excused by the presiding officer of such house, or such person as may be designated by him. The officers whose compensation is fixed by this act may draw from the treasury a sum not to exceed one-half of such compensation at the opening of the regular annual session of the Legislature. The balance of such compensation shall be paid within ten days after the final adjournment of the regular annual session of the Legislature; *provided, however,* that the total compensation of any officer

Record of  
attendance  
of certain  
employees  
kept.

Absence  
noted.

Payments.

Balance  
paid.

Proviso.

whose record of attendance is required to be kept by the Sergeant-at-Arms of either house shall be reduced in the proportion that the actual number of days of absence, as shown by the record of attendance, bears to the number of days that the house in which such officer is employed has been in regular session.

Repealer.

5. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved February 9, 1918.

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## CHAPTER 29.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations;' approved April twelfth, one thousand nine hundred and six," which amendment was approved April sixteenth, one thousand nine hundred and eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Paragraph 2,  
section 16,  
amended.

1. Paragraph two of section sixteen of the act of which this is an amendment shall be amended to read as follows:

Registration  
fee for  
motorcycles.

16. (2) Every resident who is the owner of a motor cycle, and every nonresident whose motor cycle shall be driven in this State, shall pay an an-

nual registration fee of two dollars for such motor cycle. Every motor cycle registration shall expire and the certificate thereof become void on the thirty-first day of December in each year, unless revoked by the Commissioner of Motor Vehicles; and the Commissioner of Motor Vehicles shall issue motor cycle registrations for the following year on and after December first of each year, such registrations so issued not to be used until the thirty-first day of December of the year preceding the year for which such registration is issued. There shall be issued with each motor cycle registration a certificate properly numbered, stating that such motor cycle is registered in accordance with the law, and the holder of said certificate when requested by any motor vehicle inspector or magistrate, while in the performance of the duties of his office, shall exhibit said certificate, to the end that the said motor vehicle inspector or magistrate may thereby determine the correctness of said certificate as the same relates to the registration number plates of the motor cycle for which the said certificate was issued.

Expiration  
of regis-  
tration.

Renewals.

Registration  
certificate.

No person shall hereafter drive a motor cycle upon any public highway in this State unless licensed to do so in accordance with the provisions of this act. No person under the age of sixteen years shall be licensed to drive motor cycles nor shall any person be licensed to drive motor cycles until said person shall have passed a satisfactory examination as to his or her ability as an operator, which examination shall include a test of the knowledge on the part of said person of such portions of the mechanism of motor cycles as is necessary in order to insure the safe operation of a motor cycle as well as a written examination to show what knowledge the applicant has of the laws of this State dealing with the regulation of vehicular traffic. Motor cycle driver's licenses shall expire on the thirty-first of December of each year. Said licensee shall be entitled to drive any motor cycle

Age and  
examination  
for license.

Expiration of  
license.

**License fee.** which has been duly registered in accordance with the provisions of this act. The annual license fee to be charged for each motor cycle driver's license shall be one dollar. Each license to drive a motor cycle shall have endorsed thereon in the proper handwriting of the said licensee, the name of said licensee, and said licensee when requested by any motor vehicle inspector or magistrate, while in the performance of the duties of his office under this act, shall exhibit said license to said officer, and write his or her name in the presence of said officer, to the end that he may thereby determine the identity of said licensee.

**Permit for learners.** It shall be lawful for the Commissioner of Motor Vehicles at his discretion, to issue to any person over the age of sixteen years a written permit, under the hand and seal of said commissioner, allowing the said person for the purpose of fitting himself or herself to become a motor cycle driver, to operate a motor cycle for a specified period of not more than three weeks, while in the company and under the supervision of a licensed motor cycle driver of this State, and such permit shall be sufficient license for the said person to operate a motor cycle in the State during the period specified; *provided*, that the said person, as well as such licensed motor cycle driver, shall be held accountable for all violations of this act committed by the said person while in the presence of such licensed motor cycle driver. No such written permit shall be issued unless the person applying therefor shall pay the sum of fifty cents to any agent of the Motor Vehicle Department, such sum to be turned over by the said agent to the Commissioner of Motor Vehicles and by him remitted with other funds collected in his department to the State Treasurer, in accordance with the provisions of this act.

**Proviso.**

**Fee for permit.**

**Revocation license, and registration.** The Commissioner of Motor Vehicles may revoke the registration certificate and driver's license of any motor cycle owner or motor cycle driver for a



violation of any of the provisions of this act, or on other reasonable grounds.

2. This act shall take effect immediately.

Approved February 9, 1918.

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## CHAPTER 30.

An Act to amend an act entitled "An act concerning tuberculosis," approved March twenty-eighth, nineteen hundred and twelve.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section five of an act entitled "An act concerning tuberculosis," approved March twenty-eighth, nineteen hundred and twelve, be and the same is hereby amended to read as follows:

Section 5  
amended.

5. Any resident of the county in which the hospital is situated, desiring treatment in such hospital, may apply in person to the superintendent or to any reputable physician for examination, and such physician, if he find that said person is suffering from tuberculosis in any form, may apply to the superintendent of the hospital for his admission. Blank forms for such application shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county upon request. So far as practicable applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at

Application  
for ad-  
mission.

Examination  
of ap-  
plicant.

Ability to  
pay.

Admission  
in order of  
application.

No discrim-  
ination.

Gratuities  
forbidden.

Discharge.

Detention of  
patients.

the hospital. If, upon personal examination of such patient, or of any patient applying in person for admission, the superintendent and board of managers are satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every application shall be filed and recorded in a book kept for that purpose in the order of their receipt. When said hospital is completed and ready for the treatment of patients or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services, and any such person having been so admitted shall not be discharged without having first obtained permission of the superintendent or board of managers of such hospital, so that such person may not become a menace to the community. The board of managers shall have the right to hold and detain any patient admitted to said hospital when in their judgment it is for the benefit of said patient or for the community that said patient remain therein, but said patient

or any person as his next friend, may apply to the Court of Common Pleas in a summary manner for the discharge of said patient. The medical superintendent shall have the custody and control of every person admitted as a patient to said hospital until properly discharged and, subject to the regulations established by the board of managers, may restrain and discipline any patient in such manner as in his opinion is required for the welfare of said patient.

Custody and  
control of  
inmates.

2. All acts and parts of acts inconsistent herewith are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved February 11, 1918.

### CHAPTER 31.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever a board of education of any school district in this State shall establish a special class or classes for the accommodation and instruction of crippled children, the county superintendent of schools of the county in which such school district is situate shall, in his annual apportionment of school moneys, apportion to such school district the sum of five hundred dollars for each teacher employed in such class or classes.

Apportion-  
ment for  
teachers of  
crippled  
children.

2. Whenever a crippled child shall attend a class for crippled children in a school district other than

Apportion-  
ment for  
crippled  
child.

that in which said child resides with the permission or under the direction of the board of education of the school district in which said child is resident, the county superintendent of schools shall, in his annual apportionment of school moneys, apportion to the latter school district the sum of twenty-five dollars for every such child.

3. This act shall take effect immediately.

Approved February 11, 1918.

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## CHAPTER 32.

An Act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 117  
amended.

1. Section one hundred and seventeen of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Transportation of  
children.

117. Whenever in any district there shall be children living remote from the schoolhouse, the board of education of such district may make rules and contracts for the transportation of such children to and from school. The board of education of any school district may provide for the transportation to and from school, either within the school district or in another school district in this State, of any child residing in the district, who is physically crippled, if it deems such provision advisable or necessary for the proper care and instruc-

As to crippled  
children.

tion of such child, and the board of education of every school district, in which a special class or classes for crippled children are conducted, shall make provision for the transportation of such crippled children to and from such class or classes. Nothing in this section shall be so construed as to prohibit a board of education from making contracts for the transportation of children to a school in an adjoining district when such children shall be transferred to said district by order of the county superintendent of schools, or when any children shall attend school in a district other than that in which they shall reside by virtue of an agreement made by the respective boards of education.

Transportation to another district.

2. This act shall take effect immediately.

Approved February 11, 1918.

### CHAPTER 33.

An Act to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which said supplement was approved April twenty-seventh, one thousand nine hundred and eleven.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Section 1 amended.

Sub-normal  
children.

Special  
classes.

Classes for  
blind or  
deaf.

Provision  
for crippled  
children.

Proviso.

Proviso.

Medical  
examination.

1. Each board of education in this State shall ascertain what children, if any, there are in the public schools who are three years or more below the normal. In each school district in this State in which there are ten or more children three years or more below the normal, the board of education thereof shall establish a special class or classes for their instruction, no class, however, to contain more than fifteen children. In each school district in this State where there are ten or more blind or deaf children who are not now cared for, or who cannot be cared for in an institution, a special class or classes shall be organized for their education, no such class, however, to contain more than fifteen pupils. Such classes shall be discontinued when proper provision is made for the care and education of such blind and deaf children by the State. The board of education of every school district in this State shall provide special equipment and facilities adapted to the accommodation, care and instruction of children of school age who are physically crippled to such an extent, or who possess such bodily deformities that they cannot, in the opinion of the director of medical inspection or of the medical inspector of the school district, be properly accommodated and instructed in the classrooms regularly or usually provided; and, if there are ten or more such crippled children in any district, the board of education thereof shall establish a special class or classes for their proper and adequate accommodation and instruction; *provided*, that no such class shall contain more than eighteen pupils; *and provided, further*, that the board of education of any district may, by arrangement with the board of education of another school district in this State, provide for the accommodation and instruction of such crippled children in the special class or classes of such other district. The medical examiner of the district shall examine the

children in special classes at least once in every three months.

2. This act shall take effect immediately.

Approved February 11, 1918.

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#### CHAPTER 34.

A Supplement to an act entitled "An act to regulate hunting with firearms for wild animals and fowl and angling for fish in fresh waters, and providing for issuance of licenses for such hunting and angling," approved April ninth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In any municipality of this State having an executive officer known as the registrar of licenses, such register shall exercise all the powers and perform all the duties now vested in the clerk of such municipality by the act to which this is a supplement, and such register shall be entitled to the fees provided for the issuance of such licenses, as set forth in the act aforesaid.

Duties of  
registrar  
of licenses.

2. This act shall take effect immediately.

Approved February 11, 1918.

## CHAPTER 35.

An Act to amend an act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

Association  
for purposes  
of insurance.

Fire.

Marine.

Vehicles.

Miscellaneous  
insurance.

Life.

1. Section one of the act to which this is an amendment is hereby amended to read as follows:

1. Ten or more persons may become a corporation for the purpose of making any of the following kinds of insurance, to wit:

I. Against loss or damage to property by fire, lightning, tempest on land, bombardment, invasion, insurrection, riot, civil war or commotion, military or usurped power, and by explosion whether fire ensues or not, except explosion of risks specified in subdivision six of this section;

II. Upon vessels, freights, goods, money, effects, bottomry and respondentia interests, and every insurance appertaining to or connected with marine and inland risks of transportation and navigation, including insurance against loss or damage to automobiles or other vehicles whether stationary or being operated under their own power, by all or any of the hazards of fire, lightning, tempest, explosion, transportation by land or water, collision, burglary and theft, and against legal liability for damage to property of others resulting from their maintenance and operation;

III. Upon the lives or health of persons, and every insurance appertaining thereto, and to grant, purchase or dispose of annuities;



IV. Against bodily injury or death by accident, and upon the health of persons, including a funeral benefit to an amount not exceeding one hundred dollars, or against loss or damage to automobiles or motor vehicles of any description, or to wagons or vehicles propelled by a horse, horses or teams of any description, resulting from collision with moving or stationary objects, or against loss by legal liability for damage to persons or property resulting from collision of automobiles or motor vehicles of any description, or of wagons or vehicles propelled by a horse, horses or teams of any description with moving or stationary objects; Accident.

V. Against loss or damage resulting from accident to or injury suffered by any person for which loss or damage the insured is liable; Indemnity.

VI. Against damage to property of the insured or loss of life or damage to the person or property of others for which the insured is liable, caused by the explosion of steam boilers, pipes, engines, motors and machinery connected therewith or operated thereby; Explosion.

VII. Against loss from the defaults of persons in positions of trust, public or private, or against loss or damage on account of neglect or breaches of duty or obligations guaranteed by the insurer; and against loss by banks, bankers, brokers, financial or moneyed corporations, or associations, of any bills of exchange, notes, checks, drafts, acceptances of drafts, bonds, securities, evidences of debt, deeds, mortgages, documents, gold or silver bullion, currency and money, except loss by marine risks or risks of transportation or navigation; Defalcation.

VIII. Against loss or damage on account of encumbrances upon or defects in titles to real property and against loss by reason of the nonpayment of principal and interest of bond and mortgages. A company organized under this act to transact the business authorized by this subdivision shall have the right, in addition to the other powers of Titles.

investment given by this act, with its capital and surplus to take, buy, sell and deal in first mortgages on real estate and to issue bonds, debentures and certificates against such mortgages, and may use in its name the words "Guaranty Company" instead of the words "Insurance Company," as hereinafter required generally for corporations formed under this act;

Credits. IX. Against loss from bad debts, commonly known as credit insurance;

Burglary. X. Against loss by burglarly or theft;

Glass. XI. Against the breakage of glass;

Sprinklers. XII. Against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers, pumps or other apparatus erected for extinguishing fires, and of water pipes, and against accidental injury to said sprinklers and other apparatus;

Casualty. XIII. Against loss or damage to property by any other casualty which may lawfully be the subject of insurance.

Insurance companies, either stock or mutual. Companies may be formed upon the stock plan to transact any kind of insurance authorized by this section, or upon the mutual plan to transact the kinds of insurance described in subdivisions first, third, fourth, fifth, sixth and eleventh hereof. Any corporation which, by its charter, is authorized to make insurance against loss or damage to property caused by fire, lightning or tempest on land may, without amending such charter, make insurance against loss or damage to property caused by bombardment, invasion, insurrection, riot, civil war or commotion, military or usurped power, and by explosion, whether fire ensues or not, except explosion on risks specified in subdivision sixth hereof; *provided*, such corporation shall be possessed of the amount of capital stock or cash premiums required by section six of this act.

Proviso.

Section 6 amended. 2. Section six of the act to which this is an amendment is hereby amended to read as follows:

6. No stock insurance company organized under this act shall be entitled to commence business unless it has a capital stock of at least one hundred thousand dollars, actually paid in cash, with an additional capital stock of fifty thousand dollars, actually paid in cash, for every kind of insurance more than one which it is authorized to transact as specified in section two of this act. No mutual company organized to transact the kinds of insurance specified in subdivision one of section one of this act, shall be entitled to commence business until it shall have received bona fide applications for insurance, the premiums on which shall amount to not less than one hundred thousand dollars and shall have been paid in to said company in cash; except that a mutual company organized to insure only against loss or damage to property by fire, lightning or tempest on land, shall be entitled to commence business when engagements shall have been entered into for insurance with said company, the premiums on which shall amount to ten thousand dollars, and notes of solvent parties, based on bona fide applications for insurance upon property located within this State, shall have been received in advance therefor, which notes shall be considered the capital stock of such company, and shall be valid and collectible for paying any losses which may accrue, or for any other lawful use or purpose. No mutual company organized to engage in the kinds of insurance specified in subdivision three of section one of this act shall be entitled to commence business until engagements by not less than one hundred insurable persons shall have been entered into for insurance with said company, the premiums on which shall amount to at least thirty thousand dollars, and shall have been received by the proposed corporators in cash.

Capital necessary to begin business.

Mutual companies.

A mutual life insurance company may be organized with a temporary capital stock of not less than one hundred thousand dollars, which shall be in-

Mutual life insurance companies.

vested in the same manner as is provided for the investment of its other funds, and in such case the amount of premiums required to be engaged and collected before commencing business shall be ten thousand dollars. The holders of said stock shall elect such number of the directors of the company as shall constitute a bare majority of the entire board, and the rest of the directors shall be elected by the policyholders in such manner and with such representation as may be provided in its certificate of incorporation; and after the retirement of such capital stock all the directors shall be so elected by the policyholders. Out of the net surplus of the company the holders of the temporary capital stock may receive a dividend of not more than ten per centum per annum, which may be cumulative. Such capital stock shall not be a liability of the company, except that it shall be retired when the surplus of the company becomes sufficient to pay the same at its par value and leave a surplus of not less than the amount of the temporary capital so retired.

Selection of  
directors.

Dividends.

Capital not a  
liability.

Accident  
insurance  
companies.

A mutual company organized to transact the kinds of insurance specified in subdivisions fourth of section one of this act shall be entitled to commence business when it shall have received bona fide applications for insurance, the premiums on which shall amount to not less than fifty thousand dollars and shall have been paid in to said company in cash; except that a mutual company organized to insure only against bodily injury or death by accident and upon the health of persons, including a funeral benefit to an amount not exceeding one hundred dollars, shall be entitled to commence business when it shall have received bona fide applications for insurance, the premiums on which shall amount to at least twenty-five thousand dollars and shall have been paid in to said company in cash.

Commencing  
business.

A mutual company organized to make insurance against loss or damage resulting from accident to

or injury suffered by any person for which loss or damage the insured is liable shall not be authorized to commence business until it shall have received bona fide applications for insurance the premiums on which shall amount to not less than ten thousand dollars and shall have been paid in to said company in cash. No such company whose business becomes reduced so that it has on its books less than ten thousand dollars of outstanding premiums not reinsured in solvent companies shall make any further insurance until it has secured bona fide applications for policies which, together with the risks already on its books not reinsured, shall amount to not less than ten thousand dollars in premiums. Every person insured by any such company shall be a member thereof while his policy remains in force. Every such company shall in its by-laws and policies fix the contingent mutual liability of its members for the payment of losses and expenses not provided for by its available cash funds, but such contingent liability shall not be less than an amount equal to and in addition to the premiums written in the policy. The liability of any policyholder to pay his proportional part of any assessments which may be levied by the company on account of losses and expenses incurred while he was a member shall continue so long as there are outstanding any obligations incurred during the term of his membership.

Minimum  
business.

Liability of  
members  
fixed.

Continuance  
of liability.

A mutual steam boiler insurance company may be authorized to commence business when it shall have secured bona fide applications for insurance the premiums for which shall amount to not less than fifty thousand dollars, and shall be received by the company in cash.

Boiler

A mutual company organized to make insurance against the breakage of glass shall not be authorized to commence business until engagements shall have been entered into for insurance with said com-

Glass.

pany the premiums on which shall amount to at least five thousand dollars, and notes of solvent parties based on bona fide applications for insurance on property located within this State, shall have been received in advance therefor; such notes shall be considered the capital stock of such company, and shall be valid and collectible for paying any losses which may accrue, or for any other lawful use or purpose.

3. This act shall take effect immediately.

Approved February 11, 1918.

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#### CHAPTER 36.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Opposing  
enlistment  
unlawful.

1. It shall be unlawful from and after the passage of this act for any person to print, publish or circulate in any manner whatsoever any book, newspaper, pamphlet or written or printed matter whatsoever that advocates or attempts to advocate that persons should not enlist in the military or naval forces of the United States or of the State of New Jersey; for any person in any public place or at any meeting where more than five persons are assembled to advocate or teach, by word of mouth or otherwise, that any person or persons should not enlist in the military or naval forces of the United States or of the State of New Jersey, or for any person to teach or advocate by any written or printed matter

whatsoever, or by oral speech, that the citizens of the State of New Jersey should not aid or abet or assist the United States in prosecuting or carrying on war with the enemies of the United States.

2. A citizen of the State of New Jersey, for the purpose of this act, is hereby defined to be any person within the confines of the said State. Citizen defined.

3. Any person violating any provision of this act is hereby declared to be guilty of a high misdemeanor, and on conviction shall be subject to imprisonment for a term of not exceeding seven years, or to a fine of not less than one hundred dollars nor more than two thousand dollars, or to both fine and imprisonment, in the discretion of the court. Penalty.

4. This act shall take effect immediately.

Approved February 11, 1918.

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## CHAPTER 37.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," approved March twenty-first, nineteen hundred and twelve.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section thirty-nine of the act to which this act is amendatory be and the same is hereby amended to read as follows: Section 39 amended.

39. No estate or interest of a feme covert in any lands, tenements or hereditaments, lying and being in this State, shall hereafter pass by her deed or Acknowledgment by feme covert.

Such  
acknowledg-  
ment bar to  
dower.

conveyance, without a previous acknowledgment made by her before one of the officers mentioned in the twenty-second, twenty-third and twenty-fourth sections of this act, as the case may be, that she signed, sealed and delivered the same as her voluntary act and deed, such officer being satisfied she is the person named in such deed or conveyance and having first made known to her the contents thereof, and a certificate thereof written on, or under, or annexed to the said deed or conveyance, and signed by the officer before whom it was made; and further, every deed or conveyance, heretofore or hereafter so executed and acknowledged, by a feme covert, and certified as aforesaid, shall release and bar her right of dower, and every deed or instrument of the nature or description set forth in the twenty-first section of this act, heretofore or hereafter executed by her and so acknowledged and certified as aforesaid, shall be good and effectual to convey or affect the lands, tenements or hereditaments, or other property, or her interest therein, thereby intended to be conveyed or affected;

Proviso.

*Provided*, that this clause shall not be construed to enable any feme covert under the age of twenty-one years to convey or affect her lands, tenements or hereditaments, or other property, or any right or dower, interest, or estate therein.

2. This act shall take effect immediately.

Approved February 12, 1918.



## CHAPTER 38.

An Act to amend an act entitled "An act for the incorporation of cities and providing for their officers, government and powers," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section sixty-three of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 63  
amended.

63. All proceedings for the opening, widening, extending, grading, regulating and otherwise improving streets and avenues, and all proceedings for the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents, and to impose and levy a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof by the sale of lands subject to future taxation and assessment which may be pending and remain unfinished and incomplete at the time of incorporation under or adoption of this act by any city, town, borough, township or part thereof, shall be proceeded with and completed under the laws in force at the time such proceedings were commenced, and as if such city, town, borough, township or part thereof had not become incorporated under this act; *provided, however*, that this section shall not be construed to prevent the continuance and completion under the laws in force at the time such proceedings were commenced of any other proceeding or proceedings not herein mentioned which may have been or may be pending and remain unfinished and incomplete at the time

Completion of  
proceedings  
already  
commenced.

Proviso.

of incorporation under or adoption of this act by any city, town, borough, township or part thereof.

Repealer.

2. All acts or parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved February 13, 1918.

### CHAPTER 39.

An Act to authorize the Department of Health of the State of New Jersey to make analyses of water, food, drugs, pathological materials and similar substances for persons, corporations and institutions in this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Analyses of  
food, drugs,  
etc.

1. The Department of Health of the State of New Jersey may, in its discretion, cause to be made, in the State laboratory of hygiene, analyses and examinations of samples of water, food, drugs, pathological materials and similar substances, when requested to do so by any person, private or municipal corporation or institution in this State. Said department shall fix the charges to be made for such analyses and examinations, and shall make such rules and regulations governing the collection and examination of such samples as they may deem proper.

Charges.

Receipts  
paid into  
treasury.

2. All moneys received for the analyses of such samples as aforesaid shall be paid by the Department of Health to the Treasurer of the State.

3. This act shall take effect immediately.

Approved February 13, 1918.

## CHAPTER 40.

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide for the regulation and incorporation of insurance companies, and to regulate the transaction of insurance business in this State,' approved April third, one thousand nine hundred and two," which amendatory act was approved April fifteenth, one thousand nine hundred and seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section two of the act to which this is an amendment is hereby amended to read as follows:

Section 2  
amended.

2. Section sixteen of the act to which this is an amendment is hereby amended to read as follows:

Section 16  
further  
amended.

16. Any insurance company of this State, for the purpose of investing its capital, surplus and other funds, or any part thereof, may purchase or hold as collateral security or otherwise and sell and convey any bonds or public stock issued or created by the United States, or by this State, or by any of the other States of the United States or the District of Columbia, or by any of the incorporated cities, counties, townships or other municipal corporations thereof or bonds authorized to be issued by any commission appointed by the Supreme Court of this State, or invest said capital, surplus and other funds, or any part thereof, in bonds or notes secured by mortgages or trust deeds on unencumbered real estate located within said States or the District of Columbia, worth at least one-half more than the sum invested or loaned; *provided*, that for the purposes of this section real estate subject to lease in whole or in part whereby rents or profits

Investments,  
character of.

Proviso.

Amounts in  
certain cor-  
porations  
limited.

Divestment  
of excess.

Proviso.

are reserved to the owner shall not be considered encumbered; or lend on or purchase mortgage bonds or railroad companies organized under the laws of said States, or the District of Columbia, or of the Dominion of Canada, or operated wholly or partly in such States or country; or the capital stock, bonds, securities or evidences of indebtedness created by any corporation of the United States or of any State. No such life insurance company shall purchase or acquire more than twenty per centum of the stock of any one corporation, unless it be a municipal corporation, nor shall the amount so invested by any life insurance company in the stock of any one corporation exceed two per centum of the assets of said life insurance company, nor shall the amount invested in the bonds of any one corporation exceed ten per centum of said assets, except that nothing herein contained shall prevent any company from holding as much as fifty thousand dollars, par value, of the bonds of any corporation, when none of the stock of such corporation is held by said company. Any such life insurance company now holding a larger amount than above provided of the stock of any corporation shall divest itself of said excess within five years from the first day of July, one thousand nine hundred and seven, unless upon petition to the Chancellor, and notice to the insurance commissioner, the Chancellor shall, for good cause shown, allow further time for the disposal of such stock, and then within the time so allowed; *provided*, that no loan shall be made or retained on any of the above-mentioned securities, except the bonds or stock issued or created by the United States or this State, exceeding ninety per centum of the market value thereof; and no such life insurance company shall at any time lend in the aggregate more than two per centum of its assets upon the security of the stock of any one corporation, nor more than ten per centum of its

assets upon the security of the bonds of any one corporation; *provided, however*, that nothing in this section contained shall be construed as prohibiting an insurance company from entering into an agreement for the purpose of protecting the interests of the company in securities lawfully held by it, or for the purpose of reorganization of a corporation which issued securities so held, and from depositing such securities with a committee or depositaries appointed under such agreement; but such agreement and the deposit of securities thereunder must first be approved in writing by the insurance commissioner. Nor shall this section be construed as preventing such company from accepting corporate stock or bonds or other securities, which may be distributed pursuant to any such agreement approved as aforesaid or to any plan of reorganization approved in writing by the insurance commissioner. *Provided*, that if any such securities so received shall be of the kind not otherwise allowable as an investment by this section, then they shall be disposed of within five years from the time of their acquisition, unless the insurance commissioner shall, for good cause shown, allow further time for the disposal of such stock, and then within the time so allowed; and further, that no such life insurance company shall keep on deposit in any one bank or trust company for more than ten days consecutively a sum exceeding three per centum of the assets of the said life insurance company, but this provision shall not in any case limit the deposit to less than one hundred thousand dollars; *and provided, further*, that no purchases of the stock of any company which has not regularly paid dividends for the past five years preceding the time of purchases shall be made; and that no loan shall be made by any such company on its own stock; and any life insurance company may purchase any policy of insurance, or other obligation

Proviso.

Acceptance  
of corporate  
stock, etc.

Proviso.

Proviso.

May pur-  
chase policy  
or loan on  
policy.

of the company, and any claims of its policyholders, and may lend to the holder of any policy of the company a sum which shall not exceed the surrender value of the policy at the time the loan is made, which loan shall be a lien upon the policy and all additions or credits thereon; and any company organized for the purpose of marine insurance may, in addition to the foregoing, lend their funds on bottomry and respondentia bonds and change and reinvest the same as occasion may from time to time require.

Loans of marine companies.

Investments authorized by directors.

No joint transactions.

May subscribe for U. S. bonds.

No investment shall be made by any life insurance company, unless the same shall first have been authorized by the board of directors, or by a committee thereof charged with the duty of supervising such investment. No such company shall underwrite or participate in any underwriting of the purchase or sale of securities or property, or enter into any transaction for such purchase or sale on account of such company jointly with any other person, firm or corporation, nor shall any such company enter into any agreement to withhold from sale any of its property, but the disposition of its property shall be at all times within the control of its board of directors; any company, however, shall be free to subscribe for any proposed issue of bonds of the United States, or of any other bonds of the character hereinbefore permitted, provided such subscription be made for a definite amount and at a definite price.

Approved February 13, 1918.

## CHAPTER 41.

An Act to further amend "An act to enable counties which have no county hospital to assist in maintaining hospitals located in such county," approved April twenty-sixth, one thousand eight hundred and eighty-six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act to which this is an amendment shall be and the same is hereby amended to read as follows: Section 1 amended.

1. It shall and may be lawful for the board of chosen freeholders of any county of this State which has no hospital located therein maintained by such county other than the hospital or sick ward of the county poorhouse, or other than a county tuberculosis hospital, or sanatorium, to make an appropriation of a sum of money not exceeding seventy-five thousand dollars each year, in the same manner that appropriations for other county purposes are made, which sum so appropriated shall be included in the annual tax levy of such county and collected in the same manner and at the same time as other county taxes, and shall be applied to the purpose of supporting and maintaining such patients as may be sent to any hospital or hospitals supported by private charity and located in such county; *provided*, that the sum so appropriated be used and applied for the benefit, comfort and maintenance of such patients, inmates of such hospital, as are residents of said county at the time of being sent to said hospital. Care of sick in counties lacking hospital.

Appropriation.

Raised by tax levy.

Proviso.

2. This act shall take effect immediately.

Approved February 13, 1918.

## CHAPTER 42.

A Supplement to an act entitled "An act to enable counties which have no county hospital to assist in maintaining hospitals located in such county," approved April twenty-sixth, one thousand eight hundred and eighty-six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Basis of distribution of appropriation to hospitals.

1. Any and all money hereafter appropriated by any board of chosen freeholders and distributed and paid to any hospital by virtue of the provisions of the statute to which this act is a supplement, or of any amendment thereof, shall, in case there be more than one such hospital in such county, be distributed among and paid to such hospitals upon the basis of the free ward day's treatment furnished by each of such hospitals for the benefit, comfort and maintenance of such patients, inmates therein, as are residents of such county when admitted to such hospital, and not otherwise.

"Free ward day's treatment" defined.

2. A free ward day's treatment is defined as not less than twenty-four hours' medical and nursing attention of a hospital patient who occupies a listed hospital bed in the public ward for at least twenty-four hours continuously and for which nothing is paid; *provided*, that free ward day's treatment shall not include treatment given to any person who would not commonly be admitted to or maintained in the public or contagious wards of general hospitals.

Proviso.

Hospital to render annual report to freeholders if it wishes to participate.

3. It shall be the duty of any hospital desiring to participate in the said funds to make an annual report prior to December fifteenth of each year to the board of chosen freeholders of such county



under oath of the superintendent or custodian of the records, and verified by the president of said hospital, setting forth in detail the free work done by said hospital in accordance with the provisions of this act for the twelve months ending November thirtieth next preceding, and the apportionment of such money for the fiscal year of such county, following such reports, shall be made to each hospital upon the basis of free service shown by such reports, and no hospital failing to make such reports shall participate in such funds appropriated for such fiscal year immediately following such failure.

4. This act shall take effect immediately.

Approved February 13, 1918.

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#### CHAPTER 43.

An Act to amend an act entitled "An act to establish a uniform standard of weights and measures in this State, to establish a Department of Weights and Measures, and to provide penalties for the use of other than standard or legal weights and measures," approved April twenty-fourth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section thirteen of the act to which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 13  
amended.

13. The salary of the State Superintendent of Weights and Measures shall be thirty-five hundred dollars per annum. The salary of the assistant state superintendents shall be fixed by the State Super-

Salaries of  
(superintend-  
ent and as-  
sistants.

intendent of Weights and Measures, and shall in each case be not less than fifteen hundred dollars, nor more than eighteen hundred dollars per annum. The salary of the county and assistant county and municipal and assistant municipal superintendents shall be fixed by the governing body of such county or municipality, as the case may be; such salary shall be paid in the manner and at the time now or hereafter provided by law, but the salary of no county or assistant county or municipal or assistant municipal superintendents, now in office, shall be decreased or diminished during his incumbency of such office or position.

2. This act shall take effect immediately.

Approved February 13, 1918.

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#### CHAPTER 44.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Inciting insurrection or sedition high misdemeanor.

Penalty.

1. If any person shall incite an insurrection or sedition among any portion or class of the population of the State of New Jersey, or shall attempt by writing, speaking, or by any other means, to incite such insurrection or sedition, the person so offending shall be guilty of a high misdemeanor, and shall on conviction be punished by imprisonment for a term not exceeding twenty years, or by a fine not exceeding ten thousand dollars, or by both fine and imprisonment, in the discretion of the court.

2. Any person who shall advocate, in public or private, by speech, writing, printing, or by any other means, the subversion or destruction by force of the government of the United States, or of the State of New Jersey, or attempt by speech, writing, printing, or in any other way whatsoever to incite or abet, promote or encourage hostility or opposition to the government of the United States, or of the State of New Jersey, shall be guilty of a high misdemeanor, and on conviction shall be punished by imprisonment for a term not exceeding ten years, or by a fine not exceeding two thousand dollars, or by both fine and imprisonment, in the discretion of the court.

Hostility to government high misdemeanor.

Penalty.

3. Any person who shall become a member of any organization, society or order organized or formed, or attend any meeting, or counsel or solicit others so to do, for the purpose of inciting, abetting, promoting or encouraging hostility or opposition to the government of the United States, or of the State of New Jersey, or who in any manner shall aid, abet or encourage any such organization, society, or order or meeting in the propagation or advocacy of such a purpose, shall be guilty of a high misdemeanor, and on conviction shall be subject to imprisonment for a term of not more than ten years, or to a fine not exceeding two thousand dollars, or to both fine and imprisonment, in the discretion of the court.

Meeting to favor hostility to government high misdemeanor.

Penalty.

4. This act shall take effect immediately.

Approved February 13, 1918.

## CHAPTER 45.

An Act to supplement and amend an act entitled "A supplement to an act entitled 'An act to establish a Village for Epileptics, and to repeal certain acts inconsistent therewith,' approved March twenty-first, nineteen hundred and one," approved March sixteenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act to which this act is an amendment is hereby amended so that it shall read as follows:

Part pay-  
ment of  
charges when  
patient's or  
relatives' cir-  
cumstances  
warrant.

1. Whenever it shall appear to any judge of the Court of Common Pleas, either at the time of commitment or subsequent thereto, that a patient is unable to pay the minimum private patient rate, but is nevertheless reasonably able to contribute toward the cost of his or her maintenance and clothing, or that the wife, husband, parents, grandparents, children or grandchildren (or any of them) is or are reasonably able to pay for or contribute toward the maintenance and clothing charges of said patient, such judge may, after reasonable notice to the person or persons to be charged thereunto, order that such patient, or his or her guardian or trustee, or the wife, husband or aforementioned relatives (or any of them) pay, monthly in advance, such amount for the maintenance and clothing charges of said patient as shall to such judge seem proper, not, however, in excess of the minimum private patient rate; such order to be subject, on notice, to reconsideration and revision as occasion may require.

Amount to be  
paid.

2. The said act is supplemented by the following additional section: Added section.

4. The proceedings under section one shall be conducted by the officer who at the time shall be performing the duties of Commissioner in Lunacy and he may be compensated additionally as the board of chosen freeholders may direct. Proceedings.

Approved February 13, 1918.

## CHAPTER 46.

A Supplement to an act entitled "An act to authorize the incorporation of rural cemetery associations and regulate cemeteries, approved April ninth, eighteen hundred and seventy-five."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The board of trustees of any cemetery association is hereby empowered to set aside, out of its general funds, such sum or sums as may be deemed desirable, in a special fund, the same to be invested as hereinafter provided, and the income therefrom used for any purpose for which the funds of said association may now be used; *provided*, that said special fund may be added to from time to time by said board of trustees, but that it shall not be reduced, excepting by resolution adopted at a regular meeting of the lot-owners of said association, a notice of said meeting having been first mailed to each lot-owner at his last known address, postage prepaid, at least ten days prior to the date set for said meeting. Special fund set aside.

2. The board of trustees of any cemetery association may invest the trust funds and special funds, Proviso.

Investments.

or any part thereof, in any of the following securities:

U. S.  
securities.

I. In bonds or interest-bearing notes of or obligations of the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof;

N. J.  
securities;

II. In bonds or interest-bearing notes or obligations of this State;

State bonds.

III. In bonds of any State in the Union which has not within ten years previous to the making of such investment defaulted in the payment of any part of either principal or interest on any of its bonds issued by authority of the Legislature of such State;

Municipal  
securities.

IV. In the bonds or interest-bearing notes or obligations of any county, city, town, township, borough, village or public school district of this State issued pursuant to the authority of any law of this State, or of the city of New York, or of the city of Philadelphia; *provided*, the indebtedness of the county, city, town, township, borough or village does not exceed in the aggregate fifteen per centum of the assessable valuation of all taxable property within such county, city, town, township, borough or village, exclusive of obligations issued for public school purposes;

Proviso.

Railroad  
bonds.

V. In first-mortgage bonds of any railroad company which has paid dividends of not less than four per centum per annum regularly, on its entire capital stock, for a period of not less than five years next previous to the purchase of such bonds, or in any consolidated mortgage bonds of any such company authorized to be issued to retire the entire bonded debt of such company;

Bond and  
mortgage.

Proviso.

VI. In bonds secured by first mortgage upon real estate; *provided*, the amount loaned upon such bond and mortgage shall not at the time of making such loans exceed sixty per centum of the estimated worth of the real estate covered by such mortgage;

*provided, also*, that the rate of interest upon any of the above-enumerated securities in which such investments may be made shall not be less than three per centum nor more than six per centum per annum; this section shall not apply where the deed of trust, or the last will and testament of any testator specially directs in what securities the funds so given or bequeathed shall be invested; and no board of trustees shall be held liable for any loss resulting in any such case.

Proviso.

Exception.

3. Every such association holding property in trust or which has established a special fund shall, within sixty days after the close of each fiscal year of said association, file in the Department of Banking and Insurance, on blanks to be furnished by said department, a report of the principal and investments of said funds, duly verified; and such trust funds and special funds, as to the principal thereof, shall be subject to the inspection and supervision of the department of banking and insurance, and the Commissioner of Banking and Insurance shall either personally or by some person to be appointed by him, visit and examine the trust and special funds of such association at least once in every two years; the officers, managers and employees of every such association shall exhibit its books, papers and securities to said commissioner, or to the person appointed by him to conduct the examination and otherwise facilitate the same; and the commissioner and every such examiner shall have power to examine any person, under oath or affirmation, touching the subject-matter of such examination.

Annual report.

Fund inspected.

Records shown.

4. Whenever it shall appear to the Commissioner of Banking and Insurance, from any report filed or examination made, as provided in this act, that the principal of such trust or special funds are not being properly invested, the said commissioner shall have authority to apply to the Supreme Court for an order upon the board of trustees of said

Improper investments disposed of.

New Jersey State Library

association to immediately dispose of all unauthorized securities and the proceeds therefrom to properly invest. Any loss sustained by reason of improper investment shall be borne jointly and severally by the trustees responsible for such improper investments, or for the continuation thereof, and such loss shall be forthwith paid by said trustees to such association. In case of failure so to do, such loss shall be recovered by an action at law instituted by the Commissioner of Banking and Insurance in the name of such association; and such defaulting trustees shall, upon the entry of judgment against them, cease to be trustees of such association and shall be ineligible for re-election.

5. Every such association shall pay one dollar on filing its annual report, and shall defray the necessary expenses of any examination of its affairs made pursuant to the provisions of this act; *provided*, no association shall be compelled to pay more than twenty dollars in any one year toward the expenses of such examinations; whenever any such examination shall be made by the commissioner or his deputy, in person, no charge shall be made except for necessary traveling and incidental expenses.

Losses paid by trustees.

Losses recoverable.

Filing fee.

Proviso.

Examination expenses.

Approved February 13, 1918.



## CHAPTER 47.

A Supplement to an act entitled "An act to prevent deception in the distribution or sale of food in package form," approved March eighteenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The publication of the tolerances and exemptions provided for in the act to which this act is a supplement shall be published at the end of the session laws for the year one thousand nine hundred and eighteen, and when so published shall have the same force and effect as if such tolerances and exemptions had been published as provided in the act to which this act is a supplement.

Publication  
with session  
laws.

2. This act shall take effect immediately.

Approved February 13, 1918.

## CHAPTER 48.

A Supplement to an act entitled "An act relating to the Court of Common Pleas (Revision of 1900)," approved March twenty-third, nineteen hundred.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. In any county now or hereafter having by any State or Federal census four hundred thousand or

Additional  
judge of  
court of com-  
mon pleas.

Term and salary.	more inhabitants, the Governor is authorized, whenever in his judgment the public interest shall so require, to appoint by and with the advice and consent of the Senate, an additional judge of the Court of Common Pleas, making three in all, who shall serve for the same term and receive the same salary as is now provided by law for the judges of said court in the county in and for which they are so appointed.
Authority and jurisdiction.	2. Whenever there shall be three judges of the Court of Common Pleas in any county, said judges sitting together, or either of them sitting alone, or each of them sitting separately at the same time, shall constitute and may hold the Court of Common Pleas, the Orphans' Court, the Court of Quarter Sessions, and the Court of Special Sessions; and said judges, when sitting together, or either of them when sitting alone, or each of them when sitting separately at the same time, shall have and possess the same powers, authority and jurisdiction as are now vested in the existing judges of said courts; each of said judges shall have the same power to hold the Court of Oyer and Terminer and Circuit Court as is now conferred by statute on the existing judges of the Court of Common Pleas; whenever the said judges shall sit together, the senior judge in service shall be the president judge of said court; and any power or authority now conferred by statute on the judge or judges of the Court of Common Pleas in any proceeding or matter may be exercised by either of said judges.
Existing statutes applicable.	3. All existing statutes relating to the Court of Common Pleas, the Orphans' Court, Court of Quarter Sessions and Court of Special Sessions, shall apply to each of said courts when so held at the same time by said judges sitting separately, and the duties of the clerk, the sheriff, constables and other officers shall be the same in each of said courts so held at the same time as now provided by law

in the existing courts when held by the existing judge or judges of the Court of Common Pleas.

4. Whenever the said judges, or either of them, shall hold the Circuit Court of any county, they shall not receive for such services any compensation or allowance in addition to their annual salary, but the Treasurer of the State shall pay to the collector of the county in and for which they were appointed for the use of the county the sum of twenty dollars for each day either of them shall hold any Circuit Court.

Payment to  
county for  
holding cir-  
cuit court.

5. This act shall take effect immediately.

Approved February 14, 1918.

#### CHAPTER 49.

An Act to provide for the appointment of an Interstate Bridge and Tunnel Commission and to define its powers and duties.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. As soon after this act shall take effect as is practicable, the Governor shall appoint, by and with the advice and consent of the Senate, eight suitable persons, residents of the State, who shall be known as the New Jersey Interstate Bridge and Tunnel Commission. In addition thereto, the Governor shall be ex-officio a member of the commission. The commission shall be appointed for the following terms, to take office on the date of the appointment; two for one year, two for two years, two for three years, and two for four years; annually thereafter two members shall be appointed for a term of four years. The Governor shall have

Commission.

Terms.

Removal.

Vacancies.	the power to summarily remove any or all members of the commission; vacancies shall be filled for the unexpired terms. The members of the commission shall receive no compensation for their services, but the State Treasurer shall, upon the warrant of the State Comptroller, reimburse them for their necessary expenses.
Expenses met.	
Organization.	2. Said commission shall organize each year by the selection of a chairman, a vice-chairman and the appointment of a secretary, each of whom shall hold office for one year or until their respective successors have been duly elected or appointed, as the case may be, and qualified. The commission shall hold not less than twelve stated meetings each year, and all stated meetings and the minutes thereof shall be open to the public.
Meetings.	
Engineer and sundry assistants.	3. The commission is hereby authorized to appoint an engineer and such assistants, clerks and employees as may be necessary for its work, and shall fix their compensation and term of employment, define their duties, and may, when it shall deem it advisable, employ such of its assistants or employees, including its engineer, in co-operation with the city or State which in co-operation with this State shall provide for the construction of bridges or tunnels across the Delaware and Hudson rivers, and agree to pay such share of the compensation of such employees as may be proper.
Auditing and statistics.	4. The commission shall provide for the proper auditing of all accounts of moneys expended and of labor performed or material furnished for use in its work, and for the collection and tabulation of such statistics as may be proper or necessary for its use in carrying out of the provisions of any law or laws.
Members ineligible to office.	5. No member of the commission shall, during the time for which he shall have been appointed, be elected or appointed by said commission to any office except that of chairman or vice-chairman of the commission.

6. Such commission shall have such duties in connection with the providing of interstate bridges or tunnels as shall from time to time be conferred upon it by the Legislature, and shall have all the powers appropriate and necessary for the proper performance of such duties. All action shall be determined by the said commission by the vote of a majority of those present; *provided* at least five members be present. The Governor shall not vote as a member of said commission, except in case of a tie in any vote, in which case he shall cast the deciding vote. The signature of the chairman of the commission, or in his absence or disability, the signature of a person duly authorized and designated by the commission to any order, regulation, contract, bill or other paper or document to be signed in behalf of such commission, shall be sufficient evidence of the authority therefor and the authenticity thereof.

Duties.

Quorum.

Proviso.

Governor  
voting.Authority  
evidenced.

7. The commission shall be furnished with suitable accommodations in the State House, and elsewhere in the State as may be necessary, the same to be properly equipped for the transaction of its business.

Office.

8. If any part or parts of this act shall be declared to be invalid or unconstitutional, the remainder of the act shall stand.

Validity  
of act.

9. All acts or parts of acts inconsistent herewith are repealed, and this act shall take effect immediately.

Repealer.

Approved February 14, 1918.

## CHAPTER 50.

An Act to extend the system of highways in this State by providing for the construction, maintenance and operation of bridges and tunnels for vehicular or other traffic across the Delaware river and the Hudson river, or either of them, in co-operation with the city or State, or both, with which such bridges or tunnels, or either of them, shall connect.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Plans and  
specifications  
prepared.

Location.

Estimates  
of cost.

Former plans  
used.

Plans turned  
over to new  
commission.

1. The New Jersey Interstate Bridge and Tunnel Commission shall, as soon as practicable, procure and have made the plans and specifications, and lay out and survey the location and procure the estimates of the cost of a bridge or tunnel for vehicular or other traffic across the Hudson river to connect this State with the State and city of New York, and the said commission shall also, as soon as practicable, procure and have made the plans and specifications and lay out and survey the location, and procure the estimates of the cost of a bridge or tunnel for vehicular or other traffic across the Delaware river to connect this State with the city of Philadelphia and the State of Pennsylvania.

2. The said commission is authorized to use for such purposes such surveys, estimates, plans or location as may have been heretofore made by any commission or commissions formerly appointed for such purposes. Any such commissions formerly appointed as aforesaid shall, upon the appointment of the New Jersey Interstate Bridge and Tunnel Commission, turn over to said commission their surveys, estimates, plans, locations and other data.

3. Said plans, specifications, surveys and estimates for the construction of the bridge or tunnel across the Hudson river shall, as far as practicable, be made and procured in co-operation with the city or State of New York, or both, and for the bridge or tunnel across the Delaware river with the city of Philadelphia or the State of Pennsylvania, or both.

Co-operation  
with others.

As soon as such plans and specifications are made and estimates procured and the location of said bridges or tunnels, or either of them, is made, the said Interstate Bridge and Tunnel Commission is authorized to enter into the necessary contracts and agreements with the city or State of New York, or both, or the city of Philadelphia or the State of Pennsylvania, or both, as the case may be, for the construction of such bridges or tunnels, and, subject to the appropriations made therefor, to agree to pay the share or part of the cost thereof, to be paid by the State, which share shall not exceed one-half the cost of such bridge or such tunnel.

Contracts and  
agreements.

State's share  
of cost.

4. The said commission is also authorized to enter into the necessary agreements or contracts with such States or cities to provide for the repair and maintenance of such bridges or tunnels, for regulating their traffic and police and protecting the same, and fixing and collecting the tolls and charges for the use of such bridges or tunnels, which agreements the said commission is authorized to alter, amend or repeal from time to time in agreement with said States or cities, or both, as in the opinion of such commission may be proper.

Repairs and  
maintenance.

Tolls.

5. The said commission shall have the power to enter into the necessary contracts or agreements for the construction, maintenance and repair of such bridges or tunnels, either in its own name, the name of the State, or in co-operation with such cities or States, or both, who shall have agreed with said commission to build and maintain the same, and are further authorized to agree with such cities

Terms and  
conditions of  
contracts.

or States, or both, as to the manner and the terms and conditions upon which such contracts or agreements shall be made, but no contract or agreement for the construction, repair or maintenance of such bridge or tunnel exceeding in value the sum of two thousand dollars shall be made without bids for the same having first been advertised for, for such time and in such manner as shall have been agreed to by said commission and said cities or States, or both.

Valid contract made.

6. The said commission shall not enter into any contract or agreement for the construction, operation, maintenance or repair of any bridge or tunnel or for the payment of any sum or sums whatsoever (except for the preliminary expenses for surveys, plans, estimates and specifications and the proper expenses for the commission, including the compensation of its appointees and employees) until a valid and binding agreement or contract has been made with the city or State, or both, with which such bridge or tunnel shall connect, agreeing to pay one-half the cost of such bridge or tunnel; and the written opinion of the Attorney-General of this State, to the effect that the State or city making the same has the authority to make such agreement, shall be conclusive upon said commission.

Opinion of attorney-general.

Acquisition of property.

7. Said commission shall have full power in its name or the name of the State, to acquire, by purchase, gift, grant or condemnation, all lands, rights and interests in lands, within the State, which may be necessary for the construction of such bridges or tunnels. In case condemnation proceedings shall be instituted, the procedure shall be in accordance with the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of one thousand nine hundred)," approved March twentieth, one thousand nine hundred.

Condemnation proceedings instituted.

How bridge and tunnel fund constituted.

8. The funds provided to meet lawful expenditures of the commission for any purpose as re-



quired under this act shall constitute an Interstate Bridge and Tunnel Fund. It shall include the appropriations made therefor by the Legislature, the moneys derived from any special State tax imposed for that purpose, and from Federal, county or municipal aid and other contributions.

9. The said commission shall proceed with the construction of said bridges or tunnels as rapidly as the appropriation or moneys available therefor will permit. The agreements for the construction of such bridges or tunnels may be made by said commission, notwithstanding the fact that at the time of signing the same sufficient funds to pay the amounts due and to grow due thereon shall not be available for such purpose, and payments of such amounts may be made from funds appropriated or contributed subsequent to the making and signing of such agreements. In the event of the construction of either of said bridges or tunnels being delayed for any reason whatsoever, such delay shall not prevent the said commission from proceeding with the construction of the bridge or tunnel, the construction of which has not been so delayed.

Proceed to  
construct  
bridge or  
tunnel.

As to delays.

10. The words "city" or "State" as used herein shall include any board, commission or official of such city or State authorized to act in the premises for such city or State.

"City,"  
"State,"  
explained.

11. If any part or parts of this act shall be declared invalid or unconstitutional, the remainder of the act shall stand.

Validity of  
act.

12. All acts or parts of acts inconsistent herewith are repealed, and this act shall take effect immediately.

Repealer.

Approved February 14, 1918.

## CHAPTER 51.

An Act to provide for the taxation of real and personal property in this State for the purpose of constructing, maintaining and operating a bridge or tunnel across the Delaware river in co-operation with the city of Philadelphia or the State of Pennsylvania, or both, and a bridge or tunnel across the Hudson river in co-operation with the city or State of New York, or both, for vehicular or other traffic.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Tax levied.

1. There shall annually, for a period of four years, beginning with the levying of taxes for the year nineteen hundred and twenty-two, be assessed, levied and collected in each of the municipalities of the counties of this State, a tax of one mill on each dollar of the value of all the real and personal property in every such municipality upon which municipal taxes are or shall be assessed, levied and collected. Such tax shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are assessed, levied and collected. It shall be the duty of the collector or other officer having the custody of the collected taxes, on or before the fifteenth day of December in each year, out of the first moneys collected, to pay to the county collector of the county such State tax required to be assessed in his taxing district by this act, and the county collector shall pay the said State tax, which he shall have so received from the taxing districts, to the Treasurer of the State on or before the twenty-sixth of December, and the said State

Duties of  
collectors.

Treasurer shall place the same in the Interstate Bridge and Tunnel Fund.

2. The increase of the tax levied and assessed upon and collected from railroad and canal property under and by virtue of the provisions of the "Act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four," which revising and amending act was approved March twenty-seventh, one thousand eight hundred and eighty-eight, and of the supplements and amendments thereto, by reason of the tax of one mill on the dollar provided by this act shall be and the same is hereby appropriated to the Interstate Bridge and Tunnel Fund when and as received into the State treasury.

Certain taxes on railroads and canals appropriated to bridge and tunnel fund.

3. If any part or parts of this act shall be deemed invalid or unconstitutional, the remainder of the act shall stand.

Validity of act.

4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved February 14, 1918.

## CHAPTER 52.

A Supplement to an act entitled "An act for the incorporation of cities and providing for their officers, government and powers," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Hereafter, in all cities which have heretofore adopted or which may hereafter adopt the pro-

Powers of recorders extended.

visions of the act to which this act is a supplement, the recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction of criminal offenses and power of committal, whether elected by a vote of the people or appointed by the city council, board of aldermen, or by the mayor of such city, or other board or body, or other authority, shall, in addition to the powers now possessed by him, try and determine all cases of assault, simple assault and battery, malicious mischief, larceny or embezzlement where the price or value of the article, property or thing taken is under twenty dollars; obtaining money or property under false pretenses, where the amount or value of the article, property or thing alleged to have been obtained is under twenty dollars; receiving stolen property, where the value of the article, property or thing alleged to have been received is under twenty dollars, and also other criminal offenses, the penalty for which does not exceed a fine of one hundred dollars, or imprisonment for a term not exceeding six months, where any of the specified crimes are committed within the corporate limits of the municipality in which such criminal court is established; *provided*, the person or persons charged with any such offense shall, in writing, waive indictment and trial by jury.

Classes of cases.

Proviso.

Imposition of penalties.

Bail.

2. Upon conviction of any person such court may impose such penalty or penalties as may be provided by law for the offense of which the defendant shall be convicted.

3. Any person waiving indictment and trial by jury, as provided in this act, may be held to bail for trial in such court at such time as may be fixed, and in default of bail may be committed to the county jail of the county in which such city is located, and on the order of the magistrate making such commitment the person so committed shall be brought before the said court for trial. In case

of default of appearance of any such defendant on bail the recognizance may be enforced in the same manner as the same might have been had the said recognizance been taken in a proceeding before a justice of the peace.

4. Any person violating any ordinance or regulation of any municipality may be arrested by any police officer, or by any employee of any board of such municipality, whose duty it shall be to enforce said ordinances and regulations, and taken before such court, where the case shall be summarily heard and disposed of by the magistrate of any such court without the filing of any pleadings. And on proceedings for the purpose of recovering a penalty for the violation of any ordinance or regulation of any such municipality such ordinance shall be proved in the manner now required by law, and if the defendant shall be found guilty, the magistrate of such court may impose upon the person so convicted a fine not exceeding the penalty provided by said ordinance, and in default of the payment of the said fine the defendant shall be committed to the common jail or the workhouse in any such county for such term as is now provided by law.

Arrest and  
hearing for  
violation of  
ordinances.

Recovery or  
penalty.

5. Whenever judgment shall be rendered in any such court, upon conviction of any of the offenses specified in this act, such proceedings shall be had thereupon for the purpose of obtaining satisfaction of the fine and costs, or costs, adjudged by writ or writs of fieri facias, or warrant or warrants in the nature of a *capias ad satisfaciendum*, in the like manner and to the same effect as in civil cases; but such execution or executions, warrant or warrants in the nature of a *capias ad satisfaciendum* shall not have the effect to discharge the defendant or defendants from imprisonment, pursuant to the judgment of the court, until such judgment shall be satisfied.

Proceedings  
to obtain fine  
and costs.

Power of  
justices of  
the peace.

6. Hereafter the justices of the peace duly elected and commissioned in and for the several cities of this State which have heretofore adopted or which may hereafter adopt the provisions of the act to which this act is a supplement shall have power to take complaints as now provided by law against any person or persons offending against the laws of this State, or any of them, and in the manner now provided by law, and to issue warrants thereon, returnable before such justice issuing the same.

Hearing.

7. When any such person or persons charged as aforesaid before any such justice with any criminal offense committed within the jurisdiction of any court within the intent and meaning of this act shall be apprehended and brought before any justice in said city, it shall be the duty of such justice, providing the offense for which said offender shall be apprehended as aforesaid shall be bailable in law, to conduct such hearing or examination as provided by law, unless such offender or offenders shall waive such examination or hearing. If such hearing be waived, or, on such hearing, the offender or offenders shall be held, such justice shall admit such offender or offenders to bail for his, her or their appearance at the earliest possible day before the nearest recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal, holding court in the city within which such offense was committed, and, if such offender cannot furnish bail as aforesaid, to appear before said court, then it shall be the duty of such justice of the peace to commit such offender or offenders to the common jail of such county in which said city is situate, and to send forthwith and in the manner herein provided, the complaint or complaints and all papers connected therewith to the nearest court as aforesaid in such city.

Bailed to ap-  
pear at court.

Commit to  
jail.

8. Any person charged as aforesaid and who shall have been admitted to bail as provided in the section last aforesaid, and who shall appear before said court as provided in the recognizance taken before such justice of the peace and who shall waive indictment and trial by jury before said court, shall be held to bail for trial in said court at such time as may be fixed by said court, and in default of bail, shall be committed to the county jail of the county in which such city is located, and on the order of the said court, the person or persons so committed shall be brought before the said court for trial; *provided, however*, that if such offender or offenders shall not waive indictment and trial by jury before said court, the said court shall hold such offender or offenders to bail as is now provided by law; and if any person or persons charged as aforesaid who shall not have been admitted to bail as provided in the section last aforesaid, and who shall have been committed to the county jail as aforesaid, shall be brought before such court for trial on the order of said court; *providing*, said offender or offenders shall waive indictment and trial by jury, and if such offender or offenders shall not waive indictment and trial by jury, the said court shall hold such offender or offenders to bail as now provided by law.

Appearance  
at court.

Bailed or  
jailed.

Proviso.

Proviso.

9. It shall be the duty of such justice of the peace forthwith to forward, properly enclosed and sealed in an envelope and addressed to the nearest police justice, recorder or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal, holding court in such city, the complaint and recognizance taken, together with a list or memorandum of the names and addresses of all witnesses for and in behalf of the State in such case and all papers connected therewith.

Complaint  
and recog-  
nizance  
forwarded  
by justice  
to court.

Examination  
by court.

10. It shall be lawful for said court, in any such city, upon the receipt from justice of the peace of the complaint as herein provided, to examine said offender or offenders, or to admit such offender or offenders to bail in all cases now bailable before said court for his, her or their appearance on the day set for trial by said court.

Penalty for  
refusal of  
justice to act.

11. If any justice of the peace shall refuse or neglect to carry out in any respect the requirements of this act, or shall offend in anything against the true intent and meaning of this act, he shall be deemed guilty of a misdemeanor and punishable therefor.

Fees for  
justices and  
constables.

12. For services performed under the provisions of this act, the justices of the peace and constables performing the same shall be entitled to receive the same fees as are now prescribed by law in criminal cases; the fees of such justices of the peace and constables shall be itemized in the form of bills and costs, and the bill of costs of such constables shall be approved by the justice of the peace before whom the complaint in such cases was taken, and the constable's bill of costs, approved as aforesaid, shall be annexed to the bill of costs of such justice of the peace, and all such bills of cost shall, together with the complaint, warrant, recognizance and other papers and exhibits in the said case as herein provided be forwarded to the clerk of said court, if there be such a clerk, and there be none, to the official presiding over said court, and the clerk or the official presiding over said court shall review and correct said bills of cost, if necessary, and shall certify the correct amount of such bill or bills of cost to the city treasurer of the city in which said court is situate, who thereupon shall pay the correct amount or amounts so certified to such justice of the peace or constable; *provided, however*, if it shall appear in the judgment of said court that the proceedings in such case were taken by the justice of the peace improvidently, or that such proceedings

Bills certified.

Proviso.



were not calculated to promote the administration of justice, then the official presiding over said court may, in his discretion, disallow, in whole or in part, the bill or bills of costs of such justice of the peace or constable.

13. In the event of the absence, sickness or disability of such magistrate, it shall be lawful for him to designate, in writing, some attorney at law, resident in the county in which such city is located, to act in his place and stead during such absence, sickness or disability.

14. The governing body of such city shall have the power to appoint a clerk, whose duty it shall be to attend the sessions of said court and the examinations, trials and proceedings had therein, and shall keep a docket in which shall be entered a brief record of all matters which shall come before any such court, and he shall perform such other duties and services appertaining to the court business as the said magistrate may require; and such clerk shall receive all fees, fines, penalties and costs imposed in said court, and account for and pay the same over to the proper city officers of such city, at least once in each month, and shall keep a record of such fees, fines, penalties and costs and of the disposition thereof. Every such clerk appointed as aforesaid shall subscribe to an oath to properly discharge the duties of his office upon being appointed thereto, which oath shall be filed with the city clerk of such city, and said clerk shall, in addition thereto, enter into bond to the municipality in which he is appointed in the sum of two thousand dollars, with at least two sufficient sureties, to be approved by the board or body having control of the finances of the municipality. In the absence of the clerk of said court, the judge may designate, in writing, an acting clerk, who shall temporarily have authority to perform the duties of clerk of said court.

Acting magistrate.

Court clerk.

Docket.

Disposition of fees.

Oath.

Bond.

Acting clerk.

Docket open  
to inspection.

Copies in  
evidence.

Commitments,  
writs, etc.

Official  
title of  
court.

Proceedings  
to be fol-  
lowed.

As to con-  
victions.

15. The docket and records kept by the clerk of said court shall be open to the inspection of any person lawfully entitled to examine the same, and certified transcripts of the same may be used in any court or place as evidence of the matters therein contained, and shall have the same force and effect as the docket itself, and the clerk shall furnish to any person requiring the same a transcript of the record from said docket in any cause upon the payment of fifty cents.

16. All commitments, writs and other processes of such court shall be issued in the name of the magistrate thereof, and shall be signed and attested by the clerk, if any there be, who shall have authority to take any complaint or complaints or affidavit or affidavits to be used in said court, and to administer any oath or affirmation proper to be administered in said court, and, in the absence of the judge or magistrate, may receive the verdict of any jury impaneled in any case tried in said court; and, in the absence of the judge or magistrate, may adjourn the said court to the following day, and may, in all cases, take bail in the absence of the judge, where the judge might properly take the same; and said court shall be a court of record, and shall be known as "..... (name of city) police court," or "..... (name of city) recorder's court," numerically describing the same if there be more than one court.

17. Proceedings instituted for the recovery of penalties for the violation of ordinances shall conform to the proceedings now followed in said court in the city in which any action is instituted, and in criminal cases and cases under the "Act concerning disorderly persons," the same proceedings shall be followed in cases of complaints before a justice of the peace.

18. On conviction of any person before such court, it shall be sufficient for the conviction to set

out the name of the defendant and the number of the section and title of the ordinance or statute under which the conviction is had; the names of the witnesses sworn and a list of the exhibits produced at the trial, and a statement that the defendant was convicted, with the date of such conviction, which conviction shall be signed by the magistrate of such court, and it shall not be necessary to set forth any of the testimony taken on the trial of said cause in such conviction.

19. In case any person convicted in any such court shall have been committed to the workhouse or common jail in default of paying the fine or penalty imposed upon such conviction, it shall be lawful for the magistrate imposing such fine or penalty to remit the whole or any portion thereof, to discharge the person so committed from further custody, and, in case he is committed to said workhouse or jail without a fine, it shall be lawful for the magistrate before whom such conviction was had, upon application made to him, and if it shall appear to the satisfaction of said magistrate that the person so convicted should be discharged from further custody, it may be lawful for said magistrate to discharge said person.

Remission  
of penalty.

Discharge.

20. The magistrate of any such court shall be an attorney-at-law of this State and shall be appointed for a term of three years, and receive an annual salary of not less than twelve hundred dollars, to be paid to him in equal monthly payments by the board or body required by law to pay the salary of other city officers.

Term and  
salary of  
magistrate.

21. In case, for any reason, any section or provision of this act shall be questioned in any court, or be held to be unconstitutional or invalid, the same shall not in anywise affect any other section or provision of this act.

As to  
validity  
of act.

22. All acts or parts of acts, general, special and

Repealer.

local, so far as they conflict herewith, be and the same are hereby repealed.

23. This act shall take effect immediately.

Approved February 14, 1918.

### CHAPTER 53.

An Act providing for the purchase, storage and sale of food and fuel by municipalities.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Purchase and  
sale of food  
and fuel by  
municipali-  
ties.

1. Every municipality in this State is hereby authorized to purchase, either within or without this State, foods and fuel and to sell the same, either at wholesale or retail, and to rent or lease and equip storehouses, warehouses and storerooms in which to store and from which to sell foods and fuel.

Ordinance of  
authoriza-  
tion.

2. The governing body of any municipality shall have power, by ordinance or resolution, to authorize any officer or employee of such municipality named in such ordinance or resolution, to conduct, in behalf of such municipality, the business of buying and selling foods and fuel, to secure the necessary equipment, and to rent or lease the necessary buildings or rooms therefor. Such governing body may also, by ordinance or resolution, prescribe the method of purchase and distribution of foods and fuel, and shall limit the same in such manner as shall seem to such governing body most conducive to the public welfare. Such foods and fuel shall be sold by the municipality at a price which shall equal the cost to such municipality, including the

Method of  
distribution.

Selling price.

cost of handling, storing and selling the same, but not including any profit to the municipality.

3. The officer or employee of any such municipality charged with the duty of carrying into effect the provisions of this act, shall daily publish in a newspaper printed or circulated in such municipality, a list of the articles purchased by him on the preceding day, with the quantity of each article, the name and address of the seller and the price at which such article was purchased. The amount paid for such publicity service shall be determined by the lowest bid.

Public notice  
of purchases.

4. The Board of Agriculture of this State shall advise and counsel any municipality taking advantage of the provisions of this act as to the best methods to be followed in the purchase and sale of foods.

Advisory  
counsel.

5. The governing body of any municipality acting under the provisions of this act may use for the purchase of food products and fuel any funds available for emergency or general municipal purposes, and where no such funds or where insufficient funds are available, such governing body shall have power to borrow, in the name and on the credit of such municipality, such funds as may be necessary for the purpose of the purchase and distribution of foods and fuel aforesaid.

Funds.

6. Whenever the governing body of any municipality shall find it necessary to borrow money for the purposes of this act, it is hereby authorized to borrow for a period not greater than three years such money as may be found necessary on temporary loan bonds or certificates of indebtedness, and to only use the proceeds resulting from the distribution of food and fuel, as herein provided, for the liquidation of such temporary loan bonds or certificates of indebtedness, and for the purchase, from time to time, of such additional food or fuel as may be deemed necessary, in accordance with the provisions of this act.

Borrowed  
money.

When act  
expires.

7. The provisions of this act shall become inoperative on a date six months immediately following the date of signature of treaty of peace between the United States of America and the Imperial German government and its allies.

8. This act shall take effect immediately.

Approved February 15, 1918.

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#### CHAPTER 54.

A Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Classification  
of employees,  
and standard-  
ization of  
wages.

1. In addition to the powers enumerated in the act of which this act is a supplement and the various acts supplemented thereto and amendatory thereof, the State Civil Service Commission shall have the power, and it shall be its duty, to prepare classifications and suggest standards of salaries or wages to be paid officers and employees filling offices, positions and employments in the classified civil service of the several counties and municipalities which have adopted the provisions of the Civil Service act. Such classification and salary standardization shall provide definite specifications and standards of services, grades, duties, qualifications, titles and definite regulations gov-

Specifica-  
tions and  
standards.

erning increases of compensation or rates of wages based upon length of service, meritorious action and efficiency, lines of promotion through the different grades of each of the services and other matters which will aid the separate governments in establishing uniformity and modern business methods in public employment and to further strengthen and simplify civil service administration throughout the State.

2. It shall be the duty of all officers and employees of the counties and municipalities which have adopted the provisions of the State Civil Service act to conform to and comply with all requests made by the State Civil Service Commission for information relative to the duties, qualifications, character of work, hours of service and compensation or rates of wages of the various grades of offices, positions and employments in their respective departments, boards, commissions and institutions in order to enable the State Civil Commission to make and establish such standardization and classification.

Information  
furnished  
civil service  
commission.

3. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealers.

Approved February 15, 1918.

## CHAPTER 55.

An Act requiring all able-bodied male persons, between the ages of eighteen and fifty years, inclusive, to be regularly or continuously engaged in some lawful, useful and recognized business, profession, occupation or employment, whenever, because of a state of war in which the United States may be engaged, the Governor determines such employment to be necessary and essential for the protection and welfare of the State and of the United States, and providing the procedure for carrying this act into effect and penalties for noncompliance therewith.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Regular and  
useful em-  
ployment.

Hours per  
week.

Penalty.

1. It is hereby declared to be the duty of every able-bodied male resident of this State, between the ages of eighteen and fifty years, to be habitually and regularly engaged in some lawful, useful and recognized business, profession, occupation, trade or employment. Whenever the Governor of this State shall issue a proclamation determining such employment to be necessary and essential for the protection and welfare of this State and the United States, because of the existence of a state of war in which the United States may be engaged, and thenceforward until the termination of such war, and any able-bodied male resident of this State, between the ages aforesaid, who shall fail or refuse to be so employed for at least thirty-six hours per week shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than one hundred dollars or be imprisoned for a term not to exceed three months, or both.



2. In no case shall the possession by the accused of money, property or income sufficient to support himself and those regularly dependent upon him be a defense to any prosecution under this act.

Ample income  
no excuse.

3. In no case shall the claim by the accused of his inability to obtain work or employment be a defense to a prosecution hereunder, unless it shall be proved that the accused promptly notified the Commissioner of Labor of the State of New Jersey of his inability to obtain employment, and requested that work or employment be found for him, and that such employment was not furnished him, and shall hold a certificate from the Commissioner of Labor that such application has been made.

As to inability  
to obtain  
work.

4. It shall be the duty of the Commissioner of Labor whenever any person shall inform him of his inability to obtain employment as aforesaid to register forthwith the name of such person in the Department of Labor, together with his address, age and any other information which he may deem necessary. The Commissioner of Labor shall thereupon assign, or cause to be assigned, and, if necessary, reassign or cause to be reassigned, such persons to occupations as aforesaid, carried on by the State or any county or municipality thereof, or by private employers, engaged in agricultural, industrial or other occupations of the character above mentioned, and who accept the services of such persons; *provided, however*, that no person shall be required to work under this act any greater number of hours per day than lawfully constitutes a day's work in the occupation in which such person is required to engage. In the event of the Commissioner of Labor being unable to procure employment for such persons applying as aforesaid, it shall then be the duty of the said Commissioner of Labor to so certify to such person in writing.

Registration.

Assignment to  
work.

Proviso.

Certificate of  
inability to  
procure work.

5. All persons required to work under this act shall receive compensation of not less than the wage or salary paid to others engaged in the same

Compensa-  
tion.

By whom paid.	<p>nature of work to which each such person is assigned. If any such person is assigned to work for any department, board or commission of the State, then the compensation of such person shall be paid to him by such department, board or commission out of the appropriation made to it by the State. If any such person is assigned to work for any county or for any municipality, or for any private employer, then the compensation of such person shall be paid to him by such county or municipality, or by private employer, accepting his services.</p>
Penalty for refusal.	<p>6. Any person failing or refusing to do, or to continue to do, the work assigned to him, or who, in the meanwhile, has not become regularly or continuously employed in some lawful, useful and recognized business, occupation, trade, profession or employment as aforesaid, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than one hundred dollars or imprisonment for a term not exceeding three months, or both.</p>
Rules governing assignment to work.	<p>7. As soon as the proclamation has been issued, as herein provided, it shall be the duty of the Commissioner of Labor to prepare and publish such rules and regulations governing the assignment of persons to work under this act as will assure that all persons similarly circumstanced shall, as far as it is possible to do so, be treated alike. In assigning anyone to work, the Commissioner of Labor shall take into consideration the age, physical condition and any other appropriate circumstances of the person so assigned, and the rules and regulations to be promulgated by said Commissioner of Labor under the provisions of this act shall make allowances for such facts and circumstances.</p>
Conditions considered.	
Officers charged with enforcement.	<p>8. After the issuance of the proclamation hereinbefore provided for, it shall be the duty of the sheriffs of the respective counties and of any other officer, State, county or municipal, charged with enforcing the law, to seek and continue to seek</p>

diligently the names and places of residence of able-bodied male persons within their respective jurisdictions, between the ages aforesaid, not regularly or continuously employed as aforesaid.

9. The Commissioner of Labor is authorized to Assistants. appoint or employ, subject to the civil service provisions now in force, such employees as may be necessary, and to use such agencies as may be available and appropriate, to aid him in carrying out the provisions of this act.

10. The provisions of this act shall not apply to Exceptions. persons temporarily unemployed by reason of differences with their employers, nor to bona fide students during the school term, nor to persons fitting themselves to engage in trade or industrial pursuits.

11. For the purposes of this act, any male person as aforesaid found in this State shall be deemed a resident, and in any prosecution hereunder proof that the accused habitually loiters in idleness in streets, roads, depots, pool rooms, saloons, hotels, stores or other places shall be prima facie evidence of the failure or refusal of such person to comply with the provisions of this act. Habitual loiterers.

12. This act shall take effect immediately.

Approved February 15, 1918.

## CHAPTER 56.

An Act to amend an act entitled "An act to authorize cities having a public water supply derived from sources beyond the city limits to protect the same from pollution by providing for any portion of the territory from which such water is derived, or through which it flows, a system of sewers or drains in order to take up, carry off and dispose of the sewage and other polluting matter, and providing also for the raising and expenditure of the money necessary for this purpose," approved April fourth, one thousand nine hundred and seven.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 11  
amended.

1. Section eleven of the act to which this is an amendment be and the same is hereby amended to read as follows:

Use of surplus earnings.

11. In order to provide the moneys necessary for the construction of such sewer system, the common council or other governing body of such city having control of its finances may, at the request of the board or body having control of the water supply, appropriate from the surplus earnings (after operating, upkeep, interest, sinking fund or annual principal payments have been deducted) of the water plant such sum or sums necessary for the construction of such system in whole or in part, and may cause the bonds of such city to be issued to defray such construction in whole or in part as they may elect, but in any event the amount of bonds so issued shall not exceed the sum of one million dollars, said bonds shall be issued under the provisions of an act entitled "An act to authorize and

Bond issue.

Amount.

regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and the several supplements thereof and acts amendatory thereof.

Provision shall be made by the board having control of the water supply in any city where such bonds are issued for the payment of the semiannual interest on the bonds issued and for the payment of the principal when the same falls due; *provided, however,* that in case the funds under the control of such board not otherwise pledged or appropriated shall in any way be insufficient for this purpose, it shall be the duty of the common council or other governing body of such city to make provision for the whole or deficiency, as the case may be, in the annual tax levy of such city.

Provision for  
interest and  
principal.

Proviso.

2. This act to take effect immediately.

Approved February 16, 1918.

## CHAPTER 57.

An Act to amend an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section seventy-six of the act to which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Section 76  
amended.

Struck jury  
list.

How list  
composed.

Number on  
list.

Certified  
lists.

List revised.

Names num-  
bered; how  
ascertained.

Struck jury  
in criminal  
cases.

76. The court shall procure from the commissioners of jurors at least ten days prior to the commencement of each term of court held in said county a list of persons liable to jury duty having regard to the just distribution of jury service among those persons qualified therefor in the various wards and municipalities in said county with their occupation and place of abode, which list shall be designated "Struck jury list." Said commissioners shall place on said list such persons as they shall think most impartial and indifferent as between the State and persons charged with crime, and best qualified as to talents, knowledge, integrity, firmness and independence to try such causes. The number of persons named on the struck jury list shall at no time be less than four hundred in counties of the first class and one hundred and sixty in counties of other classes. The commissioners shall cause two copies to be made of the said list and shall certify same under their hand as true and correct, and shall cause one copy to be filed in the office of the clerk of said county at least twenty-five days prior to the commencement of each term of the Circuit Court in their county, there to remain a public record. Said commissioners may from time to time, before certifying such list, revise, strike off and add thereto. Each name shall be numbered in consecutive order; said commissioners shall have access to and may copy the assessment rolls and registry lists of the various municipalities and election districts of their county, and they, the said commissioners may inquire into exemptions as now provided by law.

When a rule for a struck jury shall be entered in a criminal case the county clerk shall present to said court in which the order for a struck jury is entered the struck jury list for the term filed with said county clerk, and it shall be the duty of the jury commissioners to be in court at the same time and place and produce uniform pieces of metal

with numbers stamped or impressed thereon in consecutive order to correspond with the numbers set on the names on each of the jury lists, and said commissioners shall hand the said pieces of metal to said court or judge, who shall examine the same and, if found correct, return them to said commissioners. The commissioners shall thereupon deposit the pieces of metal numbered for struck jurors in one box. Immediately after the numbered pieces of metal have been so deposited, the box shall be shaken and the pieces of metal deposited therein thoroughly mixed together, and the commissioners or one of them shall forthwith, in the presence of said judge and the defendant or his attorney, proceed to draw singly from the struck jury box sixty pieces of metal, and the list from which shall be selected the jury for the trial of the case in which a rule for a struck jury has been entered, shall consist of the persons whose names are found to correspond with the numbers found on the pieces of metal so drawn; immediately after the drawing of the sixty names as aforesaid, the State and the defendant shall strike off twelve names each from said list of sixty; the remaining thirty-six shall be certified by the court or judge as struck jurors to try the issue between the State and the defendant, and shall be summoned for service according to law. The thirty-six names so certified shall be placed by the sheriff in the box in the presence of the court, and from the names so placed in the box the jury shall be drawn in the usual way.

Drawing  
juries.

Striking of  
names.

Jurors sum-  
moned.

Trial jury.

Service  
exemption.

Any person having served as a struck juror at a term of court shall be ineligible to serve as a struck juror for the space of one year thereafter.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved February 16, 1918.

## CHAPTER 58.

An Act to amend an act entitled "An act providing for the regulating, care and control of shade trees and shrubbery upon the public highways and in municipal parks, and for the care, control and improvement of such parks; authorizing the continuance of existing shade tree commissions, and the appointment of shade tree commissions, and prescribing their powers and duties" (Revision of 1915), approved April fourteenth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 5  
amended.

1. Section five of the act to which this is amendatory is hereby amended so as to read as follows:

Powers of  
commission.

5. A shade tree commission under this act shall have power: to exercise full, sole and exclusive control over the regulation, planting and care of shade and ornamental trees and shrubbery now situate, or which may hereafter be planted in any public highway, park or parkway, except county parks or parkways, of the municipality for which it is created, including the planting, trimming, spraying, care and protection of the same for the public good; to regulate and control the use of the ground surrounding the same, so far as may be necessary for their proper growth, care and protection; to move, or require the removal of any tree, or part thereof, dangerous to public safety, at the expense of the owner of such tree; and to remove any tree or part of a tree at the request and expense of the owner of such tree; to care for and control such parks and parkways; to encourage arboriculture; to make, alter, amend and repeal, in



the manner prescribed for the passage, alteration, amendment and repeal of ordinances by the legislative body of the said municipality, any and all ordinances necessary or proper for carrying out the provisions of this act; and to contract with the owner of any real estate in said city to supply to him material and labor for the purpose of planting, cultivating or removing trees, grass, flowers, or shrubbery, and to charge the actual cost thereof to such owner; or if, after such material or labor is supplied, payment therefor is not made on demand, to certify the actual cost thereof to the collector of taxes, whereupon the sum so certified shall be collected by said collector as other taxes on real property are collected in such municipality.

2. Section six of the act to which this is amendatory is hereby amended so as to read as follows:

Section 6  
amended.

6. The said commission may prescribe a fine for the violation of each of their ordinances in an amount not exceeding one hundred dollars for each violation, and the courts which now or hereafter shall have jurisdiction over actions for the violation of ordinances of the municipality in which said commission has been or shall be appointed shall have jurisdiction in actions for the violation of such ordinances as the said commission shall enact; and said ordinances shall be enforced by like proceedings and processes, and the practice for the enforcement of said ordinances shall be the same as that provided by law for the enforcement of the ordinances of the municipality in which such commission exists. The officers authorized by law to serve and execute processes in the courts, as aforesaid, shall be the officers to serve and execute any process issued out of any court under this act. A copy of any ordinance or ordinances of said commission, certified to under the hand of the clerk, secretary, or president of the said commission, shall be taken in any court of this State as full and legal proof of the existence of such ordinance or

Penalty.

Jurisdiction  
of court.

Certified  
copies of  
ordinances in  
evidence.

ordinances, and that all requirements of law in relation to the ordaining, publishing and making of the same, so as to make it legal and binding, have been complied with, unless the contrary be shown.

Section 9  
amended.

3. Section nine of the act to which this is amendatory is hereby amended so as to read as follows:

Notice of  
planting to  
abutting  
owners.

9. In every case in which under the provisions of this act the property of an abutting owner will be chargeable with the cost of the planting of any shade tree or trees, the shade tree commission shall give notice of the meeting at which it is proposed to consider said planting by publishing said notice at least once, and not less than twenty days before said meeting, in a newspaper circulating in the municipality, or by personal service of a copy of said notice upon said abutting owner at least ten days before said meeting. Said notice shall specify the street, streets, or portions thereof, on which such planting is proposed to be done and require all persons who may object thereto to present their objections in writing at the office of the commission at or before said meeting. Before final action shall be taken all objections so filed shall be considered. The provisions of this section shall not apply to the planting of a tree at the request of an abutting owner who shall agree in advance to pay the cost thereof. The commission shall give reasonable notice of its intention to remove, or cause the removal of, a tree, or part of a tree, dangerous to public safety, unless public safety requires immediate removal, whereupon no notice shall be necessary.

Hearing.

Notice of  
removal of  
tree.

Section 12  
amended.

4. Section twelve of the act to which this is amendatory is hereby amended so as to read as follows:

Existing com-  
missions con-  
tinued.

12. Nothing herein contained shall operate to terminate the existence of any existing shade tree commission in any municipality, or the term of office of any member thereof, and every such existing commission shall, immediately upon this act

taking effect be deemed to exist by virtue of this act; *provided*, that upon the expiration of the terms of such commissioners, their successors shall be appointed so as to constitute a commission of three members under this act. Such existing commission shall exercise all of the duties and have all of the powers of a commission appointed and organized hereunder, shall be subject to all of the provisions hereof, and all the ordinances of such existing shade tree commission, not inconsistent herewith, shall be in full force and effect as if made under the provisions of this act.

Proviso.

Duties and powers.

All funds collected or assessed, or in progress of collection, by any existing municipal shade tree commission, for shade tree purposes, and all contracts made by, or obligations due to any such existing shade tree commission, are hereby continued and transferred to a commission of the same municipality when appointed and organized under this act, and shall not lapse or be prejudiced hereby.

Funds, contracts, etc., transferred and continued.

All employees of any existing shade tree commission shall be continued and transferred to a commission of the same municipality when appointed and organized under the provisions of this act, and the status and tenure of employment of such employees shall not lapse or be prejudiced or affected by reason of such substitution of a commission appointed and organized hereunder in the place and stead of a commission formerly existing.

Employees continued.

5. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 59.

An Act to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, and to regulate their method of capture and provide open and close seasons for such capture and possession (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 24  
amended.

1. Section twenty-four of the act to which this act is amendatory be and is hereby amended so as to read as follows:

Penalty for  
dog running  
at large.

24. If any dog is found running at large in the woods or fields, except during the open season now or hereafter provided for killing of quail, rabbit, squirrel, English or ring-neck pheasants, ruffed grouse, prairie chicken, wild turkey or Hungarian partridge, the owner, lessee or custodian of such dog shall be liable to a penalty of twenty dollars for each offense. It shall be unlawful for any person to go into the woods or fields with a hound or firearm, except only during the open season now or hereafter provided for killing the above-mentioned game birds or game animals, under a penalty of twenty dollars for each offense; *provided*, that the owner, lessee or custodian of any dog may go into the woods or fields with such dog without firearms for the purpose of exercising or training said dog in daylight from the first day of September to the first day of the open season for killing the above-mentioned game birds or animals, except during the open season for deer; *and further provided*, that the Board of Fish and Game Commis-

Penalty for  
going into  
field with dog  
or gun.

Proviso.

Proviso.

sioners is hereby authorized to issue, in its discretion, to properly accredited persons, permits to hunt foxes with hound and firearms from the last day of the open season for killing the above-mentioned game until the thirty-first day of May, or to hunt foxes with hounds and horses and to drag hunt at all times; *and further provided*, that this act shall not apply to hunting deer, woodcock, snipe, rail mud hen and water fowl at the time and in the manner provided by law; *and further provided*, that this act shall not apply to hunting raccoon with dogs and firearms between sunset and sunrise, from the first day of October to the fifteenth day of December, both dates inclusive, of each year; *and provided, further*, that nothing in this act shall prevent any owner, lessee or custodian of any dog going into the woods or fields with such dog, without firearms, at any time of the year, if such dog is not allowed to hunt or pursue any game, and if such dog is under the immediate control and command of such owner, lessee, or custodian; *provided, further*, that nothing in this act shall prohibit the killing of crows, hawks and vermin at any time of year when in the act of destroying poultry or grain.

Proviso.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 60.

A Supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession," approved April fourteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Wood duck  
protected for  
three years.

Open season.

Penalty.

1. It shall be unlawful for three years from the passage of this act for any person to capture, kill, injure, destroy or have in possession any wood duck under a penalty of twenty dollars for each offense; and thereafter it shall be unlawful to capture, kill, injure, destroy or have in possession any wood duck, excepting between the first day of October and first day of March following, both dates inclusive in each year, under a penalty of twenty dollars for each offense.

2. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 61.

A Supplement to an act entitled "An act respecting conveyances (Revision)," approved June fourteenth, one thousand eight hundred and ninety-four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Execution of  
deeds, etc.,  
by officers of  
army and  
navy during  
war.

1. If the party who shall have executed, or who shall execute, any deed or instrument of the de-

scription or nature set forth in the twenty-first section of the act to which this act is a supplement, or the witnesses to such deed or instrument, shall, during the present war with Germany, or within one year thereafter, be upon the high seas, or in any foreign kingdom, state, nation or colony, that such acknowledgment or proof, as is prescribed by the act to which this act is a supplement, made before and certified by any officer holding a commission in the United States army, with the rank of captain or higher, or made before and certified by an officer holding a commission in the United States navy, with the rank of lieutenant or higher, shall be as good and effectual as if such acknowledgment or proof had been made within this State before the Chancellor thereof, and had been certified by him.

2. This act shall take effect immediately.

Approved February 16, 1918.

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## CHAPTER 62.

A Further Supplement to an act entitled "An act to incorporate trustees of religious societies," approved April ninth, one thousand eight hundred and seventy-five.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. It shall be lawful for any Ruthenian Catholic diocese of the Catholic Greek rite in the United States now existing, or which may hereafter exist, in this State, or in the United States, to become a corporation and to be incorporated under and by virtue of the provisions hereinafter stated.

Incorporation  
of Ruthenian  
diocese.

Incorporators.

2. Any Catholic bishop appointed by the Pope of Rome to have supervision over Catholics of the Ruthenian Greek rite in the United States (or during a vacancy in such office, the administrator of any such diocese for the time being), and his secretary, and the chancellor of such diocese, or a majority of them, may elect two priests from the Ruthenian Catholic priesthood of such diocese, and may, with said two priests, execute and acknowledge a certificate of incorporation setting forth the name by which they and their successors shall be known and distinguished as a body corporate, and transmit the said copy thereof to the county clerk of the county in which such diocesan corporation may have its principal office, which said certificate and copy the Secretary of State, and the said county clerk, respectively, shall each file and record in his office, and for which filing and recording each shall be entitled to receive the sum of five dollars; and thereupon and from the date of such filing and recording such diocese shall be a body corporate by the name so taken and recorded.

Copy filed  
and recorded.

Trustees.

3. The persons so executing and acknowledging said certificate shall be the first trustees of such corporation, and they and their successors shall by such name of incorporation be able and capable unlimitedly to acquire, purchase, receive, erect, have, hold and use leases, legacies, devises, donations, moneys, goods and chattels of all kinds, church edifices, schools, college buildings, seminaries, parsonages, sisters' houses, hospitals, orphan asylums, reformatories and all other kinds of religious, ecclesiastical, educational and charitable institutions, and the lands whereon the same are or may be erected, and cemeteries or burying places and any lands, tenements and hereditaments suitable for any or all of said purposes, in any place or places in any such diocese; and the same or any part thereof, to lease, sell, grant, assign, demise, alien and dispose of; and to sue and be sued, plead

Powers, au-  
thority,  
duties, etc.



and be impleaded in any court of law or equity; and to make and use a common seal, and the same to alter and renew at their pleasure; to have perpetual succession as such corporation; to make by-laws and rules not inconsistent with the laws of this State, or of the United States, for the regulation and management of their affairs, properties and institutions; to appoint such officers, agents and employees as they may require for the properties, institutions and business of the corporation; to borrow money from time to time for the purposes of the corporation, and to give notes, bonds and mortgages therefor on any part or parts of its properties; to aid and assist such of the parishes in said diocese, or any of the institutions in such parishes, as said corporation may deem fit; and to aid and assist students pursuing their studies for the priesthood, and to aid and assist in the maintenance of the priesthood of such diocese, in accordance with the statutes of the diocese and the canons of the Ruthenian Greek Catholic Church; and to have the general management, direction and control of all the civil and temporal affairs of such diocese; to exercise any corporate power necessary and proper to the carrying out of the above enumerated powers, and to the carrying out of the purposes of such corporation and its institutions.

4. In order to perpetuate a line of succession in the trustees of every such diocesan corporation, and the successor in office for the time being of such bishop (or administrator, in case of a vacancy in the office of bishop), the secretary, and the chancellor, respectively, shall, by virtue of their offices, be the trustees of such corporation; and such two priests shall hold their said offices as such trustees for one year, and until their successor be appointed; such two priests to be members of said board of trustees only while in good standing according to the canons of the Ruthenian Greek Catholic Church, and approved by such bishop, or, in his absence, by

Line of suc-  
cession.

his vicar-general (or by such administrator); and the office of either such priest to become vacant by his removal out of such diocese, or in the discretion and on the direction of such bishop or administrator.

Officers.

5. The bishop or administrator of such diocese shall, by reason of his being bishop or administrator, be the president and treasurer of such corporation, unless said board of trustees otherwise order unanimously, and shall have the custody of the common seal, papers, documents, deeds, writings and books of or relating to such corporation, and is hereby authorized and empowered to convene the trustees of such corporation, as occasion may require; and such corporation may annually, or at such periods as it may deem fit, elect one of said trustees to be the secretary of such corporation who shall keep the minutes and enter the orders, acts and proceedings of the corporation in a book to be kept for that purpose.

Records.

Quorum.

Proviso.

Elections.

Effect of incorporation on church organizations.

6. The proceedings, orders, acts, contracts or obligations of a majority of all the members of such corporations, but not of less number, shall be valid and effectual in law; *provided*, that the same receive the written sanction of such bishop, or, in his absence, of such vicar-general, or, in case of vacancy in their office, of such administrator.

7. Any corporation created under or by virtue of the provisions of this act shall not be dissolved by failure to continue the succession of the trustees thereof at any time specified for the election of such trustees.

8. Nothing in this act contained shall be construed to interfere with or affect any Ruthenian Greek Catholic Church or congregation corporation—that is, any parochial corporation, incorporated, or which may be incorporated under the act to which this act is a supplement, or any of the supplements thereto; except that any such diocesan corporation organized hereunder shall

have jurisdiction, according to the statutes of such diocese and the canons of the Ruthenian Greek Catholic Church, as such statutes or canons are or may be, over such parochial corporations as are or may be within the diocese, and it shall be lawful for any or all of such parochial corporations to give, grant, convey, and vest the title to any or all of their properties, to and in such diocesan corporation organized hereunder.

9. No provision of this act shall be deemed to change or affect any law for the exemption of property from taxation. Exemptions.

10. All acts and parts of acts in anywise inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Approved February 16, 1918.

## CHAPTER 63.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting the Orphans' Court and relating to the powers and duties of the ordinary, and the Orphans' Court and surrogates' (Revision, 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," and which said amendment was approved March twentieth, one thousand nine hundred and fourteen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section one hundred and sixty-nine of the act of which this act is amendatory be and the same is amended hereby to read as follows: Section 169 amended.

Manner of  
distribution.

169. The whole surplusage of the goods, chattels and personal estate of which any person shall die intestate shall be distributed in manner following, that is to say:

To immediate  
family.

I. One-third part of the said surplusage to the husband or widow, as the case may be, of the intestate, and all the residue, by equal portions, to and among the children of such intestate, and such persons as legally represent any of such children, who may be then dead, other than such child or children, who shall have any estate by the settlement of the intestate, or shall have been advanced by the intestate in his or her lifetime, by portion or portions equal to the share, which shall, by such distribution, be allotted to the other children, to whom such distribution is to be made; and in case any child shall have any estate by settlement from the said intestate, or shall have been advanced by the said intestate, in his or her lifetime, by portion not equal to the share which will be due to the other children, by such distribution as aforesaid, then so much of the surplusage of the estate of such intestate shall be distributed to such child or children, as shall have any land by settlement from the intestate, or were advanced in the lifetime of the intestate, as shall make the estate of all the said children to be equal, as near as can be estimated.

Deductions.

If no  
children.

II. In case there be no children, nor any legal representative of them, then the whole of the said estate shall be allotted to the husband or widow, as the case may be, of the said intestate.

If children  
only.

III. If there be no husband or widow, as the case may be, then all of the said estate to be distributed equally to and among the children; and in case there be no child, nor any legal representative of any child, then equally among the parents and brothers and sisters, and the representatives of deceased brothers and sisters; *provided*, that no

Proviso.

representation shall be admitted among collaterals after deceased brothers' and sisters' children.

IV. If there be no husband or widow, child or any legal representative of any child, nor a parent, brother or sister, nor the representative of a deceased brother or sister, then all of the estate to be distributed equally to the next of kindred, in equal degree, of or unto the intestate and their legal representatives as aforesaid.

Collateral heirs.

V. If the mother of any illegitimate child or children not embraced within the class mentioned in paragraph VI hereof, shall die without leaving a husband surviving her, and leaving no lawful issue, or the issue of any, then the surplusage of her goods, chattels and personal estate shall be distributed equally to and among such illegitimate child or children.

In case of illegitimate children.

VI. In any and every case where the father and mother of a child or children heretofore or hereafter born out of lawful wedlock have heretofore entered or shall hereafter enter into the bonds of lawful wedlock, and shall have cohabited or shall cohabit as husband and wife after such marriage, and such child or children shall have resided with, been recognized and treated by such parents as their child or children, then and in every such case every such child shall be entitled to share in the estate of such father and mother equally with the legitimate child or children of such intestate; *provided, however*, the provisions of this act shall not apply where the estate of such father or mother shall have been distributed before this act shall take effect.

As to children sharing equally.

Proviso.

VII. The whole surplusage of the goods, chattels and personal estate of any illegitimate person who shall die intestate and unmarried, and leaving no lawful issue, or the issue of any, him or her surviving, shall go to and be paid over to the mother of such illegitimate person; and if the mother shall have died before such illegitimate

Surplusage of illegitimate children.

child, the next of kin of the mother shall take in the same manner as though the deceased child had been legitimate.

In case intestate leaves no relation.

Surplus put at interest for poor of municipality.

If not applied for in seven years, principal paid to municipality for use of poor.

VIII. If any person has died or shall die intestate, leaving no husband or widow, as the case may be, and no known kindred or relatives, the administrator or administrators of the estate shall at the expiration of one year after the death of such intestate, put the surplus of said estate, after payment of debts and necessary expenses, out at interest, and pay the net interest or income thereof annually to the treasurer of the municipality in which said intestate had his or her legal residence, or, if a nonresident, in which such intestate has so died or shall so die, to and for the use of the poor of said municipality and shall, whenever applied to for that purpose, pay the principal of such personal estate, if thereto required by the judgment or decree of any court of competent jurisdiction, within seven years next after the decease of such intestate, to his or her legal representative or representatives applying for the same, by assigning to him, her or them the bond or other security therefor, or by otherwise satisfying him, her or them for the same; and if no person or persons legally entitled to the personal estate of such intestate shall, within the said seven years next after his or her decease, make application as aforesaid to such administrator or administrators for the said principal, he, she or they so entitled shall forever thereafter be debarred from all right, title or claim to such decedent's personal estate, and the said administrator or administrators shall, immediately after the expiration of the said seven years, pay the whole of said principal, with the interest that may then be due thereon, to the treasurer of the municipality in which said intestate had his or her legal residence, or, if a nonresident, in which such intestate died, to and for the use of the poor of the

said municipality; *provided, always*, that the right of foreigners, by treaty, shall not be affected by anything in this section contained. Proviso.

Approved February 16, 1918.

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#### CHAPTER 64.

An Act to incorporate the Second Judicial District of the county of Hudson.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. All that part of the county of Hudson, in the State of New Jersey, comprised within the following boroughs and towns within said county, to wit:

Second judicial district  
how composed.

The borough of East Newark, the town of Kearny and the town of Harrison, be and the same hereby is established and incorporated to be the Second Judicial District of the county of Hudson, and the provisions of an act entitled "An act concerning District Courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, and the various amendments thereof and supplements thereto, as far as the same may be applicable, shall apply to the district hereby established.

2. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 65.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and the penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which said act was approved March seventeenth, one thousand nine hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 9  
amended.

1. Section nine of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Commissioner.

9. The assistant Secretary of State shall be ex officio Commissioner of Motor Vehicles, and shall have personal charge and supervision of the enforcement of the provisions of this act, and shall execute all contracts entered into by the Department of Motor Vehicles. The Commissioner of Motor Vehicles shall appoint a chief inspector of motor vehicles, who shall have practical knowledge of the mechanical arrangement and capabilities of all kinds of motor vehicles, and be capable to pass upon the efficiency of motor vehicles and the competency of motor vehicle drivers. The Commissioner of Motor Vehicles shall appoint as many inspectors as may be necessary in detecting violations of this act, in obtaining evidence of viola-

Chief in-  
spector.

Inspectors.



tions, and otherwise assisting in the enforcement of the act. The said inspectors shall be chosen with special reference to their fitness for the work, and shall be required to submit themselves to such an examination, as may be required by the Board of Civil Service Commissioners, and shall be equipped at his discretion with automobiles and other means of conveyance. The Commissioner of Motor Vehicles may detail one of the inspectors to act as deputy chief inspector. Such deputy chief inspector shall receive compensation at the rate of eighteen hundred dollars per annum while on such detail. The Commissioner of Motor Vehicles shall organize the inspector force with the chief inspector at its head and shall adopt such rules and regulations for the regulation of the inspector force as shall appear desirable, and shall exercise the power of suspension, and, when necessary, of discharge of inspectors for failure to comply with the rules of the department, or for other cause. The compensation of these inspectors shall be twelve hundred dollars per annum for all inspectors serving as such for the first year; thirteen hundred dollars per annum for all inspectors serving as such for the second year; fourteen hundred dollars per annum for all inspectors serving as such for the third year; fifteen hundred dollars per annum for all inspectors serving as such for the fourth year; and sixteen hundred and fifty dollars per annum for all inspectors serving as such for at least five or more years; *provided, however*, that the salaries of all inspectors heretofore appointed shall not be decreased by this act; *and further provided*, that the period for which any inspector shall have been suspended by the Commissioner of Motor Vehicles shall be deducted from his length of service in calculating such compensation. The Commissioner of Motor Vehicles shall have power to appoint any number of citizens, not exceeding seventy-five, who

Qualifications.

Deputy chief  
inspector.

Salary.

Inspecting  
force  
organized.

Compensation.

Proviso.

Proviso.

Special  
inspectors.

Inspectors  
from other  
State de-  
partments.

Salaries of  
commissioner  
and chief  
inspector.

Act effective.

shall be interested in the proper enforcement of this act, and who shall be known as special inspectors. They shall serve without pay and shall have all the power and authority of the paid inspectors as stated in this act. The Commissioner of Motor Vehicles shall also have power to appoint, in addition to these, such employees, officers or inspectors of other departments of the State government, upon the request of such departments, as special inspectors, such appointees to serve without any additional compensation. The Commissioner of Motor Vehicles shall also fix the compensation of clerical assistants and others employed under this act. The compensation of the Commissioner of Motor Vehicles shall be fifteen hundred dollars per annum, in addition to any compensation he may receive by reason of any statute fixing the compensation of the assistant Secretary of State, and that of the chief inspector shall be twenty-one hundred dollars per annum.

2. This act shall take effect May first, one thousand nine hundred and eighteen.

Approved February 16, 1918.

## CHAPTER 66.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendment was approved March eighteenth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section four, subdivision two, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Section 4 (2)  
amended.

4. (2) Every motor cycle shall carry, during the period from thirty minutes after sunset to thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance, at least one lighted lamp, showing a white or yellow light visible at least two hundred feet in the direction toward which the motor cycle is proceeding; and shall carry upon the rear of such motor cycle a red light, the rays of which shall shine upon the number plate which shall be fixed to the rear mud-guard. Lights on  
motorcycles.

2. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 67.

An act to amend an act entitled, "An act concerning mortgages (Revision)," approved March twenty-seventh, one thousand eight hundred and seventy-four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 25  
amended.

1. Section twenty-five of the act to which this act is an amendment is hereby amended so as to read as follows:

Discharge on  
certificate of  
mortgagee,  
etc.

25. Any mortgage which has been recorded or registered, or that may hereafter be recorded or registered, shall be discharged upon the record thereof by the officer in whose custody it shall be whenever there shall be presented to him a certificate signed by the mortgagee, his heirs, executors, administrators or assigns, or, in case said mortgage shall be the property of an enemy or an ally of an enemy, as defined by the act of Congress hereafter mentioned, then upon a certificate signed by the alien property custodian, or such other person as the President may appoint for that purpose, in accordance with the provisions of an act of the Senate and House of Representatives of the United States of America, in Congress assembled, entitled "An act to define, regulate and punish trading with the enemy, and for other purposes," approved October sixth, one thousand nine hundred and seventeen, which certificates shall be acknowledged or proved and certified in the manner prescribed by the act entitled "An act concerning conveyances," specifying that such mortgage has been paid or otherwise satisfied and discharged.

In case mort-  
gage on prop-  
erty of enemy.

2. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 68.

An Act to amend an act entitled "An act to regulate the use of motor vehicles for commercial purposes," approved March twenty-ninth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section one of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 1  
amended.

1. "Commercial motor vehicle," as used in this act, shall include every type of motor-driven vehicle used for commercial purposes on the highways, including omnibuses, jitneys, and all other types of motor-driven vehicles used for the transportation of passengers for hire, excepting such vehicles as are run only upon rails or tracks. Definitions.

"Motor-drawn vehicle," as used in this act, shall include trailers, semi-trailers, or any other type of vehicle drawn by a motor-driven vehicle.

"Trailer," as used in this act, is a vehicle of more than two wheels, without motor power, drawn by a motor-driven vehicle.

"Semi-trailer," as used in this act, is a two-wheeled vehicle, without motor power, drawn by a motor-driven vehicle.

"Tractor," as used in this act, is a motor-driven vehicle without body.

"Pneumatic tire," as used in this act, is a rubber tire in which the air chamber has a cross-section area of at least fifty per centum of the total cross-section area of the tire and air chamber combined, and which depends upon the sustaining power of compressed air therein contained to support the load.

All other tires referred to in this act shall be classed as solid rubber tires.

Certain tires  
necessary.

No commercial motor vehicle, motor-drawn vehicle, trailer, semi-trailer, or tractor, shall be registered in this State, unless the same are equipped on all wheels with pneumatic tires or solid rubber tires.

Section 3  
amended.

2. Section three of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Not draw  
more than  
one vehicle.

3. No commercial motor vehicles or tractor shall be used on the public highways while drawing more than one motor-drawn vehicle, either trailer or semi-trailer.

Section 4  
amended.

3. Section four of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Vehicle with-  
out pneumatic  
tire to have  
plate giving  
certain infor-  
mation.

4. No commercial motor vehicle or tractor not equipped on all wheels with pneumatic tires shall be used on the public highways unless there is attached to the chassis, in plain view, a metal plate giving the following information:

Maker's name,

Number,

Motor number,

Weight of vehicle, .....pounds,

Allowable load, .....pounds,

Gross weight, .....pounds,

Maximum speed, .....miles per hour.

Section 9  
amended.

4. Section nine of the act of which this act is amendatory be and the same is hereby amended to read as follows:

If tires too  
small, basis  
of registra-  
tion.

9. Where registration shall be applied for any commercial motor vehicle or tractor, equipped with tires smaller than the tires required by the schedule below given, the gross weight for such registration shall be based upon the smallest size of tires given in said schedule.

Section 10  
amended.

5. Section ten of the act of which this act is

amendatory be and the same is hereby amended to read as follows:

10. The maximum rate of speed for commercial vehicles and tractors equipped wholly or in part with solid rubber tires which motor vehicles or tractors, including the weight of same and load thereon, weigh in excess of four tons and not in excess of six tons, shall be sixteen miles an hour; when the weight of the vehicle and the load thereon shall be in excess of six tons and not in excess of ten tons, the maximum speed shall be fourteen miles per hour; and for all commercial motor vehicles or tractors where the weight of vehicle and load thereon shall be in excess of ten tons and not in excess of fifteen tons, the maximum speed shall be ten miles per hour; *provided, however*, that nothing in this section contained shall be held to alter, repeal or amend any of the provisions of section twenty-three of the Motor Vehicle Act as the same relates to speed of vehicles in built up portions of a city, town, township, borough or village where the houses are an average less than one hundred feet apart, or as the same relates to reckless driving.

6. Section eleven of the act of which this act is amendatory be and the same is hereby amended to read as follows:

GROSS WHEEL LOAD IN POUNDS FOR COMMERCIAL MOTOR VEHICLES,  
TRAILERS AND TRACTORS EQUIPPED WITH TIRES OF A GIVEN  
SIZE AND DIAMETER.

Size of Tire.	Single or Dual.	Diameter of Wheel and Load in Pounds.									
		30"	32"	33"	34"	36"	38"	40"	42"		
2"	Single	1000	1067	1100	1133	1200	1267	1333	1400		
2½"	Single	1250	1333	1375	1416	1500	1583	1667	1750		
3"	Single	1500	1600	1650	1700	1800	1900	2000	2100		
3½"	Single	1750	1867	1925	1983	2100	2217	2333	2450		
4"	Single	2000	2133	2200	2267	2400	2533	2667	2800		
5"	Single	2500	2667	2750	2833	3000	3167	3333	3500		
6"	Single	3000	3200	3300	3400	3600	3800	4000	4200		

7"	Single	3500	3733	3850	3967	4200	4433	4667	4900
8"	Single	4000	4267	4400	4533	4800	5067	5333	5600
10"	Single	5000	5333	5500	5667	6000	6333	6667	7000
12"	Single	6000	6400	6600	6800	7200	7600	8000	8400
14"	Single	7000	7467	7700	7933	8400	8867	9333	9800
2"	Dual	2000	2133	2200	2267	2400	2533	2667	2800
2½"	Dual	2500	2667	2750	2833	3000	3167	3333	3500
3"	Dual	3000	3200	3300	3400	3600	3800	4000	4200
3½"	Dual	3500	3733	3850	3967	4200	4433	4667	4900
4"	Dual	4000	4267	4400	4533	4800	5067	5333	5600
5"	Dual	5000	5333	5500	5667	6000	6333	6667	7000
6"	Dual	6000	6400	6600	6800	7200	7600	8000	8400
7"	Dual	7000	7467	7700	7933	8400	8867	9333	9800

6. This act shall take effect immediately.

Approved February 16, 1918.

#### CHAPTER 69.

An Act to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violation of the provisions of the act and penalties for said violation," approved April twelfth, one thousand nine hundred and six,' which said supplement was approved April second, one thousand nine hundred and twelve," as amended by the act approved March sixteenth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 3  
amended.

1. Section three of the act of which this act is amendatory be and the same hereby is amended to read as follows:



3. The applicant shall pay to the Commissioner of Motor Vehicles for each registration a fee of four dollars and fifty cents for automobiles of the first class; seven dollars and fifty cents of the second class, and fifteen dollars of the third class. Automobiles of ten horse power or less, shall be of the first class; from eleven to twenty-nine horse power, inclusive, of the second class, and of thirty horse power, or more, of the third class.

Registration  
fees.

Classification.

The applicant for registration for automobile commercial vehicles, which are not equipped on all wheels with pneumatic tires, except automobile fire engines, and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business, nor for the transportation of freight, such as steam road rollers and traction engines, and for motor drawn vehicles, including trailers, tractors, or semitrailers, and every other type of vehicle drawn or propelled by a motor vehicle which are not equipped on all wheels with pneumatic tires, shall pay to the Commissioner of Motor Vehicles a fee based upon the gross weight of such vehicle and load, when loaded to its carrying capacity. When the gross weight of vehicle and load exceeds the gross weight allowed by law for the particular sizes of tires set forth in the application for registration, then such gross weight of vehicle and load shall be determined according to law, upon the sizes of tires given in said application.

Registration  
of motor  
trucks.

The fee shall be in accordance with the following table:

If the gross weight of vehicle and carrying capacity is

Schedule of  
weights and  
fees.

1000 pounds or less.....	\$6.00 per annum.
1001 to 2000 pounds.....	9.00 per annum.
2001 to 3000 pounds.....	12.00 per annum.
3001 to 4000 pounds.....	15.00 per annum.
4001 to 5000 pounds.....	17.00 per annum.
5001 to 6000 pounds.....	19.00 per annum.

6001 to 7000 pounds.....	21.00 per annum.
7001 to 8000 pounds.....	23.00 per annum.
8001 to 9000 pounds.....	25.00 per annum.
9001 to 10000 pounds.....	27.00 per annum.
10001 to 11000 pounds.....	29.00 per annum.
11001 to 12000 pounds.....	31.00 per annum.
12001 to 13000 pounds.....	33.00 per annum.
13001 to 14000 pounds.....	35.00 per annum.
14001 to 15000 pounds.....	37.00 per annum.
15001 to 16000 pounds.....	39.00 per annum.
16001 to 17000 pounds.....	41.00 per annum.
17001 to 18000 pounds.....	43.00 per annum.
18001 to 19000 pounds.....	45.00 per annum.
19001 to 20000 pounds.....	47.00 per annum.
20001 to 21000 pounds.....	49.00 per annum.
21001 to 22000 pounds.....	51.00 per annum.
22001 to 23000 pounds.....	53.00 per annum.
23001 to 24000 pounds.....	55.00 per annum.
24001 to 25000 pounds.....	57.00 per annum.
25001 to 26000 pounds.....	59.00 per annum.
26001 to 27000 pounds.....	61.00 per annum.
27001 to 28000 pounds.....	63.00 per annum.
28001 to 29000 pounds.....	65.00 per annum.
29001 to 30000 pounds.....	67.00 per annum.

Proviso.

*provided*, that automobile commercial vehicles not subject to a registration fee based upon gross weight shall continue to be subject to a registration fee based upon horse power, as above provided, and motor-drawn vehicles not subject to a registration fee based upon gross weight shall continue to be subject to the registration fee prescribed by chapter ninety-six of the session laws of nineteen hundred and fifteen for vehicles trailing after, or propelled by motor vehicles; *and provided, further*, that if application shall be made

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for registration of any automobile, commercial motor vehicle or motor-drawn vehicle under this section, after the first day of September in any year, the applicant shall be required to pay but

one-half of the registration fee above provided for the class to which such automobile, commercial motor vehicle or motor-drawn vehicle belongs.

Half-rate  
fee.

2. This act shall take effect immediately.

Approved February 16, 1918.

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## CHAPTER 70.

A Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any person or persons who have been, or may hereafter be, conscripted in any branch of the United States army or navy, or shall have, or who may hereafter enlist or be subject to service therein, and who at such time held, had, or may hereafter become eligible or entitled to hold, or receive by appointment, advancement or promotion, any State, county or municipal office or position within this State, under and by virtue of the provisions of the act of which this is a supplement, shall be entitled, after his discharge from further service therein, to be reinstated, returned, receive and enjoy the same office or position, and to retain, hold and be placed in the same position or order of priority to appointment, or promotion thereto, as he held or was entitled to at the time of such enlistment or conscription, or as he would have become entitled to by ad-

Tenure of  
position not  
affected by  
service in  
army or navy.

- Proviso. vancement had he not enlisted or been conscripted therein; *provided, however*, that such person shall, within ninety days after his discharge from such further service, report and resume the duties of his office or position, or give notice, in writing, to the person or department having jurisdiction of filling said office, of his desire and intention of retaining or being placed in the same order of priority of appointment or promotion thereto as he enjoyed or was entitled to, or become entitled to, at or during the time of his conscription or enlistment.
- Advancement. 2. Any such person advancing during his period of military or naval service to a position as would entitle him to receive appointment or promotion to any office aforesaid had he not enlisted or been conscripted, or being entitled to appointment or promotion thereto, has enlisted or been conscripted, or is about to be, may be appointed to such office at any time thereafter without pay, during such period.
- Appointment. Any person so appointed shall, within ninety days after his discharge from further military or naval duty, report and enter upon the duties required to be performed by such office and be entitled to have his pay commence from such time, or forfeit his right thereto.
- Expiration of temporary appointment. 3. The appointment of any person or persons to fill any office or position in place of the person so enlisting or conscripted as aforesaid, or the advancement of any person to a place or order of priority to appointment or promotion over a person so enlisting or conscripted, shall only be for and continue as far as such person enlisting or conscripted is concerned, to such time as such person so enlisting or conscripted shall be discharged, and apply for and be reinstated thereto as aforesaid; and such person shall then be relegated to and occupy the same right thereto as he formerly held as against any other person.

4. Upon the failure of any such person entitled to any such office or reinstatement as aforesaid, to apply therefor within the time and manner provided for in this act, the person appointed or advanced in or to his place shall be entitled to hold and retain such office or position of priority to appointment or promotion thereto in the same manner and with like effect as though this act had never been enacted.

Retention of position if party does not apply.

5. All acts and parts of acts or supplements or amendments thereto, inconsistent with the provision hereof are, and the same are hereby suspended for and during the time which this act shall be effective, which shall be for and during the period of the present war, and until ninety days after the discharge of such person or persons so enlisting or conscripted, from further service.

Suspension of act.

6. This act shall not apply to such persons who shall not have taken examinations for original entrance into State or in such county or municipal services at the time of such enlistment or conscription.

Exception to act.

7. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 71.

An Act to amend an act entitled "An act concerning building and loan associations," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section four of the act to which this is an amendment is hereby amended to read as follows:

Section 4 amended.

Certificate  
recorded in  
county clerk's  
office and filed  
in depart-  
ment of bank-  
ing and in-  
surance.

Constituted a  
body cor-  
porate.

Proviso.

4. The certificate of incorporation shall be proved or acknowledged as required for deeds of lands and recorded in the office of the clerk of the county where the association is located, and after being so recorded shall be filed in the Department of Banking and Insurance, and said certificate, or a copy thereof, duly certified by the Commissioner of Banking and Insurance, shall be evidence in all courts and places; upon making and recording and filing such certificate, the persons so associated and their successors and assigns shall, from the date of such filing, constitute a body corporate by the name set forth in such certificate, with all the powers mentioned in the first section of the act entitled "An act concerning corporations" (Revision of 1896), except such powers as may be inconsistent with the provisions of this act; *provided, however*, that if any such association shall fail to organize and commence business within six months from the date of the filing of the said certificate of incorporation, such association shall ipso facto be dissolved and its certificate of incorporation shall be null and void.

2. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 72.

An Act to provide for the collection from mutual associations and stock companies writing workmen's compensation or employers' liability insurance in this State of funds to defray the expenses incurred by the Commissioner of Banking and Insurance in carrying out the provisions of the act entitled "An act concerning the compulsory insurance of compensation payments arising under section two of the act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven," approved March twenty-seventh, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In order to defray the expenses incurred by the Commissioner of Banking and Insurance in carrying out the provisions of an act entitled "An act concerning the compulsory insurance of compensation payments arising under section two of the act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine

Payments by  
insurance  
companies to  
defray ex-  
penses.

hundred and eleven," approved March twenty-seventh, one thousand nine hundred and seventeen, each mutual association or stock company writing compensation or employers' liability insurance in this State shall annually, on or before the fifteenth day of February of each year, pay to the Commissioner of Banking and Insurance, for the use of the State, a sum equal to one-quarter of one per centum of the net premiums for workmen's compensation and employers' liability insurance written or renewed by it on risks in the State of New Jersey as reported to the Commissioner of Banking and Insurance for the calendar year next preceding the due date of such payment.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved February 16, 1918.

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### CHAPTER 73.

An Act to amend an act entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),' approved April fourth, one thousand eight hundred and ninety-eight," approved April twelfth, one thousand nine hundred and five.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 2  
amended.

1. Section two of an act entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),' approved April fourth, one thousand eight hundred and ninety-eight," approved April twelfth, one thousand nine hundred and five, be amended so as to read as follows:



2. It shall also be the duty of said justice of the Supreme Court and the said judge of the Court of Common Pleas, or one of them, to sit and hold a Court of Common Pleas at the court house in their respective counties on the day of the general election for members of the General Assembly from eight o'clock in the forenoon till seven o'clock in the evening, and in case the vote of any person registered, in any election district, has been refused or rejected by the district board of elections, in such district, the said court shall, upon application, in person, by the person so refused or rejected, proceed, in a summary way, to inquire whether such person is entitled to vote in such election district; and if the court shall find that such person is legally entitled to vote in said election district, it shall issue a certificate, under its seal, to the board of registry and election of the district in which such person is entitled to vote, reciting that such person is entitled to vote in such election district and shall deliver such certificate to such person; such person may present said certificate to the board of registry and election of the district in which he is entitled to vote, and said board shall receive and file said certificate, and thereupon he shall be allowed to vote at such election; and it shall also be the duty of said court on said election day to revise and correct the registry of election in the several election districts in such county in municipalities containing ten thousand inhabitants, or less, and in case any legal voter in any such election district has been refused the right to register, or his name has been improperly or inadvertently left off the registry list, he may, on said day, apply in person to said court for the purpose of having his name placed upon the register, and the said court upon such application and upon satisfactory evidence that such person is a legal voter entitled to vote at such election, may give a certificate under the seal of the court to that effect,

Court in session on election day.

Duties.

Finding and action.

Voting on certificate.

Revision of registry.

and the clerk of the court shall add the name of such voter to the proper register on file with him; such voter may, upon the day of election, present said certificate to the board of registry and election of the district in which he is entitled to vote, and said board shall receive and file said certificate and add his name to the register, and he shall thereupon be allowed by said election board to vote at said election.

Approved February 16, 1918.

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#### CHAPTER 74.

An Act to authorize the appropriation of money for agricultural extension work and the promotion of home economics.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Funds for  
agricultural  
extension  
work, etc.

1. In all cases where agricultural extension, home demonstration or boys' and girls' club work now receives, or shall hereafter receive, funds or aid from the Federal government or the government of this State, the board of chosen freeholders of any county of this State or the governing body of any municipality of this State is hereby authorized to appropriate such sums of money as shall seem to them just and proper, to be expended in the counties or municipalities making such appropriation under the direction of the New Jersey State College Extension Division, for the purpose of promoting or carrying out such agricultural extension, home demonstration or boys' and girls' club work.

Appropriations made by any county or other municipality shall be used only in such county in addition to the funds appropriated by the Federal government or the government of this State in furtherance of the projects contemplated by this act.

Use of  
Funds.

2. This act shall take effect immediately.

Approved February 16, 1918.

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## CHAPTER 75.

An Act to protect persons performing labor or furnishing materials for the construction, alteration or repair of public works.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. When public buildings or other public works or improvements are about to be constructed, erected, altered or repaired under contract, at the expense of the State or any county, city, town, township, village, borough, municipality governed by a board of commissioners, or improvement commission, or school district thereof, it shall be the duty of the board, officer or agent, contracting on behalf of the State or any county, city, town, township, village, borough, municipality governed by a board of commissioners, or improvement commission, or school district, to require the usual bond, as provided for in the statute, with good and sufficient sureties, with an additional obligation for the payment by the contractor, and by all subcontractors, for all labor performed or materials furnished in the construction, erection, alteration or repair of such building, works or improvements.

Contractors  
to furnish  
sureties for  
performing  
work and pro-  
tecting ma-  
terialmen.

Bond re-  
quired.

Amount.

Conditions.

Sureties  
notified.

Bringing  
action.

Form of  
bond; con-  
ditions of re-  
covery.

2. Such bond shall be executed by such contractor with such sureties as shall be approved by the board, officer or agent acting on behalf of the State or any county, city, town, township, village, borough, municipality governed by a board of commissioners, or improvement commission, or school district aforesaid, in an amount equal to at least one hundred per centum (100%) of the contract price, and conditioned for the payment by the contractor, and by all subcontractors, of all indebtedness which may accrue to any person, firm or corporation, on account of any labor performed or materials furnished in the construction, erection, alteration or repair to such building, works or improvement. Such bond shall be deposited with, and held by, such board, officer or agent for the use of any party interested therein.

3. Any person, firm or corporation to whom any money shall be due on account of having performed any labor, or furnished any material in the construction, erection, alteration or repair of any such building, work or improvement, within eighty (80) days after the acceptance thereof by the duly authorized board or officer, shall furnish the sureties on said bond a statement of the amount due to any such person, firm, or corporation. No suit shall be brought against said sureties on said bond until the expiration of sixty (60) days after the furnishing of said statement. If said indebtedness shall not be paid in full at the expiration of said sixty days, said person, firm or corporation may bring an action in his own name upon such bond, said action to be commenced within one year from the date of the acceptance of said building, work or improvement.

4. The bond hereinbefore provided for shall be substantially the following form, and recovery of any claimant thereunder shall be subject to the conditions and provisions of this act to the same

extent as if such conditions and provisions were fully incorporated in said bond form.

Know all men by these presents, that we, the undersigned ..... as principal and ..... as sureties, are hereby held and firmly bound unto ..... in the penal sum of ..... dollars, for the payment of which well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

Signed this ..... day of ..... 19....

The condition of the above obligation is such that whereas, the above named principal did on the ..... day of ..... 19.... enter into a contract with ....., which said contract is made a part of this the bond the same as though set forth herein;

Now, if the said ..... shall well and faithfully do and perform the things agreed by..... to be done and performed according to the terms of said contract, and shall pay all lawful claims of subcontractors, materialmen and laborers, for labor performed and materials furnished in the carrying forward, performing or completing of said contract, we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim, as well as for the obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

Stipulation.

The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of the said contract or in or to the plans or specifications therefor shall in any wise affect the obligation of said surety on its bond.

5. This act shall take effect immediately.

Approved February 16, 1918.

## CHAPTER 76.

A Supplement to "An Act to amend an act entitled 'A further supplement to the act entitled "An act to regulate fees," approved April fifteenth, one thousand eight hundred and forty-six,' which supplement was approved April twenty-fourth, one thousand eight hundred and eighty-eight," and which amendment was approved March twentieth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Constables' salaries in certain counties.

Grades.

Proviso.

Repealer.

1. In each county of this State having a population exceeding one hundred and forty thousand inhabitants and under two hundred thousand inhabitants, the constables engaged in attending the Circuit Court, Court of Oyer and Terminer, Court of Common Pleas and General Quarter Sessions of the Peace, shall receive and be paid in lieu of all fees, mileage or other allowances heretofore allowed, an annual salary of nine hundred dollars per year for the first year of service; one thousand dollars per year for the second year of service; one thousand one hundred dollars per year for the third year of service, and one thousand two hundred dollars per year for the fourth year of service and for each succeeding year of service, and such compensation shall be paid monthly by the collector of such counties; *provided* that this act shall not be construed as reducing the annual compensation of any constable or constables now engaged in any court affected by the terms of this act.

2. All acts and parts of acts inconsistent herewith are hereby repealed.

3. This act shall take effect immediately.

Approved February 18, 1918.

## CHAPTER 77.

A Supplement to an act entitled "An act respecting the Orphans' Court, and relating to the powers and duties of the ordinary, and the Orphans' Court and surrogates (Revision, one thousand eight hundred and ninety-eight)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The surrogate of each county of this State may perform the services hereinafter mentioned as part of the routine work of his office and may charge therefor the fees hereinafter stated, which fees shall be paid to the county, the same as with all other fees received by such surrogates in the administration of their respective offices.

Additional  
services by  
surrogates.

For preparing notice to creditors to present their claims and copies of the same, posting such notices, sending notice to newspaper with directions as to publication, preparing proofs of posting notices, taking affidavits thereto, obtaining proofs of publication, keeping a record of notices and newspapers to which they are sent for publication, and of the moneys received to defray the cost of posting and advertising and transmitting advertising charge to newspaper, four dollars. For preparing notice of settlement of accounts and copies of the same, posting such notices, preparing proofs of posting and taking affidavits thereto, forwarding notice to newspaper with directions as to publication, obtaining proofs of publication, keeping a record of notices and newspapers to which they are sent and of the moneys received to defray the cost of posting and advertising and transmitting advertising charge to newspaper, four dollars.

Preparing  
sundry  
notices.

Fee.

Notices of  
settlements,  
etc.

Fee.

2. This act shall take effect immediately.

Approved February 18, 1918.

## CHAPTER 78.

A Supplement to an act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Extension of  
corporate  
existence.

1. Any stock insurance company of this State may extend its corporate existence in the manner following: the board of directors shall pass a resolution declaring that such extension is advisable, and calling a meeting of the stockholders to take action thereon; the meeting shall be held upon such notice as the by-laws provide, and, in the absence of such provisions, upon ten days' notice in writing to each stockholder, given personally or by mail; if a majority in interest of the stockholders shall vote in favor of such extension, a certificate thereof shall be signed by the president, under the corporate seal, acknowledged or proved as in the case of deeds of real estate, and such certificate, together with the written assent, in person or by proxy, of a majority in interest of such stockholders, shall be filed in the department of banking and insurance, and upon the filing of the same the charter or certificate of incorporation shall be deemed to be extended accordingly; *provided*, before such certificate shall be filed as aforesaid, it shall be submitted to and approved by the Attorney-General, said certificate, or a copy thereof, duly certified by the Commissioner of Banking and Insurance, shall be evidence in all courts and places.

Proviso.

2. This act shall take effect immediately.

Approved February 18, 1918.



## CHAPTER 79.

An Act to further amend an act entitled "An act to cede to the mayor and common council of Jersey City certain lands of the State now and heretofore under the tidewaters of Communipaw bay, and to establish tidewater basin adjacent thereto," approved April second, eighteen hundred and seventy-two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section two of the act of which this act is amendatory be and the same hereby is amended so as to read as follows: The said mayor and aldermen of Jersey City, by its appropriate board, shall have full control and regulation of the land conveyed to it.

Section 2 as amended.

2. Section four of said act be and the same hereby is amended so as to read as follows: The said city may fill up, reclaim and make wharves upon said lands, and may charge dockage and wharfage for the use of said wharves; *provided*, said charges are reasonable. Said city is further authorized to construct, establish, maintain and operate or to lease to lessees for a term of years in whole or in part, public docks, wharves, piers, bulkheads, slips, basins, warehouses, industrial buildings, railroad tracks and any other structures upon said lands. Said city is further authorized to lease the whole or any part of the said lands for a term of years to be used for the erection and construction of any warehouses, factories, manufactories or any other lawful purpose, and said city may provide in the lease of said lands that the improvements to be erected or placed thereon by

Section 4 as amended.

Proviso.

Wharfs,  
tracks,  
storehouses.

Lease property.

any such lessee shall at the termination of said lease be and become the property of the city.

As to validity  
of fact.

3. This act shall take effect immediately, and if any proviso, clause or section of this act shall be attacked in any court and shall be declared invalid or unconstitutional, the rest of this act shall stand and the unconstitutional part shall be excised from this act.

Approved February 18, 1918.

## CHAPTER 80.

An Act to vacate public roads or highways which have been unworked and unused for a period of not less than twenty years.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Vacation of  
unused roads.

1. Wherever any public road or portion of a public road laid out according to law by the surveyors of the highways over one or more tracts of land shall have been unworked and unused for a period of not less than twenty years, then and in such case such public road or portion of public road unworked and unused for such term shall be and hereby is declared vacated; *provided*, that the owner or owners of the lands over which the public road was laid out as aforesaid shall have filed in the office of the clerk of the county wherein said road lies their assent in writing to such vacation, proven or acknowledged before some officer authorized to take the proof and acknowledgment of deed in this State and endorsed by said officer with his certificate.

Proviso.

Approved February 18, 1918.

## CHAPTER 81.

An Act to amend an act entitled "An act providing for the creation of Juvenile Courts in counties of the first class, and defining the jurisdiction and powers thereof," approved April first, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section five of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 5 amended.

5. "Delinquent child" shall include any child under sixteen years of age who violates any penal law or municipal ordinance, or who commits any act or offense for which he could be prosecuted in a method partaking of the nature of a criminal action or proceeding (except the crimes of murder or manslaughter), or who is a disorderly person, or habitually vagrant, or incorrigible, or immoral, or who knowingly associates with thieves or other vicious or immoral persons, or is growing up in idleness or crime, or knowingly visits gambling places, or patronizes other places or establishments, his admission to which constitutes a violation of the law, or idly roams the streets at night, or who is a habitual truant from school, or who so deports himself as to endanger the morals, health or general welfare of said child. "Delinquent children" defined.

2. Section seven of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 7 amended.

7. Upon filing the petition, the court may forthwith or after first causing an investigation to be made by a probation officer or other person, cause Child brought into court.

a summons or warrant to be issued, signed by the judge of said court, requiring the child to appear before the court, and the parent or guardian or person having the custody, control or supervision of the child, or the person with whom the child may be, to appear with the child at a place and time stated in the warrant or summons to show cause why the child should not be dealt with according to the provisions of this act. The court may, at any stage of any proceedings initiated hereunder, by order in writing, provide for the detention of the child affected thereby pending the disposition of the case.

Detention of  
children.

Section 12  
amended.

Arrangement  
for tempo-  
rary deten-  
tion.

3. Section twelve of the act to which this is an amendment is hereby amended to read as follows.

12. In counties of the first class now or hereafter having or maintaining a parental school, or school of detention, or other county institution equivalent thereto, wherein there shall not be sufficient room or accommodations for children, mothers or witnesses in need of temporary detention pending a final hearing of a case, the court may arrange with any incorporated society or association in said county, for the temporary shelter and custody of such persons upon such terms as he may make with such society or association, and may enter an order which shall be effectual for that purpose; and the cost of such temporary care shall be paid out of the funds appropriated for the expenses of the court upon vouchers duly approved by the court. The board of freeholders may establish, equip and maintain a home for the temporary detention of such children, mothers or witness, separated entirely from any other place of confinement of adults, to be called "the county shelter," which shall be conducted as an agency of the court for the purposes of this act, and, so far as possible, shall be furnished and carried on as a family home, and shall be in charge of a superintendent and

Costs.

Freeholders  
may furnish  
"county  
shelter."

matron, who shall reside therein. The court shall Officers, etc. have authority to appoint said superintendent, matron and the other employees of said "county shelter" in the same manner in which probation officers are appointed under this act, their salaries to be fixed and paid in the same manner as the salaries of probation officers. The court may appoint as such superintendent or matron one of the probation officers, with or without additional salary. The necessary expenses incurred in maintaining said "county shelter" shall be paid by the county.

4. This act shall take effect immediately.

Approved February 18, 1918.

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## CHAPTER 82.

A Supplement to an act entitled "An act providing for the creation of Juvenile Courts in counties of the first class, and defining the jurisdiction and powers thereof," approved April first, nineteen hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In any case wherein the Juvenile Court shall have acquired jurisdiction of a child, such jurisdiction may be retained during the continuance of the term for which such child shall have been sentenced, or if released by the court before the expiration of such sentence and placed on probation, or if placed on probation in the first instance, then such jurisdiction may be retained for the period of such probation, notwithstanding such child shall have attained the age of sixteen years during the

Jurisdiction  
of juvenile  
court.

service of such sentence or the period of such probation.

Commitments.

2. In any case wherein the Juvenile Court shall have acquired jurisdiction of a child, such child may be committed or sentenced to any institution to which he or she might have been committed or sentenced by such court, notwithstanding such child shall have attained the age of sixteen years after such court shall have acquired jurisdiction over said child.

Repealer.

3. All acts or parts of acts inconsistent herewith are hereby repealed.

4. This act shall take effect immediately.

Approved February 18, 1918.

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### CHAPTER 83.

An Act to amend the title and body of an act entitled "An act providing for the hearing and determination of disputes or matters affecting the domestic relation, and conferring jurisdiction upon the county Juvenile Courts," approved April second, nineteen hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Title amended.

1. The title of an act entitled "An act providing for the hearing and determination of disputes or matters affecting the domestic relation, and conferring jurisdiction upon the county Juvenile Courts," approved April second, nineteen hundred and twelve, be and the same is hereby amended to read as follows: "An act providing for the hearing and determination of disputes or matters af-

New title.

fecting the domestic relation and the welfare of children and conferring jurisdiction upon the county Juvenile Courts."

2. Section one of the act of which this act is amendatory be amended to read as follows. Section 1 amended.

1. In all counties of this State where there is or may hereafter be established a county Juvenile Court, said court is hereby vested with concurrent jurisdiction to hear and determine disputes involving the domestic relation, or the welfare of children, the jurisdiction over which is now or may hereafter be by law vested in any court of this State except the Court of Chancery and the Orphans' Court. Domestic disputes and welfare of children determined.

3. Section two of the act of which this act is amendatory be and hereby is amended to read as follows: Section 2 amended.

2. By "disputes involving the domestic relation or the welfare of children" is meant complaints for violation of an act entitled "An act concerning disorderly persons" (Revision of 1898), "An act for the settlement and relief of the poor" (Revision of 1911), "An act concerning the welfare of children" (approved April eighth, one thousand nine hundred and fifteen), and the acts amendatory thereof and supplements thereto, where the gravamen of the complaint is the failure or neglect of one member of a family to satisfy or discharge his legal obligations to another member or members of the family; and charges against any persons for abandonment or nonsupport of wives, or children, or poor relatives, under any provision of law; and prosecutions instituted by the poormaster of any municipality, based upon or arising out of the marriage state. Meaning of this act.

4. This act shall take effect immediately.

Approved February 18, 1918.

## CHAPTER 84.

An Act to amend an act entitled "An act to authorize the establishment by counties of the first class in this State of parental schools, to provide for the procuring of lands to be used in connection therewith, and to purchase, erect or construct such schools, and to provide for the government of the same," approved April first, nineteen hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 5  
amended.

1. Section five of the act of which this act is an amendment be and hereby is amended to read as follows:

Intention of  
act.

5. Said school may be the place of detention for all persons under the age of sixteen years who come within the class mentioned in the second paragraph of this act; but nothing herein contained shall alter or in anywise prevent imprisonment in the State prisons, county penitentiary, or in reformatories or other institutions of this State, or imprisonment in or holding in the county jail awaiting trial; nor shall anything herein contained prevent commitment to the care of probation officers under existing law, or laws which may hereafter be passed inflicting such penalties.

2. This act shall take effect immediately.

Approved February 18, 1918.



## CHAPTER 85.

An Act to amend an act entitled "An act concerning the welfare of children," approved April eighth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section two be amended to read as follows: Section 2  
amended.
  2. Any parent, guardian or person having the care, custody or control of any child or children, who shall abuse, abandon, be cruel to or neglectful of said child or children, or any person who shall abuse, be cruel to or neglectful of any child or children, shall be deemed to be guilty of "cruelty and neglect of children" and, upon conviction thereof, be fined not to exceed one hundred dollars, or to imprisonment for a term not exceeding one year in the workhouse or penitentiary, or in the common jail in counties that have no workhouse or penitentiary, or both, at the discretion of the magistrate before whom such conviction may be had; *provided, however*, that whenever in the judgment of the court it shall appear to the best interest of the child or children, to place it or them in the temporary care or custody of a society or corporation, organized or incorporated under the laws of the State of New Jersey, having as one of its objects the prevention of cruelty to children, and the society or corporation is willing to assume said custody and control, the court may postpone sentence and place the child or children in the custody of such society or corporation, and may place defendant on probation, either with the county probation officers or an officer of the society or corporation to which the child or children are ordered, and Penalty for  
abuse, cruelty,  
etc.
- Proviso.
- Conditions on  
which sen-  
tence may be  
postponed.

may order the parent, guardian or person having the custody and control of said child or children to pay to said society or corporation a certain stated sum for the maintenance of said child or children; *providing, however*, that when a child or children are so placed in the custody of such society or corporation, and defendant fails to make the payments as ordered by the court, the court shall cause the arrest and arraignment before it of the said defendant, and shall impose upon him the penalty provided in this section of the act.

Proviso.

Section 3 amended.

To whom complaints made.

2. Section three be amended to read as follows:

3. Complaints for violation of the provisions of this act may be made to any justice of the peace or to any police magistrate of any municipality, or to a judge of the Court of Quarter Sessions in any county, or the judges of the courts for the trial of juvenile offenders in every county of the State, and such magistrates and judges are hereby invested with jurisdiction to hear and determine such complaints in a summary manner, and to impose the penalties provided in the last preceding section of this act.

Bond may be furnished.

Whenever any person is convicted of violating the provisions of section two of this act, the court may postpone sentence if the defendant shall furnish a bond with at least one sufficient surety to any society, association or corporation organized or incorporated under the laws of this State, having as one of its objects the protection of children from cruelty and neglect, in a sum not exceeding five hundred dollars for each child, conditioned for the payment of a certain weekly amount, to be fixed by said justice or magistrate, to said society, for the care, support and education of said child or children during its or their minority, or for such shorter time as the said justice or magistrate may direct. Upon the defendant or surety failing to make payment for the support of the child or children, as provided in the conditions of the bond,

Amount and conditions of bond.

Defendant failing to pay warrant to issue.

the court shall issue a warrant for the arrest of the defendant and sentence the defendant as provided in section two of this act.

3. Section six be amended to read as follows:

Section 6  
amended.

6. Whenever the court shall determine that the parent, guardian or person having the custody and control of any child or children are unable to support it or them, or are dead, or cannot be found, and there is no person legally liable for the support of said child or children, or whenever a child or children have been abandoned, abused, neglected or cruelly treated, a petition may be filed by any person, association or corporation having as one of its objects the prevention of cruelty to children, interested in the said child or children, with the Court of Common Pleas, or the judges of the courts for the trial of juvenile offenders in every county of the State, of the county where the child has a settlement, setting forth the facts in the case, and, where the case was not tried before the court in which the petition is filed, a copy of the record of the conviction shall be filed with the petition. If, upon the filing of said petition and copy of record, the court is satisfied that the best interests of the child or children require that said child or children be placed under proper guardianship, the said court may make an order committing the said child or children to the care, custody and control of the New Jersey State Board of Children's Guardians, and the said child or children shall thereupon become the legal ward of said board, which order shall also contain a provision ordering the county to pay expenses for the care of said child or children, including the board, clothing, medical care and surgical treatment while the child or children are under the guardianship of the New Jersey State Board of Children's Guardians. Upon the making of such commitment, as aforesaid, the State Board of Children's Guardians shall thereupon become

Petition setting forth certain facts filed.

Commitment to Board of Children's Guardians.

Powers and duties of guardians.

and be constituted the guardian of said juvenile dependent or dependents, and shall be invested with all the powers and duties now exercised by them in the same manner and to the same effect as if the said child or children had been committed to said New Jersey State Board of Children's Guardians as a public charge or charges.

Section 8  
amended.

4. Section eight be amended to read as follows:

When children  
committed to  
humane  
society.

8. That whenever the parents, guardian or any person having the custody or control of any minor child shall be convicted of abandoning, abusing, neglecting or cruelly treating said child or children, it shall be lawful for any society or corporation organized under the laws of this State, having as one of its objects the prevention of cruelty to children, or for any person interested in said child and acting as its next friend, to file a petition setting forth the facts in the case, together with a copy of the record of the case, when said conviction was before another court, with the Court of Common Pleas of the county, or the judges of the courts for the trial of juvenile offenders in every county of the State, of the county where the child has a settlement; the said judge, upon being satisfied that the child or children should be placed under proper guardianship, may make an order committing such child to the care and custody of any duly authorized or incorporated humane society within this State having for one of its objects the protection of children from cruelty, and such society shall thereupon have all the rights of a guardian of the person of such child. The court may, at any time, modify, revoke or add to the above order.

Order of  
commitment.

Rights of  
guardian.

5. This act shall take effect immediately.

Approved February 18, 1918.

## CHAPTER 86.

A Supplement to an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Whenever any person under the age of sixteen years shall be jointly indicted with a person over sixteen years of age and convicted of any crime, or enters a plea of guilty or non vult to such indictment (except the crimes of murder or manslaughter) judgment as to the person under sixteen years of age shall be entered by the court in which such person is tried and convicted in form that he is a juvenile delinquent only, and it shall not state the specific crime of which he is convicted; and after sentence of such juvenile delinquent or other disposition by the court, the record of such judgment as to such juvenile delinquent shall be delivered to the clerk of the Juvenile Court in and for the county in which such conviction is had, and said judgment shall not operate as a disqualification of said juvenile delinquent for any office, nor shall such judgment operate as a conviction of crime or be provable as such.

Conviction of  
person under  
16 years.

Entry of  
judgment.

Record.

Effects of  
judgment.

Approved February 18, 1918.

## CHAPTER 87.

A Supplement to an act entitled "An act relating to the Courts of Common Pleas (Revision of 1900)," approved March twenty-third, one thousand nine hundred.

Preamble.

WHEREAS, The population of certain counties bordering on the Atlantic ocean is very largely increased during certain seasons of the year thereby imposing upon the courts of such counties much additional labor; therefore

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Salary of  
common pleas  
judge in cer-  
tain counties.

1. Whenever the population of any county bordering on the Atlantic ocean, in this State, as evidenced by any State or Federal census, is more than seventy thousand, the judge of the Court of Common Pleas of such county shall be paid an annual salary of sixty-five hundred dollars. Such salary shall be paid monthly, and shall be in lieu of all fees and other compensation, which fees shall be paid into the county treasury.

Salary of  
common pleas  
judge in cer-  
tain counties.

2. Whenever the population of any county bordering on the Atlantic ocean, in this State, as evidenced by any State or Federal census, is less than thirty thousand, the judge of the Court of Common Pleas of such county shall be paid an annual salary of twenty-four hundred dollars. Such salary shall be paid monthly, and shall be in lieu of all fees and other compensation, which fees shall be paid into the county treasury.

Repealer.

3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

Approved February 19, 1918.

## CHAPTER 88.

An Act fixing the compensation of prosecutors of the pleas in counties of this State bordering on the Atlantic ocean having a population of more than seventy-five thousand.

WHEREAS, The population of certain counties bordering on the Atlantic ocean is very largely increased during certain seasons of the year, thereby greatly increasing the criminal business of such counties and imposing upon the prosecutor of the pleas thereof much additional labor; therefore,

Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever the population of any county bordering on the Atlantic ocean in this State, as ascertained by any State or Federal census, is more than seventy-five thousand, the prosecutor of the pleas of such county shall receive an annual salary of six thousand dollars; such salary shall be payable in monthly installments in lieu of all fees and allowances, which fees shall be paid into the county treasury.

Salary of  
prosecutor.

2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved February 19, 1918.

## CHAPTER 89.

An Act providing for compensation and reimbursement of persons appointed as court officers by the sheriff of any county in this State, the title to whose office or position has been adjudged against such persons or hereafter may be adjudged against such persons, in appropriate legal proceedings, or where such offices or positions have been or may hereafter be adversely affected by judicial decision by a court of competent jurisdiction within twelve months last past, by any such persons in litigation in which their right or title to such position or employment aforesaid was involved, in those cases where legal proceedings concerning such position or employment were actually conducted and who have actually performed services for any county in the State as court officers.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Salary pro-  
rated.

1. All persons appointed as court officers by the sheriff of any county in this State, the title to whose office has been, or may hereafter be adjudged against such persons in appropriate legal proceedings, or where such positions have been or may hereafter be adversely affected by judicial decision by a court of competent jurisdiction, within twelve months last past, shall have and receive the pro rata proportion of the annual salary which court officers received in such county in which such officers were appointed, at the time of such appointments, for the period of time between the date of such appointments respectively, and the date when their positions or employment as such



court officers was or may be finally adjudicated as illegal, unlawful, invalid or of no effect, or was or may be affected by judicial decision; *provided, however,* such persons have actually performed the services for any such county in the State as court officers. Proviso.

2. It shall be the duty of the boards of chosen freeholders in counties of this State, affected by this act, to forthwith provide for and pay the salaries aforesaid of the persons mentioned in the foregoing sections of this act, and persons affected may sue for and recover from such boards of chosen freeholders their salaries as aforesaid in any court of competent jurisdiction. Provision  
for payment

3. This act shall take effect immediately.

Approved February 21, 1918.

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## CHAPTER 90.

A Further Supplement to an act entitled "An act regulating the receipt and disbursements of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Department of Health of the State of New Jersey may, for the purpose of paying the traveling expenses of employees of the said department, the expenses incurred in connection with the traveling exhibits operated by said department, and for the purpose of paying other current expenses requiring a prompt cash outlay, establish a petty cash expense fund. State board  
of health to  
establish  
petty cash  
fund.

Amount.

2. The State Treasurer, upon the warrant of the State Comptroller, shall, for the purpose aforesaid, pay to the director of such department, from the annual appropriation for the expenses of such department, a sum of money not exceeding two thousand dollars, upon the application, in writing, by the director of such department.

Statement  
furnished  
comptroller.

Reimburse-  
ment.

3. The director of such department shall send to the State Comptroller, on or before the tenth day of each month, a detailed account of the disbursements made from said fund for the preceding month, accompanied by vouchers, when such disbursements are of a character that vouchers can be readily obtained therefor. Upon the receipt of this account the Comptroller shall draw his warrant upon the Treasurer for the amount thereof, and upon the said warrant the Treasurer shall pay to the Director of the Department of Health the said sum, which sum, when received by the said director, shall be used for the reimbursement of said fund. On or before October thirty-first in each year the Director of Health shall return to the State Treasurer the full amount of said fund.

Comptrol-  
ler's rulings  
to govern.

4. Any question arising in respect hereof with reference to the amount to be allowed to such board or department, the expenditure thereof, the accounting therefor, and the repayment thereof to the State Treasurer, shall be finally determined by the ruling of the State Comptroller.

5. This act shall take effect immediately.

Approved February 21, 1918.

## CHAPTER 91.

An Act to amend the title and the body of an act entitled "An act to fix the minimum of salary of the prosecutors of the pleas in the counties of the third class in this State," approved March twenty-fourth, one thousand nine hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The title of the act entitled "An act to fix the minimum of salary of the prosecutors of the pleas in the counties of the third class in this State," approved March twenty-fourth, one thousand nine hundred and thirteen, be and the same is hereby amended to read as follows: "An act to fix the minimum salary of the prosecutors of the pleas in counties of the third and fourth class in this State."

Amended  
title.

2. Section one of the aforesaid act be and the same is hereby amended to read as follows:

Section 1  
amended.

1. In all counties of the third and fourth class in this State whose population as ascertained by the last preceding State or Federal census is more than twenty thousand and less than fifty thousand, in which the prosecutors of the pleas now receive an annual salary, each of the prosecutors of the pleas of such counties shall receive an annual salary of at least two thousand dollars, to be paid to him in equal monthly payments by the county collector of such county.

Salary of  
prosecutor.

3. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved February 21, 1918.

## CHAPTER 92.

An Act to authorize charitable and educational corporations to make changes in their acts or certificates of incorporation and their organization.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Proceedings  
to effect  
certain  
changes.

1. Whenever any charitable or educational corporation incorporated under any general or special law of this State shall desire to change its corporate name or the number of its offices, managers or trustees, or their term of office, or in the manner or scope of its work, within the same general lines as is expressed in its act or certificate of incorporation, or any one or more of such changes, and its managers, trustees or other similar officers shall adopt a resolution specifying what amendment, change or changes is in their opinion desirable, and shall refer the same to a meeting of the members of such corporation, regularly held, for the action of such members thereon, and at such meeting of members by a vote of two-thirds of those present such resolution is approved, then the act or certificate of incorporation of such corporation shall be deemed and taken to be amended and changed in accordance with such resolution.

Certificate  
of change  
filed.

2. When any such change is made a certificate of such action, under the corporate seal of such corporation, signed by the presiding officer and secretary of such meeting, verified by the oath of such secretary, shall be forthwith filed in the office of the Secretary of State.

Rights and  
liabilities  
not affected.

3. Any such change or amendment shall in no wise affect the legal rights, privileges, liabilities or obligations of such corporations acquired or in-

curred before such change was made, but such corporation shall be entitled thereto and liable thereon to the same extent and in the same manner as if no such change had been made.

4. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately. Repealer.

Approved February 21, 1918.

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### CHAPTER 93.

A Further Supplement to an act entitled "A supplement to an act entitled 'An act to regulate the receipts and disbursements of State moneys in certain cases,' approved October thirty-first, one thousand nine hundred and seven," approved March thirtieth, one thousand nine hundred and ten.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The State Treasurer, upon warrant of the Comptroller, may advance to the Keeper of the New Jersey State Prison out of the annual appropriation for the transportation of prisoners and guards to and from the farm and camps any part of said appropriation as the keeper may think requisite for the purpose of paying the cost of the transportation aforesaid. Funds advanced for transportation.

2. Any portion of this advance not expended during the year shall be paid over to the Treasurer by the keeper, each year, on or before the thirty-first day of October, at which time the keeper shall furnish to the Comptroller a detailed statement of Unexpended portion.

the moneys expended for this purpose during the year.

3. This act shall take effect immediately.

Approved February 21, 1918.

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#### CHAPTER 94.

An Act to amend an act entitled "A further supplement to an act entitled 'An act to ascertain the rights of the State and of the riparian owners in the lands lying under the waters of the bay of New York and elsewhere in the State,' approved April eleventh, one thousand eight hundred and sixty-four," which further supplement was approved March twentieth, one thousand eight hundred and ninety-one.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 4  
amended.

1. Section four of the act to which this is an amendment be and the same is hereby amended so as to read as follows:

Sale or  
lease ripa-  
rian lands.

4. That the Board of Commerce and Navigation, or a majority of them, together with the Governor, shall not hereafter be required to give leases for lands of the State under water, convertible into grants upon payment of the principal sum mentioned therein, but may sell or let any of the lands of the State below mean high-water mark, upon such terms as to purchase money or rental, and under such conditions and restrictions as to time and manner of payment, the duration and renewal of any lease, the occupation and use of the land sold or leased, and such other conditions and restrictions as the interest of the State may re-

Restrictions.

quire, as may be fixed and determined by said Board of Commerce and Navigation or a majority of them, together with the Governor, and may in such lease provide for renewal or renewals of said lease for a subsequent term or terms to be expressed in said lease, and therein provide that the annual rentals to be paid for each such renewal shall be fixed and determined before the commencement of the renewal term, in case such annual rentals cannot be agreed upon, by three arbitrators, one to be appointed by the State, one by the then lessee, and the third by their joint agreement, or should they fail to agree, then by the Chief Justice of the Supreme Court.

Renewal of  
lease.

2. This act shall take effect immediately.
- Approved February 22, 1918.

## CHAPTER 95.

An Act to further amend an act entitled "An act respecting the burial of the bodies of honorably discharged soldiers, sailors and marines, the marking of their graves with suitable headstones and the care and preservation of their graves," approved March twentieth, one thousand nine hundred and two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section two of the act to which this is an amendment is hereby amended to read as follows:

Section 2  
amended.

2. Any interment provided for by the provisions of this act shall not be made in any cemetery or plot used exclusively for the burial of pauper dead; the graves of any such deceased veterans

Interment.

Headstone.

shall be marked by a headstone, containing the name of the deceased and, if possible, the organization to which he belonged, or in which he served; such headstone shall cost not more than twenty-five dollars, and shall be of such design and material as shall be approved by the Governor, Adjutant-General and Quartermaster-General of the State.

Cost.

Repealer.

2. All acts and parts of acts inconsistent with this act are hereby repealed.

3. This act shall take effect immediately.

Approved February 22, 1918.

#### CHAPTER 96.

An Act vesting the title of the property of extinct Methodist Episcopal churches and Methodist Episcopal societies of "The New Jersey Annual Conference of the Methodist Episcopal Church" in "The New Jersey Annual Conference of the Methodist Episcopal Church," and authorizing and empowering said conference to sell and convey the same.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Vestment of  
property of  
extinct  
churches.

1. All property, both real and personal, belonging to or held in trust for any Methodist Episcopal Church or Methodist Episcopal society of "The New Jersey Annual Conference of the Methodist Episcopal Church," that has, or shall hereafter become extinct, shall vest in and become the property of "The New Jersey Annual Conference of the Methodist Episcopal Church," and its successors and assigns; *provided*, that this

Proviso.



act shall not affect the reversion or interest of any person or persons in such property; *and provided, further,* that the provisions of this act shall not apply to any church, or religious society, except such as now are, or may hereafter come under the supervision of said conference. Proviso.

2. A church or religious society shall be regarded as extinct when its membership shall become so reduced that it has not sufficient members to fill its offices, and has ceased to hold its regular meetings, and to keep its relation with any charge having regular connection with the said annual conference for a period of three consecutive years. Extinct defined.

3. The said "The New Jersey Annual Conference of the Methodist Episcopal Church" is hereby authorized and empowered to sell the property of any such extinct church or religious society, and to convey the same to the purchaser thereof by deed in its corporate name; *provided,* such sale be in pursuance of a resolution of "The New Jersey Annual Conference of The Methodist Episcopal Church." Disposition of property.

4. This act shall take effect immediately. Proviso.

Approved February 22, 1918.

## CHAPTER 97.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. It is a misdemeanor for any person not a citizen of the United States of America to be en- Allen not to act as detective.

gaged in the business of or accept employment as a private or public detective.

2. This act shall take effect immediately.

Approved February 22, 1918.

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## CHAPTER 98.

An Act to amend an act entitled "An act concerning building and loan associations," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 27  
amended.

1. Section twenty-seven of the act to which this is an amendment is hereby amended to read as follows:

Filing fee.

27. Every such association shall pay one dollar on filing its annual report or any certificate required to be filed in the office of the Commissioner of Banking and Insurance, and shall also pay a fee to cover the expenses of any examination of its affairs made pursuant to the provisions of this act; said fee to be based on the assets of the association, according to the following schedule:

Examination  
fee.

Scale of  
examination  
fees.

Associations having assets under one hundred thousand dollars, twenty dollars; assets over one hundred thousand dollars and up to two hundred and fifty thousand dollars, thirty dollars; assets over two hundred and fifty thousand dollars and up to five hundred thousand dollars, fifty dollars; assets over five hundred thousand dollars and up to one million dollars, seventy-five dollars; assets over one million dollars, one hundred dollars;

*provided*, no association shall be compelled to pay <sup>Proviso.</sup> more than one examination fee in any one year towards the expenses of such examination; whenever any such examination shall be made by the commissioner or his deputy, in person, no charge shall be made except for necessary traveling and incidental expenses.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 99.

A Supplement to an act entitled "An act concerning townships" (Revision of 1899), approved March twenty-fourth, anno domini one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The township committee of the several townships of this State wherein no police department has been established may hereafter appoint as police officers any duly elected constable of the county wherein the township lies, whether a resident within the township or not, who shall have the powers and perform all the duties hereinbefore conferred and imposed upon police officers in townships having a police department; such police officer or officers may be dismissed at the will of the committee and shall receive such compensation for their services as shall be fixed by resolution or ordinance by said committee.

Constables  
as police  
in town-  
ships.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 100.

An Act amending an act entitled "An act amending an act entitled 'An act defining motor vehicles, and providing for the registration of the same; of the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and the penalties for said violations,' approved April twelfth, one thousand nine hundred and six," approved April twenty-first, one thousand nine hundred and nine.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 23  
(3 and 4)  
amended.

Rates of  
speed near  
horses.

Proviso.

Maximum  
speed.

Proviso.

1. Section twenty-three, subdivisions 3 and 4 of the act to which this act is amendatory, be and the same is hereby amended so that it shall read as follows:

23. (3) A speed of one mile in four minutes within two hundred feet of any horse or any beast of draught or burden upon the same street, highway; *provided, however,* that such speed does not exceed thirty miles per hour, shall be lawful in the open country as may be necessary in order to pass a vehicle traveling in the same direction, but the speed shall be diminished forthwith, if necessary, to comply with the provisions of this act.

(4) Elsewhere, and except as otherwise provided in subdivisions 1, 2 and 3 of this section, a speed of thirty miles per hour; *provided, however;* that nothing in this act contained shall permit any person to drive a motor vehicle at any speed

greater than is reasonable, having regard to the traffic and use of the highways or so as to endanger the life or limb or to injure the property of any person; *and it is further provided*, that nothing in this section contained shall affect the right of any person injured either in his person or property, by the negligent operation of a motor vehicle, to sue and recover damages as heretofore; *and provided, further*, that the foregoing provisions concerning the speed of motor vehicles shall not apply to any speedway built or intended for the exclusive use of motor vehicles if the said speedway at no point crosses any public street, avenue, road, turnpike, driveway or other public thoroughfare, or any railroad or railway at grade, the said speedway having been constructed with the permission of the commissioners or the board of freeholders, as the case may be, of the county or counties in which said speedway shall be located; *and provided, further*, that every person driving a motor vehicle shall, at the request or upon signal by putting up the hand, or otherwise, from the person riding or driving a horse or horses in the opposite direction, cause the motor vehicle to stop and remain stationary so long as may be necessary to allow said horse or horses to pass.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 101.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalty for said violations, approved April twelfth, one thousand nine hundred and six,' approved March eighteenth, one thousand nine hundred and sixteen."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 4  
amended.

1. Section four of the act to which this is an amendment is hereby amended to read as follows:

Lamps.

4. Every automobile shall carry, during the period from thirty minutes after sunset to thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance, at least two lighted lamps showing white or yellow-tinted lights visible at least two hundred and fifty feet in the direction toward which said automobile is proceeding, and shall also exhibit a red light visible from the rear; the rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such a manner as to render the numerals thereon visible for at least fifty feet in the direction from which the motor vehicle is proceeding. No automobile shall be used upon the public highways of this State which is equipped with a lamp which, when lighted, is capable of projecting direct rays at a great height than a

Visibility.

Rear lamp.

Heights of  
projected  
rays.

parallel of four and one-half feet from the road; *provided, however*, that any lamp which has attached thereto any device which cannot be operated from the driver's seat, and which, when so attached, renders said lamp incapable, when lighted, of projecting direct rays at a greater height than a parallel of four and one-half feet from the road, shall be deemed to comply with this provision; *provided, further, however*, that any automobile may be equipped with a lamp capable of projecting direct rays at a greater height than a parallel of four and one half feet from the road, if such lamp, when lighted, is not capable of producing a dazzling light or glare. In order that this section may be operative without hardship to the owners and operators of motor vehicles, the Commissioner of Motor Vehicles is hereby especially authorized to pass upon any lighting devices and upon the equipment of any car, and shall for this purpose examine all lighting devices submitted to him; and if, in his judgment, such lighting devices, when properly applied to a motor vehicle licensed under the authority of this act, shall conform to the provisions of this act, he shall issue a certificate to the manufacturer, owner or user of such device, as the case may be, that the same is in compliance with this section. Every automobile shall show at least one white or yellow-tinted light when standing, such white or yellow-tinted light to be on the side of the automobile nearest to the center of the road, and shall display at least one red light to the rear when standing.

Proviso.

Proviso.

Lighting  
devices.Lights when  
standing.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 102.

An Act concerning the title of certain lands situate in the city of Plainfield, in the county of Union in this State, which were conveyed by one David Martin and Elizabeth, his wife, to The Inhabitants of the Township of Plainfield, by deed dated September eighteenth, anno Domini one thousand eight hundred and sixty-five, and recorded in the office of the clerk of said county, and which lands are now in possession of The Inhabitants of the City of Plainfield under a claim of title by adverse possession; and limiting to July fourth, anno Domini one thousand nine hundred and nineteen, the time within which may be brought any suit, action or proceeding by the said David Martin, Elizabeth, his wife, or any person or persons claiming by, through or under them or either of them, asserting any claim, interest or title in said lands adverse to the said title claimed by The Inhabitants of the City of Plainfield.

## Preamble.

WHEREAS, It is represented that ever since the incorporation of the municipal corporation of this State known and designated as The Inhabitants of the City of Plainfield, and located in the county of Union in this State, to wit: a period of approximately fifty years, the said city has been in open, notorious and continuous possession, under a claim of right, of certain lands and premises situate within the territorial boundaries of said city and described in a deed of conveyance dated September eighteenth, anno Domini eighteen hundred and sixty-five, recorded in the then clerk's office, now register's office, of the said county, in book number seven-



teen of deeds, on pages seven hundred and thirty-seven, et cetera, which deed was made and executed by one David Martin and Elizabeth, his wife, to "The Inhabitants of the Township of Plainfield," then being a municipal corporation of this State located in the said county, but since abolished and now extinct, as follows, to wit: Beginning at a stone in the middle of William street (now Plainfield avenue), and Third street (now West Third street), and running with the middle of Third street northeast, two chains and forty-three links to a stone and corner of other lands of said Wells; with that south, forty-seven degrees east, one chain and nine links to a stone; thence southwest, two chains and forty-three links to a stone in the middle of William street; with that north, forty-seven degrees west, one chain and nine links to the place of beginning; now, therefore,

Boundaries  
of land.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All suits, actions and proceedings affecting the title to said lands and premises or any part thereof or interest therein which may hereafter be brought against said The Inhabitants of the City of Plainfield or the grantees of said city or any of them, or their or either of their successors, heirs or assigns by the said David Martin, Elizabeth Martin, The Inhabitants of the Township of Plainfield, or by any person or persons claiming to be heirs, successors, grantees or assigns of the said David Martin or Elizabeth, his wife, or of the said The Inhabitants of The Township of Plainfield, or claiming by, through or under them or any of them by reason of grant, conveyance, descent or otherwise, shall be brought within one year from and after the fourth day of July, anno Domini nineteen hundred and eighteen, and not afterwards.

Time limit  
for bringing  
actions.

Disposition  
of land.

2. Subject to such rights or interests of others as may be established by or in any such suit, action or proceeding brought within the time specified as aforesaid, the said The Inhabitants of the City of Plainfield be and are hereby authorized and empowered to hold, and to bargain, sell, grant and convey any part and all of said described lands and premises when and as the common council of said city may by resolution determine, and in like manner to dedicate any portion of said lands to the widening of street or streets or such other public uses as said common council may in its discretion determine and appoint.

3. This act shall take effect immediately.

Approved February 22, 1918.

### CHAPTER 103.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning disorderly persons (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight," which amendatory act hereby amended was approved March ninth, nineteen hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Act amend-  
ed.

1. "An act to amend an act entitled 'An act concerning disorderly persons (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight," which act hereby amended was approved March ninth, nineteen hundred and six, be and the same is hereby amended so as to read as follows:

1. Section thirty-eight of said act be and the same is hereby amended to read as follows:

Section 38  
amended.

38. It shall be the duty of all magistrates in this State, in all cases of convictions had before them, within ten days after each and every such conviction, to file the complaint, warrant and record of the proceedings and convictions of the offender in the office of the county clerk of their respective counties, there to be and remain of record, any magistrate failing to comply with the provisions of this section shall be deemed and adjudged to be a disorderly person; *provided*, that the provisions of this section shall not apply to criminal courts or police courts which are by law made courts of record.

Proceedings  
filed with  
county  
clerk.

Proviso.

2. Section forty-three of said act be and the same is hereby amended so as to read as follows:

Section 43  
amended.

43. The fees of the magistrate and constables and police officers for arresting and committing disorderly persons, under the provisions of this, shall be the same as allowed by law to such officers as are authorized and empowered to take and receive criminal complaints, issue warrants in criminal cases and make arrests thereunder, to each magistrate and officer for their like respective services as in criminal cases; *provided, however*, that the magistrate making the commitment shall not be entitled to any fee unless he shall in all cases of convictions had before him, within ten days after each and every such conviction, file the complaint, warrant and record of the proceedings and conviction of the offender in the office of the county clerk of their respective counties, and unless he shall make deposit of the fines collected with the proper officer within the time and in the manner now required by law.

Fees to  
magistrates  
and officers.

Proviso.

3. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 104.

An Act to validate and confirm reinstatements of charters of corporations heretofore made.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Reinstatement  
validations.

1. All reinstatements of charters of corporations by the Governor heretofore made, after the same have been forfeited for nonpayment of taxes, are hereby validated and confirmed.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 105.

An Act to amend an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 11  
amended.

1. Section eleven of the act to which this act is amendatory be and the same hereby is amended so as to read as follows:

Classes of  
civil service.

11. The civil service of the State of New Jersey, and of the municipalities thereof, when and as they may adopt the provisions of this act, in the manner hereinafter provided, shall be divided into the unclassified service and the classified service. The

unclassified service shall not be subject to any of the provisions of this act, and shall include the following classes: Unclassified  
service.

All officers elected by popular vote;

All officers appointed by the Governor, with or without the advice and consent of either or both branches of the Legislature;

All officers and employees appointed by either or both branches of the Legislature;

All election officers;

All assistant prosecutors of the pleas of the counties in this State;

All heads of departments of the State government and members of commissions and boards thereof, and all appointments of the mayor; and also all heads of departments, the members of commissions and boards elected by the board of aldermen, common council or other governing body of the municipalities that may adopt the provisions of this act;

All law officers of any municipality that may adopt the provisions of this act;

All officers, noncommissioned officers, enlisted men and other persons employed in the military or naval service of the State;

All superintendents of, teachers and instructors in the public schools and State agricultural institutions, all superintendents of State institutions, county superintendents and members of all boards of education, all police magistrates appointed by the mayor or other head officer of any municipality that may adopt the provisions of this act.

The classified service shall include all persons in the paid service of the State or the municipalities thereof that may adopt the provisions of this act, not included in the unclassified service. Classified  
service.

2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Approved February 22, 1918.

## CHAPTER 106.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to regulate the practice of courts of law"' (Revision of 1903), approved April sixth, one thousand nine hundred and eight," which act was approved April ninth, one thousand nine hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 153  
amended.

1. Section one hundred and fifty-three of an act entitled "An act to regulate the practice of courts of law" (Revision of 1903), be and the same is hereby amended to read as follows:

Notice of  
trial.

153. All notices of trial given for the first day of the term shall be filed with the clerk at least ten days before the opening day of the term, who shall furnish the court on the first day of every term with a list of the actions to be tried; it shall be the duty of attorneys, before filing said notices of trial in cases or actions which were instituted before the fourth day of July, one thousand nine hundred and twelve, to endorse on said notices of trial the return day of the summons issued in the action, and in all actions which were instituted on and after the said fourth day of July, one thousand nine hundred and twelve, or which may hereafter be instituted, to endorse thereon the date of the issuing of the summons in said action; and the clerk of the court shall list and arrange said cases or actions on said list according to the priority of the dates shown by said endorsement; *provided, however,* that whenever notices of trial shall be filed with the clerk without said endorsement, the

Return day  
endorsed.

Priority of  
cases.

Proviso.

clerk shall list and arrange same, after listing the cases or actions noticed with said endorsement, according to date of filing notice of trial thereof with him.

2. Listed cases need not be further noticed for trial while they remain on the list, although the term may end before they are tried or otherwise disposed of. Such cases by order of the court shall be carried over into the next term, and shall take precedence in trial over cases noticed and listed for that term. Notice of listed cases.

3. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed. Repealer.

4. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 107.

An Act to amend an act entitled "An act to establish a State Highway System, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" approved March thirteenth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section six of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows: Section 6 amended.

6. The State highways herein provided for shall be paved with granite, asphalt, or wood blocks, bricks, concrete, bituminous concrete, sheet asphalt or other pavement having a hard surface and of Paving material to be used.

Maintenance  
of existing  
roads.

Width of  
pavement  
and road.

Proviso.

Angles and  
grade cross-  
ings.

Proviso.

a durable character. But nothing in this act shall be held to prevent the State Highway Commission from maintaining roads heretofore improved with other materials with their present or similar surfaces pending their paving with materials complying with this act. In all cases the width of the pavement shall be at least eighteen feet and the total width of the roadway shall be at least thirty feet; *provided, however*, that any bridge on such highway and the pavement thereon, if any, shall be of such width as shall be determined by the State Highway Commission. All sharp turns and angles shall be eliminated wherever practicable. The said State Highway Commission may, in its discretion, eliminate grade crossings, and is hereby authorized to make such contracts and agreements for the elimination thereof with the owner or lessee of any right of way to be crossed by such highway as it may deem advisable; *provided*, that nothing herein contained shall in any way affect the operation of an act entitled "A supplement to an act entitled 'An act concerning public utilities; to create a Board of Public Utility Commissioners, and to prescribe its duties and powers,' approved April twenty-first, one thousand nine hundred and eleven," approved March twelfth, one thousand nine hundred and thirteen.

2. This act shall take effect immediately.

Approved February 22, 1918.



## CHAPTER 108.

A Supplement to "An act authorizing the division of townships into water districts for the purpose of supplying water within such districts for fire purposes, and the election of water commissioners in said district," approved October thirtieth, one thousand nine hundred and seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Whenever any township has been divided, or may hereafter be divided, into water districts and commissioners therefor elected as provided in the act to which this act is a supplement, and such township or any part thereof embracing the water districts aforesaid shall thereafter be incorporated as a city having authority to supply water to said districts, the treasurer of such commission or custodian of its funds may and are hereby authorized to pay to the treasurer of such city all moneys remaining in their hands which have been unexpended for supplying water in such district or districts.

Funds of  
water dis-  
trict of  
township in-  
corporated  
as city  
turned over  
to city  
treasurer.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 109.

A Supplement to an act entitled "An act authorizing the division of townships into street lighting districts and the erection and maintenance of street lights therein, and the election of street-light commissioners in said districts," approved May twenty-fifth, one thousand eight hundred and ninety-four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Funds of  
lighting  
district of  
township  
incorporated  
as city  
turned over  
to city  
treasurer.

1. Whenever any township has been divided, or may hereafter be divided, into street lighting districts and commissioners therefor elected as provided in the act to which this act is a supplement, and such township or any part thereof embracing the lighting districts aforesaid shall thereafter be incorporated as a city having authority to light said districts, the said commissioners of such street lighting district or districts, or the treasurer of such district, or custodian of its funds, may and are hereby authorized to pay to the treasurer of such city all moneys remaining in their or his hands which have been unexpended for the erection and maintenance of street lights in such district or districts.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 110.

An Act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section three of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows: Section 3 amended.

3. The following property shall be exempt from taxation under this act, namely: Exemptions.

(1) The bonds and other securities of the United States, other than circulating notes of national banking associations and United States legal tender notes and other notes and certificates of the United States, payable on demand and circulating or intended to circulate as currency and gold, silver or other coin, and all bonds, securities, improvement certificates and other evidences of indebtedness, heretofore or hereafter issued by this State or by any county thereof, or by any taxing district or school district of this State, and the personal property owned by citizens or corporations of this State situate and being out of the State upon which taxes shall have been actually assessed and paid within twelve months next before May twentieth, being the day prescribed by law for commencing the assessment. Securities of U. S., State, county, school district, etc. exempt from taxation.

(2) The property of the United States and of the State of New Jersey and of the respective counties, school districts, and taxing districts when used for public purposes, but this exemption shall not include real property bought in for debts or on foreclosures of mortgages given to secure loans out of public Property of U. S., State, counties, etc.

funds or out of money in court, which property shall be taxed unless devoted to public uses.

Property  
used by  
military or-  
ganizations.

(3) Any building, real estate or personal property used solely by any organization of the National Guard for military purposes, and purchased or erected at public expense; also any building and lot, and the personal property in said building used for an armory and owned by an incorporated armory association composed entirely of members of the National Guard of this State, and supported in whole or in part by annual State appropriation, on condition that all the income derived from said property above the expense of its maintenance and repair shall be used exclusively for such National Guard and armory; also any building, real estate or personal property used by any military organization for the purposes of an armory, on condition that all of the income received by said organization from the use of said building shall be applied to the maintenance of such building and the support of such organization; *provided*, that no building used for such purposes shall be exempt if the same is hired for a rental other than a nominal rental paid to a landlord.

Proviso.

Schools,  
colleges,  
libraries,  
churches,  
etc.

(4) All buildings actually used for colleges, schools, academies, seminaries, associations and corporations organized exclusively for the moral and mental improvement of men or women, or for religious, charitable, benevolent or hospital purposes, or for one or more such purposes, not conducted for profit; also all buildings actually and exclusively used for public libraries, religious worship or for asylums or schools for feeble-minded or idiotic persons and children, and owned by corporations of this State authorized to carry on such charities; the land whereon the same are situated necessary to the fair use and enjoyment thereof, not exceeding five acres in extent for each; the furniture thereof and personal property used therein, and the endowment or fund held exclu-

sively for the charitable, benevolent or religious purposes of the corporation owning such buildings; the parsonage and land whereon the same stands, to an amount not exceeding five thousand dollars, owned by any religious corporation of this State while actually used by the officiating clergyman thereof; also all buildings used exclusively for purposes considered charitable under the common law, or belonging to any association or incorporated company formed for the purpose and actually engaged in the work of preventing cruelty to animals, with the land whereon the same are erected and which may be necessary for the fair enjoyment thereof, and the furniture and personal property used thereon; the funds of all charitable and benevolent institutions and associations collected and held exclusively for the sick and disabled members thereof, or for the widows of deceased members, or for the education, support or maintenance of the children of deceased members, and all endowments and funds held and administered exclusively for charitable, benevolent, religious or hospital purposes within this State, however such endowments and funds may be invested; no buildings used for any such purposes which may be hired for rental, paid to a landlord, shall be exempt. The exemption described in this paragraph of a building and land used for charitable, benevolent or religious purposes shall extend to cases where the said building and the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of the beneficiaries using or occupying the said building, provided the building is wholly controlled and the entire income therefrom is used for said charitable, benevolent or religious purposes.

Charitable  
institutions.

Extent of  
exemption.

(5) The shares of stock of any corporation of this State, which, by contract with the State, is expressly exempted from taxation, and the shares of stock of any corporation of this State the capi-

Stock ex-  
empted by  
law.

tal or property whereof is made taxable to and against said corporation.

Cemeteries.

(6) Graveyards not exceeding ten acres of ground, cemeteries and buildings for cemetery use erected thereon.

Volunteer fire companies.

(7) The real and personal property of any exempt firemen's association, firemen's relief association, and volunteer fire company incorporated under the laws of this State, and which is used exclusively for the purposes of such corporation.

Certain railroad properties.

(8) All officers and franchises, and all property used for railroad and canal purposes, the taxation of which is provided for by any other law of this State.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 111.

An Act to amend an act entitled "An act to establish a State Highway System, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof," approved March thirteenth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 16 amended.

1. Section sixteen of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Certified check to accompany bid.

16. A certified check equal to at least ten per centum of the bid; *provided*, that in case the bid be less than five thousand dollars (\$5,000) the check shall be five hundred dollars (\$500), must

accompany the same, drawn to the order of the State Treasurer, and shall be held as security that, if awarded the contract, the bidder will deliver the same, within ten days from the ratification of the award, properly signed and secured by a satisfactory bond. In case of the bidder's failure so to do, said check shall be forfeited to the State, as liquidated damages, and shall be applied and become a part of the State road fund. The commission may require from any bidder, in addition to said certified check, a certificate showing that such bidder owns or controls all the necessary equipment required by the plans, specifications and advertisement under which bids were asked for. In the event of such bidder not being in actual ownership of the equipment required, such certificate shall state the source from which such equipment will be obtained, and shall be accompanied by a certificate from the owner of such equipment, which certificate from such owner shall definitely and irrevocably grant to the bidder the control of the equipment required during such time as the same may be necessary for the completion of such contract; such commission may also require any bidder to submit with his bid a certificate from a surety company, duly authorized to do business in this State and satisfactory to such commission, stating that such surety company will provide the said bidder with a bond in such sum as is required in the advertisement for bids or in the specifications, conditioned for the faithful performance of all provisions of the contract and specifications, and further stating that such surety company will provide such bidder with a guaranty bond, conditioned for the faithful performance of any provisions contained in the notice to bidders or in the specifications relating to the repairing or maintaining of such work and its appurtenances, and keeping the same in good and serviceable condition during the term of such bond, in case any such

Evidence of  
contractor's  
ability to  
perform  
work.

As to  
equipment.

Surety.

New Jersey State Library

bond shall be required; such commission may also require such additional evidence of the ability of the contractor to perform the work required by the contract, as it may deem necessary or advisable.

2. This act shall take effect immediately.

Approved February 22, 1918.

## CHAPTER 112.

An Act giving the consent of the Legislature of the State of New Jersey to the purchase by the United States of lands within the State for public purposes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Consent  
to acqui-  
sition of land  
by United  
States.

That the consent of the Legislature of New Jersey be, and the same is hereby given, to the purchase by the Government of the United States, or under the authority of the same of any land or lands adjoining, adjacent or contiguous to the present United States Military Reservation of Picatinny Arsenal, situate, lying and being in the county of Morris, and State of New Jersey, and all deeds, conveyances of title and like papers for the same shall be recorded as in other cases upon the land records of the county in which the land so conveyed may be; the consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

Repealer.

2. All acts or parts of acts inconsistent with this act are hereby repealed.

3. This act shall take effect immediately.

Approved February 22, 1918.



## CHAPTER 113.

An Act to amend an act entitled "An act concerning townships (Revision of one thousand eight hundred and ninety-nine)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section eight of the act to which this act is an amendment is hereby amended to read as follows: Section 8 amended.

8. In case two or more persons at any township election have an equal number of votes for the same office, or there be a failure to elect any officer, or a refusal by any person elected or appointed to any office to accept the same, or if any person shall resign from his office, or shall die or remove out of the township, or become incapable of serving, or fail to take or subscribe the oath or affirmation prescribed by law for his office, or shall fail to deliver such oath or affirmation to the township clerk within the time hereinabove limited, or shall not give such security as may be by law required within the time for that purpose limited, then such office shall be deemed to be vacant, and the township committee shall forthwith, by resolution fill such vacancy; *provided, however*, that no vacancy shall be created by the removal from the township of any township attorney or township engineer; *provided, however*, that in case any township committee is now, or in the future shall be, unable to agree, by resolution, who shall fill said vacancy, then any member of said township committee, or any taxpayer of the township, may, by petition, apply to any justice of the Supreme Court, who is hereby empowered to appoint any person over the age of twenty-one years, who shall be a taxpayer in said township, to fill such vacancy. What constitutes vacancy.

How filled.

Proviso.

Proviso.

Approved February 23, 1918.

## CHAPTER 114,

An Act to prohibit the killing or pursuing of birds or animals by the aid or use of an automobile.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Illegal to  
hunt game  
in auto-  
mobiles.

1. It shall be unlawful for any person or persons while in an automobile to hunt for, pursue, shoot, shoot at, kill, capture, injure or destroy any bird or animal in this State, or to hunt for, pursue, shoot, shoot at, kill, capture, injure or destroy any such bird or animal by the aid or use of any light or lights carried on or attached to any such automobile, under a penalty of fifty dollars for each offense.

Penalty.

Enforcement  
of act.

2. This act shall be enforced by the persons authorized and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and supplements thereto.

3. This act shall take effect immediately.

Approved February 23, 1918.

## CHAPTER 115.

An Act relating to pupils of the public schools of this State who shall enter the military or naval service of the United States.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any pupil in any of the public schools or educational institutions of this State, who has commenced, or who shall hereafter commence, the work of his senior year in said public school or educational institution, and who has enlisted, or been drafted, or shall hereafter enlist or be drafted, in the military or naval forces of the United States, and who shall have satisfactorily completed his work in said public school or educational institution up to and including the time of his enlistment, shall be given credit for the work of the present term without examination, and shall be entitled to and receive the diploma, certificate, degree, or such other credentials or standings as may be awarded to those pupils or students of such public school or educational institution as shall satisfactorily complete the work for said term.

Pupils in military service credited with school work without examination.

2. This act shall take effect immediately.

Approved February 23, 1918.

## CHAPTER 116.

An Act to protect hospitals, sanatoriums, dispensaries and clinics from impostors.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Imposing on  
hospitals.

1. Any person who shall obtain free or at greatly reduced rates care or treatment, or medicines, or surgical treatment or dental treatment from any hospital, sanitarium, clinic or dispensary, either public or private, upon false representations as to his or her ability to make payment for same shall be a disorderly person, and upon conviction shall be fined not to exceed fifty dollars or imprisoned not to exceed ten days, or both.

Penalty.

Approved February 23, 1918.

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CHAPTER 117.

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide and furnish an office for the use of the county superintendent of schools, at the county seat of the several counties of this State, and to aid in maintaining the same,' approved April sixteenth, one thousand nine hundred and eight," which said amendatory act was approved April twenty-seventh, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 2  
amended.

1. Section two of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

2. Amend section two of said act so that it shall read as follows:

2. A sum not exceeding twelve hundred dollars in counties of the first class, one thousand dollars in counties of the second class, and eight hundred dollars in all other counties shall be appropriated annually by said board of chosen freeholders and paid monthly to the county superintendent of schools toward the expenses incurred for a clerical assistant in said office; *provided, however*, that in the case of each clerical assistant the initial annual salary shall not exceed six hundred dollars and the increase shall in no case be more than one hundred dollars for each year of satisfactory service until the maximum is reached; *provided, further, however*, that in the case of clerical assistants now in office, years of service rendered by them prior to the passage of this act may, in the discrimination of the board of freeholders, be counted in fixing the salary of such clerical assistants. The clerical assistant shall be selected and appointed by the county superintendent.

Appropriation for clerk to county superintendent.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved February 23, 1918.

## CHAPTER 118.

An Act to amend an act entitled "An act to regulate the practice of nursing in the State of New Jersey, to register nurses with the privilege of using the abbreviation 'R. N.' and to punish persons violating the provisions thereof," approved April first, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section three of the act of which this act is

Section 3 amended.

amendatory be and the same is hereby amended so as to read as follows:

Examina-  
tions.

Proviso.

Register  
kept.

What to  
show.

3. Said board shall hold meetings for the examination of applicants at the State House on the third (3d) Friday in June of each year, and at such other times and places as the board may deem expedient; *provided, however*, that the total number of such meetings during any one year shall not exceed three in all. Said board shall keep an official record of all its meetings and an official register of all applications for registration under the provisions of this act to determine the qualifications of the applicant to practice as a "registered nurse" in this State. Said register shall show name, age, nativity, last and permanent place of residence, and photograph of each applicant; the time he or she has spent in obtaining a competent grammar and high school education as hereinafter provided, and in study in training schools for nurses connected with hospitals, holding diploma thereof, and names and location of all such schools or examining boards which have granted said applicant any degree or certificate of registration of State examination; said register shall also show whether said applicant was examined, registered or rejected under this act and said register shall be prima facie evidence of all matters therein contained.

2. This act shall take effect immediately.

Approved February 23, 1918.

## CHAPTER 119.

An Act to incorporate the borough of Wanaque, in the county of Passaic.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The inhabitants of that portion of the township of Pompton, in the county of Passaic, and of the borough of Pompton Lakes, in the county of Passaic, hereinafter set forth, are hereby constituted and declared to be a body corporate in fact and in law by the name of "The Borough of Wanaque" and as such shall be governed by the general laws of this State relating to boroughs.

Borough of  
Wanaque  
incorporated.

2. The boundaries of said borough shall be as follows:

Beginning at a point in the boundary line between the counties of Bergen and Passaic, said point being where the division line between a tract of 1611.93 acres owned by Heitaro Fujita and that of the land of Julien J. Durand, if projected easterly, would intersect the aforesaid county line, and from said point running (1) north seventy degrees eight minutes west, in part along said division line, about fifty chains to the middle of the Conklintown road a few feet south of the intersection of the Greenpoint road; (2) along the middle of said Conklintown road, southwesterly and northwesterly to the middle of a right of way, leading to the lands of the said Heitaro Fujita, and thence along said right of way northerly about eight chains fifty links to a point opposite the corner of lands of the said Heitaro Fujita and that of a tract of 3.30 acres now or formerly owned by J. Gaston Drew; (3) about north sixty-nine

Boundaries of  
borough de-  
fined.

degrees thirty minutes west thirty chains forty-five links to the middle of the public road from Pompton to Ringwood at a point eighteen chains thirty-five links northerly on said road from its intersection with the center line of the Conklin-town road; (4) northerly along the middle of said road about twenty-nine chains to its intersection on the west with the center line of the Forge road at the southerly side of the new overhead bridge crossing the New York and Greenwood Lake Railroad; (5) westerly along the middle of the Forge road, about fifteen chains to a point where same is crossed by a line of Ringwood Company's forge lot; from said point running along these several lines of Ringwood Company's lands; (6) south ten degrees forty-eight minutes east along the third line of the Forge lot about nine chains to the fourth corner of said lot; (7) south fifty-five degrees twenty-four minutes west long the fourth line of the said tract eighteen chains eighty-eight links to a corner in the line of formerly Josiah Ricker's Cooper tract; (8) south sixty-one degrees forty-two minutes east along a line of said lot nine chains to another corner of same; (9) south twenty-eight degrees twenty-one minutes west along a line of the same three chains eighty links to another corner; (10) south eighty-four degrees twenty-one minutes west fifty links; (11) south twenty-five degrees three minutes west six chains thirty-five links; (12) south thirty-eight degrees three minutes west five chains thirty-nine links; (13) south twenty-five degrees eighteen minutes west thirteen chains sixty links; (14) north seventy-two degrees twenty-seven minutes west three chains seventy-one links; (15) south seventeen degrees twenty-seven minutes west fifteen chains seventy-four links; (16) north fifty-four degrees thirty-nine minutes west seven chains thirty links; (17) south twenty-one degrees forty-eight minutes west twenty-one chains seventy links to a corner



on the north side of the Furnace road; (18) south twenty-one degrees eighteen minutes west fifteen chains to an old stone-heap where stood two hickory trees on Sheep Hill called Line's and Holloway's corner; (19) north sixty-three degrees twelve minutes west nine chains ten links; (20) continuing along the line of land of the Ringwood Company, northwesterly up to the Wanaque river the several courses thereof, about nine chains to a pin oak tree a little west of the west bank of the said river, a corner of 17.70 acres called the "Hook Lot" conveyed by the heirs of the Estate of Philip R. George, deceased, to Ringwood Company, November 10, 1909. Thence along the lines of said tract and lands of Wanaque River Paper Company (21) south eighteen degrees fifty-seven minutes west four chains sixty-one links; (22) south thirteen degrees twenty-seven minutes two chains and seventy-two links to a corner of land of East Jersey Water Company in said Wanaque River Paper Company's line; thence (23) north fifty-seven degrees twenty-one minutes west along said East Jersey Water Company's line twenty-one chains thirty-four links to a corner of a tract of 33.63 acres known as the "Parry Place"; (24) along the line of same north thirty-two degrees six minutes west twenty-one chains eight links; (25) thence along the northerly boundary of said land north sixty degrees thirty-six minutes east eighty links; (26) south fifty-six degrees twenty-four minutes west two chains seventy-five links; (27) north sixty-three degrees six minutes west eight chains; (28) north eighty-five degrees six minutes west eight chains forty links; (29) north sixty degrees thirty-six minutes west about four chains to the middle of the Hook road; (30) north-easterly along the middle of said Hook road to its entrance into the West Brook road, and along the West Brook road northwesterly to its intersection with the easterly line of a tract of 2.11 acres con-

veyed to Ringwood Company by Demonica Morella by deed dated August 13, 1912, and recorded in Book Z-22 of Deeds, on pages 485, et cetera. Thence from said point running along the lines of said Ringwood Company's land (31) south seventy-six degrees six minutes west two chains sixty-four links; (32) north fifteen degrees thirty-nine minutes west six chains fifty links; (33) north eighty-five degrees fifty-one minutes east three chains fifty-four links to the middle of the aforesaid West Brook road; (34) thence along the middle of the West Brook road, northwesterly and southwesterly, the several courses thereof to its junction with the Snake Den road and along the middle of said road to a point where the second line of a tract of 40.85 acres conveyed by Edward Cooper et al. to Samuel Carragon by deed dated April 5, 1875, and recorded in Book H-5 of Deeds, on pages 501, et cetera, if extended northerly would intersect the center line of said road; (35) south seven degrees thirty-nine minutes east in part along the second line of said 40.85 acre tract about nine chains to the sixth corner of a tract of 180 acres returned to Richard Ashfield, April 2, 1740, and recorded in the office of the Surveyor General at Perth Amboy, in Book S, page 143; (36) south one degree twelve minutes east, along the westerly line of said tract thirty-two chains fifty links to a corner of same; (37) south forty-two degrees twelve minutes east along the southerly line of said tract fifteen chains to the line of land of Chris Ricker; thence along the lines of said land (38) south thirty-four degrees twenty-one minutes west four chains; (39) south forty degrees thirty-nine minutes east five chains; (40) south forty-nine degrees twenty-one minutes west seventeen chains fifty links; (41) south twenty-three degrees nine minutes east five chains; (42) south forty-five degrees thirteen minutes west four chains eighty-five links; thence crossing Ringwood

Company's land (43) about south seventeen degrees thirty-nine minutes west five chains to the fourth corner of a tract of 36 acres, known as the "Wellen-Thompson" lot; thence along the lines of same (44) north eighty degrees thirty-nine minutes west fifteen chains forty-eight links; (45) south thirteen degrees thirty-six minutes west twenty-two chains eighty-five links; (46) south three degrees fifty-one minutes west sixteen chains to the line of a tract of 43.44 acres formerly owned by John Brawley; thence along the lines of said tract (47) north sixty-five degrees thirty-six minutes west four chains, forty-eight links; (48) south twenty-five degrees fifty-four minutes west four chains forty links; (49) south thirty-one degrees nine minutes west one chain twenty-eight links; (50) south thirty-three degrees thirty-nine minutes west ten chains; (51) south fourteen degrees twenty-four minutes west four chains seven links; (52) south seventy degrees nine minutes west four chains forty-five links; (53) south twenty-five degrees twenty-four minutes west six chains fifty-six links; (54) south eleven degrees nine minutes west three chains twelve links; (55) south fifteen degrees nine minutes west three chains eighty links; (56) south thirty-seven degrees twenty-four minutes west four chains ninety links; (57) south forty degrees thirty-nine minutes west two chains sixty-five links to the line of a tract of 31.19 acres returned to J. Rattoone, February 24, 1792, and recorded in the office of the Surveyor General at Perth Amboy, in Book S-10, page 86; (58) south eighty-one degrees twenty-two minutes east, along the line of said 31.19 acres tract, twenty-seven chains seventy links to a corner of said tract in the line of Ringwood Company's land; thence along the lines of said lands (59) south twenty-seven degrees twenty-seven minutes west eleven chains; (60) south eighty-four degrees twenty-seven minutes

west five chains; (61) north seventy-seven degrees thirty-three minutes west twelve chains sixty links; (62) south five degrees forty-five minutes east thirteen chains; (63, north eighty-nine degrees fifteen minutes east eleven chains five links; thence leaving the lands of Ringwod Company (64) about south fourteen degrees thirty-five minutes east forty-three chains fifty links to the seventh corner of a tract of 9.75 acres conveyed by John I. Van Wagoner and wife to James Kenworthy by deed dated April 9, 1880; thence along a line of said tract (65) south seventy-two degrees nine minutes east four chains twenty-seven links to the fourth corner of a tract of 29.02 acres conveyed by the said John I. Van Wagoner and wife to the said James Kenworthy by deed dated April 30, 1883; thence along the line of said tract (66) south twenty degrees twelve minutes west five chains sixty-two links; (67) south eighty-five degrees eighteen minutes east twenty-one chains twenty-eight links to the fourth line of a tract of 53.20 acres conveyed by Isaac M. Williams and wife to Ella Louisa Doty by deed dated October 9, 1895, thence running along the lines of said tract (68) south three degrees thirty-six minutes west five chains thirty-two links to the seventh corner of said tract; (69) south nineteen degrees twenty-four minutes east seven chains sixty-nine links to the sixth corner of said tract and corner of lands of now or formerly Boyd McLean; thence along the lines of said lands (70) south fourteen degrees three minutes west four chains seventy-six links; (71) south thirteen degrees twenty-four minutes west sixteen chains; (72) south fifty-two degrees thirty-six minutes east four chains; (73) south twenty-nine degrees eighteen minutes west ten chains seventy-four links; (74) south thirty-eight degrees twenty-seven minutes east fourteen chains to the middle of the bridge over the brook flowing into Sager's pond in the public road from Bloom-

ingdale to Haskell; thence (75) about south fifteen degrees fifty minutes east about forty-two chains to a point in the south line of a tract of 45.66 acres about two chains westerly on said line from the southeasterly corner thereof, said point being made by the extension northwesterly of the tenth line of the incorporation description of the borough of Pompton Lakes, N. J., from the tenth corner thereof; thence along the lines of said tract (76) south sixty-nine degrees fifty-one minutes east about two chains to the southeasterly corner of said tract; (77) north nineteen degrees twenty-four minutes east five chains forty links; (78) south eighty-one degrees thirty-six minutes east along the line between the land of Artistic Weaving Company and that of formerly Martin W. Berry twenty-three chains to the middle of the public road from Pompton Lakes to Ringwood; thence (79) north seven degrees twelve minutes east along the middle of said road four chains to a point opposite the middle of a lane, a corner of lands of the Fuse Works and William Beck; thence (80) south eighty-three degrees thirty-six minutes east along the middle of said lane one chain sixty-two links to another corner of said lands; (81) about north seventy-six degrees fifty minutes east along the line between lands of the E. I. du Pont de Nemours and Company's Haskell plant and that of the Fuse Works, forty-one chains to a monument, the corner of the aforementioned lands, and also the lands of Metallic Cap Manufacturing Company; (82) north twenty-three degrees three minutes east along a part of the line between said Metallic Cap Manufacturing Company and that of E. I. du Pont de Nemours and Company's Haskell plant, about fourteen chains to the present boundary line of the borough of Pompton Lakes; (83) northeasterly along said borough boundary line about thirty-three chains to the "northeast corner of the Metallic Cap Company," the seventh

corner in said borough description; (84) northeasterly crossing lands of said Metallic Cap Manufacturing Company, about five chains fifty-six links to a monument, a corner of said land also the southwesterly corner of a tract of forty acres known as the Romain-Schuyler tract; (85) south sixty-three degrees forty minutes east, along the southerly line of said tract, twenty chains to the southeasterly corner thereof and land of Ramapo Park; (86) south fifty-six degrees fifty-one minutes east at thirteen chains twelve links passing over the northeast corner of a tract of thirty-one acres conveyed by William Porter to Ramapo Park by deed dated February 8, 1909, and recorded in Book Y-19 of Deeds, on pages 69, et cetera, and continuing the same course, in all approximately thirty-one chains to the boundary line between the counties of Passaic and Bergen; (87) northeasterly along the boundary line of said counties, approximately two hundred thirty-six chains, to the place of beginning.

3. This act shall take effect immediately.

Approved February 23, 1918.

## CHAPTER 120.

An Act to incorporate the borough of Bloomingdale, in the county of Passaic.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Part of  
Pompton  
township set  
off as Bloom-  
ingdale

1. The inhabitants of that portion of the township of Pompton, in the county of Passaic, hereinafter set forth, are hereby constituted and declared to be a body corporate in fact and in law

by the name of "The Borough of Bloomingdale," and as such shall be governed by the general laws of this State relating to boroughs.

2. The boundaries of said borough shall be as follows: Beginning at the bridge crossing the Pequannac river on the Paterson and Hamburg Turnpike road, a few rods east of Cook's Hill, so-called, and on the Morris county line, being the point where the line between the townships of Pompton and West Milford intersects the line between the counties of Morris and Passaic, and from said point running (1) northerly along the line between the said townships three hundred two chains or thereabout to a point on said line where the fifth or southerly line of a tract of 73.57 acres, returned to Andrew Bell, February 28, 1809, and recorded in the office of the Surveyor General at Perth Amboy in Book S-15, pages 208, etc., said lot being known as the "Winfield Tract," if projected westerly would intersect the line of said townships; thence (2) north seventy-five degrees three minutes east along the projected south line of the aforesaid tract, about twenty-three chains to the southwesterly corner thereof and in all ninety-one chains to the southeasterly corner, a stone heap on the west side of the Snake Den road; (3) northwesterly along the middle of said road ten chains twenty-three links to a point in same where intersected by the southerly line of a tract of 40.85 acres conveyed by Edward Cooper et al. to Samuel Carragon by deed dated April 5, 1875, and recorded in Book H-5 of Deeds on pages 501, etc; thence (4) north eighty-seven degrees six minutes east along said line twenty-nine chains fifty links to the southeasterly corner of same in the line of a tract of 180 acres returned to Richard Ashfield, April 2, 1740, and recorded in the office of the Surveyor General at Perth Amboy in Book S, page 143; (5) south one degree twelve minutes east along the westerly line of said tract twenty-

Boundaries  
of Bloom-  
ingdale  
defined.

nine chains fifty links to a corner of same; (6) south forty-two degrees twelve minutes east along the southerly line of said tract fifteen chains to the line of land of Chris Ricker; thence along lines of said land (7) south thirty-four degrees twenty-one minutes west four chains to corner of said land; (8) south forty degrees thirty-nine minutes east five chains; (9) south forty-nine degrees twenty-one minutes west seventeen chains fifty links; (10) south twenty-three degrees nine minutes east five chains; (11) south forty-five degrees thirteen minutes west four chains eighty-five links; then crossing Ringwood Company's land (12) about south seventeen degrees thirty-nine minutes west five chains to the fourth corner of a tract of 36 acres known as the "Wellen Thompson Lot," thence along the lines of same (13) north eighty degrees thirty-nine minutes west fifteen chains forty-eight links; (14) south thirteen degrees thirty-six minutes west twenty-two chains eighty-five links; (15) south three degrees fifty-one minutes west sixteen chains to the line of a tract of 43.44 acres formerly owned by John Brewley; thence along the lines of said tract (16) north sixty-five degrees thirty-six minutes west four chains forty-eight links; (17) south twenty-five degrees fifty-four minutes west four chains forty links; (18) south thirty-one degrees nine minutes west one chain twenty-eight links; (19) south thirty-three degrees thirty-nine minutes west ten chains; (20) south fourteen degrees twenty-four minutes west four chains seven links; (21) south seventy degrees nine minutes west four chains forty-five links; (22) south twenty-five degrees twenty-four minutes west six chains fifty-six links; (23) south eleven degrees nine minutes west three chains twelve links; (24) south fifteen degrees nine minutes west three chains eighty links; (25) south thirty-seven degrees twenty-four minutes west four chains ninety links; (26) south forty



degrees thirty-nine minutes west two chains sixty-five links to the line of a tract of 31.19 acres returned to J. Rattoone, February 24, 1792, and recorded in the office of the Surveyor General at Perth Amboy in Book S-10, page 86. All courses from No. 4 to and including No. 26, with the exception of No. 12, are along the lines between lands of Ringwood Company and other owners; (27) south eighty-one degrees twenty-two minutes east along the line of said 31.19 acres tract, twenty-seven chains seventy links to a corner of said tract in the line of Ringwood Company's land; thence along the lines of said lands (28) south twenty-seven degrees twenty-seven minutes west eleven chains; (29) south eighty-four degrees twenty-seven minutes west five chains; (30) north seventy-seven degrees thirty-three minutes west twelve chains sixty links; (31) south five degrees forty-five minutes east thirteen chains; (32) north eighty-nine degrees fifteen minutes east eleven chains five links; then leaving lands of Ringwood Company (33) about south forty-five degrees thirty-five minutes east forty-three chains fifty links to the seventh corner of a tract of 9.75 acres conveyed by John I. Van Wagoner and wife to James Kenworthy by deed dated April 9, 1880; thence along a line of said tract (34) south seventy-two degrees nine minutes east four chains twenty-seven links to the fourth corner of a tract of 29.02 acres conveyed by the said John I. Van Wagoner and wife to the said James Kenworthy by deed dated April 30, 1883; thence along the line of said tract (35) south twenty degrees twelve minutes west five chains sixty-two links; (36) south eighty-five degrees eighteen minutes west twenty-one chains twenty-eight links to the fourth line of a tract of 53.20 acres conveyed by Isaac M. Williams and wife to Ella Louisa Doty, by deed dated October 9, 1895; thence running along the lines of said tract (37) south three degrees thirty-

six minutes west five chains thirty-two links to the seventh corner of said tract; (38) south nineteen degrees twenty-four minutes east seven chains sixty-nine links to the sixth corner of said tract and corner of lands now or formerly Boyd McLean; thence along the lines of said lands (39) south fourteen degrees three minutes west four chains seventy-six links; (40) south thirteen degrees twenty-four minutes west sixteen chains; (41) south fifty-two degrees thirty-six minutes east four chains; (42) south twenty-nine degrees eighteen minutes east ten chains seventy-four links; (43) south thirty-eight degrees twenty-seven minutes east fourteen chains to the middle of the bridge of the brook flowing into Sager's pond in the public road from Bloomingdale to Haskell; thence (44) about south fifteen degrees fifty minutes east about forty-two chains to a point in the south line of a tract of 45.66 acres, about two chains westerly on said line from the southeasterly corner thereof, said point being made by the extension northwesterly of the tenth line of the incorporation description of the borough of Pompton Lakes, New Jersey, from the tenth corner thereof; (45) southeasterly along said extended line and also the tenth line of the incorporation description of the said borough of Pompton Lakes to the "middle of the Pequannock river where it is crossed by the New York and Greenwood Lake railroad," being in the line between the counties of Morris and Passaic; (46) westerly up the middle of the Pequannock river the several courses thereof to the place of beginning.

3. This act shall take effect immediately.

Approved February 23, 1918.

## CHAPTER 121.

An Act to annex to the borough of Pompton Lakes, in the county of Passaic, parts of the township of Pompton, in the county of Passaic.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. All those parts of the township of Pompton, in the county of Passaic, lying within the following described boundaries, to wit:

First Tract—Beginning at “an island in Pompton Lake about three hundred feet north of the Schuyler Bridges,” being the end of the fourth course of the incorporation description of the borough of Pompton Lakes, and running thence (1) along the fifth course of the aforesaid incorporation description, “Northwesterly to the southeast corner of the Metallic Cap Company”; thence (2) following the sixth course of the aforesaid description “along the easterly line of the said lands to the northeast corner of the same”; thence (3) northwesterly, crossing lands of the Metallic Cap Manufacturing Company, about five chains fifty-six links to a monument a corner of said lands also the southwesterly corner of a tract of forty acres known as the “Romain-Schuyler Tract”; (4) south sixty-three degrees forty minutes east along the southerly line of said tract twenty chains to the southeasterly corner thereof and lands of Ramapo Park; (5) south fifty-six degrees fifty-one minutes east, at thirteen chains twelve links passing over the northeast corner of a tract of thirty-one acres conveyed by William Porter to Ramapo Park by deed dated February 8, 1909, and recorded in Book Y-19 of Deeds, on pages 69, etc., and continuing

Part of  
Pompton  
township an-  
nexed to  
Pompton  
Lakes.

Boundaries  
of first  
tract.

the same course, in all approximately thirty-one chains, to the boundary line between the counties of Passaic and Bergen; (6) southwesterly and southeasterly along the boundary line of said counties to the middle of the Ramapo river or head waters of Pompton Lake; thence (7) southwesterly, down the middle of said river or lake, the several courses thereof to the place of beginning.

Boundaries  
of second  
tract.

Second Tract—Beginning at a point south seventy-six degrees fifty minutes west thirteen chains fifty links from a monument, the corner of lands of E. I. du Pont de Nemours and Company's Haskell Plant, The Metallic Cap Manufacturing Company, and the Fuse Works, said point being where the seventh line of the incorporation description of the borough of Pompton Lakes intersects the division line between the aforesaid E. I. du Pont de Nemours and Company's Haskell Plant and the Fuse Works, and from said point running along a part of said borough line (1) "westerly to a small frame house owned by Julius Smith and situated on the Wynockie road about one thousand feet north from the avenue running from Wynockie road to the Junction"; thence running along the eighth line of said borough (2) "westerly to the northerly line of lands late of John Titus, deceased"; thence along the ninth line of said borough (3) "westerly along said northerly line to a point in the line of lands of John Davidson one hundred feet west of his house"; thence (4) northwesterly, an extension of the tenth line of said borough, about four chains to the point of intersection in the south line of a tract of 45.66 acres about two chains westerly on said line from the southeast corner thereof; (5) south sixty-nine degrees fifty-one minutes east about two chains to the southeasterly corner of said tract; (6) north nineteen degrees twenty-four minutes east five chains forty links; (7) south eighty-one degrees thirty-six

minutes east, along the line between the lands of Artistic Weaving Company and those of formerly Martin W. Berry, twenty-three chains to the middle of the public road from Pompton Lakes to Ringwood; thence (8) north seven degrees twelve minutes east along the middle of said road, four chains to a point opposite the middle of a lane, a corner of lands of the Fuse Works and William Beck; thence (9) south eighty-three degrees thirty-six minutes east along the middle of said lane one chain sixty-two links to another corner of said lands; (10) about north seventy-six degrees fifty minutes east along the line between the lands of E. I. du Pont de Nemours and Company's Haskell Plant and that of the Fuse Works twenty-seven chains fifty links to the place of beginning, are hereby set off from the township of Pompton in the county of Passaic and annexed to and made a part of the borough of Pompton Lakes in the county of Passaic.

2. This act shall take effect immediately.

Approved February 23, 1918.

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## CHAPTER 122.

An Act to incorporate the borough of Ringwood, in the county of Passaic.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. The inhabitants of that portion of the township of Pompton, in the county of Passaic, herein-after mentioned and described, are hereby constituted and declared to be a body corporate in fact

Part of  
Pompton  
township in-  
corporated as  
Ringwood.

and in-law by the name of "The Borough of Ringwood," and as such shall be governed by the general laws of this State relating to boroughs.

Boundaries of  
Ringwood  
defined.

2. The boundaries of said borough shall be as follows:

Beginning at a point in the boundary line between the counties of Bergen and Passaic, said point being where the division line between a tract of 1611.93 acres owned by Heitaro Fujita, and that of the land of Julien J. Durand, if projected easterly, would intersect the aforesaid county line, and from said point running (1) north seventy degrees eight minutes west, in part along said division line, about fifty chains to the middle of the Conklintown road a few feet south of the intersection of the Greenpoint road; (2) along the middle of the said Conklintown road, southwesterly and northwesterly to the middle of a right of way leading to the lands of the said Heitaro Fujita, and thence along said right of way northerly about eight chains fifty links to a point opposite the corner of lands of the said Heitaro Fujita and that of a tract of 3.30 acres now or formerly owned by J. Gaston Drew; (3) about north sixty-nine degrees thirty minutes west thirty chains forty-five links to the middle of the public road from Pompton to Ringwood at a point eighteen chains thirty-five links northerly on said road from its intersection with the center line of the Conklintown road; (4) northerly along the middle of said road about twenty-nine chains to its intersection on the west with the center line of the Forge road at the southerly side of the new overhead bridge crossing the New York and Greenwood Lake Railroad; (5) westerly along the middle of the Forge road, about fifteen chains to a point where same is crossed by a line of Ringwood Company's Forge lot. From said point running along these several lines of Ringwood Company's lands (6) south ten degrees forty-eight minutes east along the third line of the Forge lot about nine

chains to the fourth corner of said lot; (7) south fifty-five degrees twenty-four minutes west along the fourth line of the said tract eighteen chains eighty-eight links to a corner in the line of formerly Josiah Ricker's "Cooper Tract;" (8) south sixty-one degrees forty-two minutes east along a line of said lot nine chains to another corner of same; (9) south twenty-eight degrees twenty-one minutes west along a line of the same three chains eighty links to another corner; (10) south eighty-four degrees twenty-one minutes west fifty links; (11) south twenty-five degrees three minutes west six chains thirty-five links; (12) south thirty-eight degrees three minutes west five chains thirty-nine links; (13) south twenty-five degrees eighteen minutes west thirteen chains sixty links; (14) north seventy-two degrees twenty-seven minutes west three chains seventy-one links; (15) south seventeen degrees twenty-seven minutes west fifteen chains seventy-four links; (16) north fifty-four degrees thirty-nine minutes west seven chains thirty links; (17) south twenty-one degrees forty-eight minutes west twenty-one chains seventy links to a corner on the north side of the Furnace road; (18) south twenty-one degrees eighteen minutes west fifteen chains to an old stone heap where stood two hickory trees on Sheep Hill, called Line's and Holloway's corner; (19) north sixty-three degrees twelve minutes west nine chains ten links; (20) continuing along the line of land of Ringwood Company, northwesterly up to the Wanaque river the several courses thereof, about nine chains to a pin oak tree a little west of the west bank of the said river, a corner of 17.70 acres called the "Hook Lot," conveyed by the heirs of the estate of Philip R. George, deceased, to Ringwood Company, November 10, 1909; thence along the lines of said tract and lands of Wanaque River Paper Company; (21) south eighteen degrees fifty-seven minutes west four chains sixty-one links; (22) south thir-

Special election.	been adopted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within thirty days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; such special election shall be held within said territory between the hours of six o'clock A. M. and seven o'clock P. M. of a day and at a place within the said territory to be fixed by the clerk of the township of Pompton, in the county of Passaic, who shall cause public notice thereof to be given by advertisements signed by himself, set up in at least five public places within said described territory, and published once in one newspaper circulating therein at least ten days prior to the day so fixed for such election.
Notice given.	
Election, how conducted.	4. Such special election shall be held at the time and place so appointed and shall be conducted by the board of registry and election of the election district most nearly corresponding in extent to the limits of said territory within said township, and which conducted the general election next preceding the holding of such election in said township, and shall be by ballot. The registry of voters used at the last general election in such district shall be used at said special election in such election district, and the said board of registry and election shall meet one week next preceding the day fixed for said special election, at the place where the same is to be held from one o'clock to nine o'clock P. M., for the purpose of revising and correcting the registry lists in the manner provided under the general election laws of this State; <i>provided</i> , that said list, for the purpose of this election, shall be revised so as to include all and only such voters of said township who may then reside within the territory comprised within the limits of the borough created by this act. The clerk of the township of Pompton shall give public notice of such
Registry.	
Proviso.	
Notice of meeting.	



meeting of said board of registry and election at the time and in the manner hereinbefore provided for the giving of the notice of the time and place of holding of said special election, and shall provide a suitable place for the holding of said special election and the necessary ballots for the electors voting thereat, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:

Ballots.

Form of  
ballot.

"If you favor the proposition printed below make an X mark in the square to the left of and opposite the word 'Yes'; if you are opposed thereto make an X mark in the square to the left of and opposite the word 'No.' "

	Yes.	Shall an act entitled "An act to incorporate the borough of Ringwood, in the county of Passaic," be adopted?
	No.	

"If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word 'Yes,' it shall be counted as a vote in favor of such proposition."

Marking  
and count-  
ing ballots.

"If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word 'No,' it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite either the word 'Yes' or 'No,' it shall not be counted as a vote for or against such proposition."

5. The officers holding said election shall, within two days after such election, make a return in duplicate of the result of such election by statements in writing and under their hands, one of which certificates or returns shall be filed forthwith with the clerk of the township of Pompton and entered in full upon the minutes of the township com-

Result of  
election  
filed in  
duplicate.

mitte of the township of Pompton, and one of which certificates or returns shall be filed forthwith with the clerk of the county of Passaic.

Approved February 23, 1918.

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#### CHAPTER 123.

A Supplement to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, nineteen hundred and eleven.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Additional  
public utility  
commis-  
sioners.

1. The Governor is hereby authorized to appoint, by and with the advice and consent of the Senate, two additional persons, citizens of this State, not under thirty years of age, to be members of the Board of Public Utility Commissioners, so that said board shall consist of five instead of three members; said additional members shall have the same qualifications, powers, privileges, compensation, be subject to the same limitations and serve for the same term, as provided in the act to which this is a supplement, and in all things be subject to and governed by said act.

2. This act shall take effect immediately.

Approved February 25, 1918.

## CHAPTER 124.

A Further Supplement to an act entitled "An act to regulate the use of power vessels and boats navigating the waters within the jurisdiction of this State above tidewater, and to provide for the inspection and licensing of power vessels, their masters, pilots and engineers," approved April ninth, one thousand nine hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Board of Commerce and Navigation, upon application for a license to operate any power vessel carrying, or intending to carry passengers, or to register power vessels not carrying or intended to carry passengers, shall through its inspectors of power vessels or other employees designate the time and place where such vessel or vessels will be inspected for license or registration. The said board shall authorize the fixing of a schedule of examination and designate from time to time the time and place when the inspector of power vessels will be in any particular locality for the purpose of inspecting and licensing or registering, as the case may be, the power vessels within the waters of such locality, and shall give due notice thereof by posting in each post office of such locality, and publishing in each newspaper printed and circulated in such locality, at least two weeks prior to the time and place designated, a notice setting forth the time and place so designated. Every license and every registration shall expire and the certificate thereof become void on the thirty-first day of December of the year in which it is issued.

Inspection  
of power  
vessels.

Schedule of  
examinations.

Notice of.

Expiration  
of license.

License  
necessary.

2. No power vessel propelled by gas, gasoline or naphtha, not licensed to carry passengers, shall be navigated upon the waters within the jurisdiction of this State above tidewater without being first registered as required by the first section of the supplement to the act to which this act is a further supplement, which supplement was approved March eleventh, one thousand nine hundred and ten.

Speed.

3. It shall be unlawful for any power vessel, propelled in whole or in part by gas, gasoline or naphtha, navigating the waters within the jurisdiction of the State above tidewater, to exceed a speed of eight miles per hour when proceeding through any channel, river, stream or other waterway not exceeding seventy-five feet in width.

Penalty.

4. Every person or corporation navigating any power vessel, propelled in whole or in part by gas, gasoline or naphtha, violating any of the provisions of sections one and two of this act, shall be liable to a penalty of not less than twenty-five dollars, to be enforced and collected in the manner provided in the act to which this act is a further supplement, for the enforcement and collection of the penalties thereby imposed.

5. This act shall take effect immediately.

Approved February 25, 1918.

## CHAPTER 125.

An Act to amend an act entitled "An act creating a department to be known as the Board of Commerce and Navigation, and vesting therein all the powers and duties now devolved, by law, upon the Board of Riparian Commissioners, the Department of Inland Waterways, the Inspectors of Power Vessels, and the New Jersey Harbor Commission," approved April eighth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section four of the said act to which this is an amendment, be amended so that said section four shall read as follows: Section 4 amended.

4. The board shall select a person who shall be known as the director of commerce and navigation, who shall be a resident of this State. In case the board cannot agree because of a tie vote therein, upon the selection of a director, the Governor shall be requested to sit with said board for the purpose of casting the deciding vote. Said director of commerce and navigation shall receive a salary of not more than five thousand dollars per annum, to be paid out of the treasury of this State as the salaries of other employees are now, or may hereafter be, paid. He shall devote his entire time to the duties of his office, and shall serve for a term of four years, and until his successor has been appointed and qualified. Director.  
In case of tie.  
Salary.  
Service and term.

2. Section eight of the said act to which this is an amendment, be amended so that said section eight shall read as follows: Section 8 amended.

8. The director of commerce and navigation shall attend all meetings of the board, and shall be ex Secretary.

Supervision.	<p>officio secretary of the board. He shall be subject to the rules and regulations of the board, and shall exercise general supervision over all projects relating to the commerce and navigation within and about the State, and all work in any way relating thereto. He shall be and hereby is charged with the enforcement of all laws relating to the powers and duties of the board and to the commerce and navigation of the State and also all rules and regulations made by said board. He shall obtain, collect and preserve such information relating to the State's commerce and navigation and to the ways and means by which the same may be advanced, and also relating to the work of the department as may be useful in the discharge of his duties, or which may contribute to promote the interests of the State. He may, and any person authorized by him so to do may, without fee or hindrance, enter upon, examine and survey all waterways in and about the State, all riparian lands, and all proposed waterways.</p>
Enforcement of laws.	
Duties.	
Entrance to lands and waters.	
Section 9 amended.	
Oath and witnesses.	<p>3. Section nine of the said act to which this is an amendment, be amended so that said section nine shall read as follows:</p> <p>9. The Board of Commerce and Navigation, by its presiding officer, each of its committees by their chairman, and the director of commerce and navigation, shall have authority to administer oaths, and to examine under oath in any part of the State, witnesses in any matter relating to the powers and duties of the departments, and to the commerce and navigation of the State. For this purpose, it may issue subpoenas, signed by its president and secretary, requiring the attendance of witnesses and the production of books and papers in any part of the State before it, or before any of its committees, or before the director of commerce and navigation, and any person who, being served with a subpoena issued pursuant to the provisions of this act, shall fail to attend or</p>
Issue subpoenas.	

who shall fail to give testimony unless such testimony incriminate him or subject him to fine or punishment, shall be liable to a penalty of five hundred dollars for each and every offense, to be recovered in the name of the State of New Jersey; said penalty, when recovered, to be paid into the treasury of the State of New Jersey; and it shall be the duty of the Attorney-General to prosecute any and all actions for the recovery of penalties, when requested so to do, and when, in his judgment, the facts and the law warrant such prosecution. Any person who, having been sworn by the presiding officer of the board, or the chairman of any of its committees, or by the director of commerce and navigation, and who wilfully gives false testimony, shall be guilty of perjury.

Penalty for  
not observ-  
ing subpoena.

Recovery of  
penalty.

Perjury.

4. Section ten of the said act to which this is an amendment, be amended so that said section ten shall read as follows:

Section 10  
amended.

10. The director of commerce and navigation may be removed by the Governor, after a hearing; *provided*, that charges against him have been submitted, in writing, signed by a majority of the members of the board; *and provided, further*, that the Governor finds such charges to be true in fact, and their nature such that, in his opinion the best interests of the State demand the removal of said director.

Removal of  
director.

Proviso.

Proviso.

5. Section fourteen of the said act to which this is an amendment, be amended so that said section fourteen shall read as follows:

Section 14  
amended.

14. The officers and employees now in the employ of the old boards or commissions hereby consolidated shall be retained in their present offices or positions and shall continue as employees of the Department of Commerce and Navigation, unless removed in accordance with the provisions of an act entitled, "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties

Retention  
of present  
employees.

May abolish  
positions.

Repealer.

and municipalities thereof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight. The director of commerce and navigation, however, may, with the approval of the board, abolish any office or position, which in his judgment, it may be unnecessary to retain.

5. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved February 25, 1918.

## CHAPTER 126.

An Act to authorize the governing body of any municipality to appropriate money in aid of free public libraries and reading-rooms.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Library  
funds.

Proviso.

Provision  
for raising  
money.

It shall be lawful for the governing body of any municipality of this State to appropriate and raise such sum of money, not exceeding six thousand dollars annually, as in their judgment may be deemed necessary to aid libraries and reading-rooms in any such municipalities; *provided*, the person or corporation owning or controlling any library and reading-room accepting and receiving such aid shall keep the same open free to the use of the public at all reasonable hours except Sundays and holidays.

2. If the governing body of any such municipality shall have adopted the tax ordinance or resolution for the fiscal year nineteen hundred and eighteen before this act shall become a law, such



body may, nevertheless, by proper resolution or ordinance, appropriate and raise by tax such sum or part thereof as they may deem necessary for the present fiscal year, any other law to the contrary notwithstanding.

3. This act shall take effect immediately.

Approved February 25, 1918.

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### CHAPTER 127.

An Act to amend an act entitled "An act concerning building and loan associations," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section fifteen of the act to which this is an amendment is hereby amended to read as follows:

Section 15  
amended.

15. Any such association may take from its members a premium for priority of loan or acquisition of real estate, and no premium so taken for such purposes shall be deemed usurious.

Premium  
for priority  
of loan.

Approved February 25, 1918.

## CHAPTER 128.

An Act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

## ARTICLE I.

## GENERAL PROVISIONS.

Suspension of  
proceedings  
prejudicial to  
civil rights.

1. For the purpose of enabling the United States the more successfully to prosecute and carry on the war in which it is at present engaged, protection is hereby extended to persons in the military service of the United States in order to prevent prejudice or injury to their civil rights during their term of service and to enable them to devote their entire energy to the military needs of the nation, and to this end the following provisions are made for the temporary suspension of legal proceedings and transactions which may prejudice the civil rights of persons in such service during the continuance of the present war.

Military  
service  
defined.

2. (1) The term "persons in military service," as used in this act, shall include the following persons and no others: All officers and enlisted men of the Regular Army of the United States, the Regular Army Reserve of the United States, the Officers' Reserve Corps of the United States, and the Enlisted Reserve Corps of the United States; all officers and enlisted men of the National Guard and National Guard Reserve recognized by the Militia Bureau of the Federal

War Department; all forces raised under the act of Congress entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May eighteenth, nineteen hundred and seventeen; all officers and enlisted men of the Navy, the Marine Corps, and the Coast Guard; all officers and enlisted men of the Naval Militia, Naval Reserve force, Marine Corps Reserve, and National Naval Volunteers recognized by the Federal Navy Department; all officers of the Public Health Service detailed by the Federal Secretary of the Treasury for duty either with the army or the navy; any of the personnel of the Lighthouse Service and of the Coast and Geodetic Survey transferred by the President to the service and jurisdiction of the Federal War Department or of the Federal Navy Department; members of the Nurse Corps; field clerks who have taken the oath as members of the military forces of the United States; and members of any other body who are or may hereafter become a part of the military or naval forces of the United States. The term "military service," as used in this definition, shall signify active service in any branch of service heretofore mentioned or referred to, but reserves and persons on the retired list shall not be included in the term "persons in military service" until ordered to active service. The term "active service" shall include the period during which a person in military service is absent from duty on account of sickness, wounds, leave, or other lawful cause.

Active service meant.

(2) The term "period of military service," as used in this act, shall include the time between the following dates: For persons in active service at the date of the approval of this act it shall begin with the date of approval of this act; for persons entering active service after the date of this act, with the date of entering active service. It shall terminate with the date of discharge from

Term of service.

active service or death while in active service, but in no case later than the date when this act ceases to be in force.

"Person."

(3) The term "person," as used in this act, with reference to the holder of any right alleged to exist against a person in military service, shall include individuals, partnerships, corporations, and any other forms of business associations.

"Court."

(4) The term "court," as used in this act, shall include any court of competent jurisdiction of the United States or of any State, whether or not a court of record.

"Termination of war."

(5) The term "termination of the war," as used in this act, shall mean the termination of the present war by the treaty of peace as proclaimed by the President.

Application of act.

3. (1) The provisions of this act shall apply to proceedings commenced in any court in this State, and shall be enforced through the usual forms of procedure obtaining in such courts or under such regulations as may be by them prescribed.

Court of competent jurisdiction.

(2) When under this act any application is required to be made to a court in which no proceeding has already been commenced with respect to the matter, such application may be made to any court of competent jurisdiction.

## ARTICLE II.

### GENERAL RELIEF.

Affidavit made when in default.

4. In any action or proceeding commenced in any court, if there shall be a default of an appearance by the defendant, the plaintiff before entering judgment shall file in the court an affidavit setting forth facts showing that the defendant is not in military service. If unable to file such affidavit plaintiff shall in lieu thereof file an affidavit setting forth either that the defendant is in the military service or that plaintiff is not able

to determine whether or not defendant is in such service. If an affidavit is not filed showing that the defendant is not in the military service, no judgment shall be entered without first securing an order of court directing such entry, and no such order shall be made if the defendant is in such service until after the court shall have appointed an attorney to represent defendant and protect his interest, and the court shall on application make such appointment. Unless it appears that the defendant is not in such service the court may require, as a condition before judgment is entered, that the plaintiff file a bond approved by the court conditioned to indemnify the defendant, if in military service, against any loss or damage that he may suffer by reason of any judgment should the judgment be thereafter set aside in whole or in part. And the court may make such other and further order or enter such judgment as in its opinion may be necessary to protect the rights of the defendant under this act.

Order of  
court.

Indemnify-  
ing bond.

Orders to  
protect  
defendant.

(2) Any person who shall make or use an affidavit required under this section, knowing it to be false, shall be guilty of a misdemeanor, and shall be punishable by imprisonment not to exceed one year or by fine not to exceed five hundred dollars, or both.

Penalty for  
false  
affidavit.

(3) In any action or proceeding in which a person in military service is a party, if such party does not personally appear therein, or is not represented by an authorized attorney, the court may appoint an attorney to represent him; and in such case a like bond may be required and an order made to protect the rights of such person. But no attorney appointed under this act to protect a person in military service shall have power to waive any right of the person for whom he is appointed, or bind him by his acts.

Representa-  
tive attorney  
appointed  
by court.

(4) If any judgment shall be rendered in any action or proceeding governed by this section

Reopening  
judgment.

against any person in military service during the period of such service, or within thirty days thereafter, and it appears that such person was prejudiced by reason of his military service in making his defense thereto, such judgment may, upon application, made by such person or his legal representative, not later than ninety days after the termination of such service, be opened by the court rendering the same, and such defendant or his legal representative let in to defend; *provided*, it is made to appear that the defendant has a meritorious or legal defense to the action or some part thereof. Vacating, setting aside, or reversing any judgment because of any of the provisions of this act, shall not impair any right or title acquired by any bona fide purchaser for value under such judgment.

Proviso.

Vacating judgment not to impair rights.

Stay of proceedings.

5. At any stage thereof any action or proceeding commenced in any court against a person in military service during the period of such service, or within sixty days thereafter, may, in the discretion of the court in which it is pending, on its own motion, and shall, on application to it by such person, or some person on his behalf, be stayed, on such terms as may be just, as provided in this act, unless, in the opinion of the court, the ability of the defendant to comply with the judgment or order sought is not materially affected by reason of his military service.

Relief from enforcement of contract.

6. When an action for compliance with the terms of any contract is stayed pursuant to this act no fine or penalty shall accrue by reason of failure to comply with the terms of such contract during the period of such stay, and in any case where a person fails to perform any obligation and a fine or penalty for such non-performance is incurred a court may, on such terms as may be just, relieve against the enforcement of such fine or penalty if it shall appear that the person who would suffer by such fine or penalty was in the

military service when the penalty was incurred, and that by reason of such service the ability of such person to pay or perform was thereby materially impaired.

7. In any action or proceeding commenced in any court against a person in military service, before or during the period of such service, or within sixty days thereafter, the court may, in its discretion, on its own motion, and on application to it by such person or some person on his behalf shall, unless in the opinion of the court the ability of the defendant to comply with the judgment or order entered or sought is not materially affected by the reason of his military service—

Court may  
in any  
action.

(1) Stay the execution of any judgment or order entered against such person, as provided in this act, and

Stay  
execution.

(2) Stay the proceedings in any attachment or garnishment of property, money or debts in the hands of another, whether before or after judgment, as provided in this act.

Stay  
proceedings.

8. Any stay of any action, proceeding, attachment or execution ordered by any court under the provisions of this act may, except as otherwise provided, be ordered for the period of military service and three months thereafter, or any part of such period, and subject to such terms as may be just, whether as to payment in installments of such amounts and at such times as the court may fix or otherwise. Where the person in military service is a codefendant with others the plaintiff may nevertheless, by leave of court, proceed against the others.

Period of  
stay.

9. The period of military service shall not be included in computing any period now or hereafter to be limited by any law for the bringing of any action by or against any person in military service or by or against his heirs, executors, administrators or assigns, whether such cause of

Period of  
service not  
included in  
time for  
bringing  
action.

action shall have accrued prior to or during the period of such service.

### ARTICLE III.

#### RENT, INSTALLMENT CONTRACTS, MORTGAGES.

**Evictions.**

10. (1) No eviction or distress shall be made during the period of military service in respect of any premises for which the agreed rent does not exceed fifty dollars per month, occupied for dwelling purposes by the wife, children or other dependents of a person in military service, except upon leave of court granted upon application therefor or granted in an action affecting the right of possession.

**Stay of proceedings.**

(2) On any such application or in any such action the court may, in its discretion, on its own motion, and shall, on application, unless in the opinion of the court the ability of the tenant to pay the agreed rent is not materially affected by reason of such military service, stay the proceedings for not longer than three months, as provided in this act, or it may make such other order as may be just.

**Penalty for eviction.**

(3) Any person who shall knowingly take part in any eviction or distress otherwise than as provided in subsection (1) hereof shall be guilty of a misdemeanor, and shall be punishable by imprisonment not to exceed one year or by fine not to exceed five hundred dollars, or both.

**Rescinding contracts.**

11. (1) No person who has received, or whose assignor has received, under a contract for the purchase of real or personal property, or of lease or bailment with a view to purchase of such property, a deposit or installment of the purchase price from a person who, after the date of payment of such deposit or installment, has entered military service, shall exercise any right or option under such contract to rescind or terminate the



contract or resume possession of the property for nonpayment of any installment falling due during the period of such military service, except by action in a court of competent jurisdiction or with the consent of a person who has entered military service.

(1a) Any person who shall knowingly resume possession of property which is the subject of this section in violation of subsection (1) hereof shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed five hundred dollars, or both.

Penalty for  
resuming  
property.

(2) Upon the hearing of such action, the court may order the repayment of prior installments or deposits, or any part thereof, as a condition of terminating the contract and resuming possession of the property, or may, in its discretion, on its own motion, and shall, on application to it by such person in military service or some person on his behalf, on such terms as may be just, order a stay of proceedings as provided in this act, unless, in the opinion of the court, the ability of the defendant to comply with the terms of the contract is not materially affected by reason of such service; or it may make such other disposition of the case as may be equitable to conserve the interests of all parties.

Repayment  
of install-  
ments.

12. (1) The provisions of this section shall apply only to obligations originating prior to the date of approval of this act and secured by mortgage, trust deed, or other security in the nature of a mortgage upon real or personal property owned by a person in military service at the commencement of the period of the military service and still so owned by him.

Application  
of this  
section.

(2) In any proceeding commenced in any court during the period of military service to enforce such obligation arising out of nonpayment of any sum thereunder due or out of any other breach of the terms thereof occurring prior to or during

Court may  
order.

the period of such service, the court may, after hearing, in its discretion, on its own motion, and shall, on application to it by such person in military service or some person on his behalf, unless, in the opinion of the court, the ability of the defendant to comply with the terms of the obligation is not materially affected by reason of his military service—

Stay, or other  
dispositions.

(a) Stay the proceedings as provided in this act on such terms as may be just; or

(b) Make such other disposition of the case as may be equitable to conserve the interests of all parties.

Validity of  
sale.

(3) No sale under a power of sale or under a judgment entered upon warrant of attorney to confess judgment contained in any such obligation shall be valid if made during the period of military service or within three months thereafter, unless upon an order of sale previously granted by the court and a return thereto made and approved by the court.

#### ARTICLE IV.

##### TAXES AND PUBLIC LANDS.

As to taxes.

13. (1) The provisions of this section shall apply when any taxes or assessments, whether general or special, falling due during the period of military service in respect of real property owned by a person in military service and occupied for dwelling or business purposes by such person or his dependents at the commencement of his period of military service and still so occupied by his dependents or employees are not paid.

Affidavit  
filed with  
collector of  
taxes.

(2) When any person in military service, or any person in his behalf, shall file with the collector of taxes, or other officer whose duty it is to enforce the collection of taxes or assessments, an affidavit showing (a) that a tax or assessment has been assessed upon property which is the subject of

this section; (b) that such tax or assessment is unpaid, and (c) that by reason of such military service the ability of such person to pay such tax or assessment is materially affected, no sale of such property shall be made to enforce the collection of such tax or assessment, or any proceeding or action for such purpose commenced, except upon leave of court granted upon an application made therefor by such collector or other officer.

The court thereupon may stay such proceedings or such sale, as provided in this act, for a period extending not more than six months after the termination of the war; and if the tax shall remain in arrears on the first day of July next following the expiration of the termination of such stay of proceedings, the tax collector or other officer charged by law in the taxing district with that duty shall enforce the tax lien by selling the land or any part thereof in accordance with section 51 (as amended) of the act entitled "An act for the assessment and collection of taxes," approved April eight, one thousand nine hundred and three; and the tax collector shall file the said unpaid tax in the county clerk's office on or before the first day of February next following the assessment thereof as now required by law, notwithstanding the provisions hereof.

Stay sale.

Enforcement  
of tax lien.

(3) When by law such property may be sold or forfeited to enforce the collection of such tax or assessment, such person in military service shall have the right to redeem or commence an action to redeem such property, at any time not later than six months after the termination of such service, but in no case later than six months after the termination of the war; but this shall not be taken to shorten any period now or hereafter provided by the laws of any State or Territory for such redemption.

Right of  
redemption.

(4) Whenever any tax or assessment shall not be paid when due, such tax or assessment due and

Interest on  
taxes.

unpaid shall bear interest until paid at the rate of six per centum per annum, and no other penalty or interest shall be incurred by reason of such nonpayment. Any lien for such unpaid taxes or assessment shall also include such interest thereon.

#### ARTICLE V.

##### ADMINISTRATIVE REMEDIES.

If intent to  
delay, action  
of court.

14. Where in any proceeding to enforce a civil right in any court it is made to appear to the satisfaction of the court that any interest, property, or contract has since the date of the approval of this act been transferred or acquired with intent to delay the just enforcement of such right by taking advantage of this act, the court shall enter such judgment or make such order as might lawfully be entered or made the provisions of this act to the contrary notwithstanding.

Certificate of  
certain  
officials prima  
facie evi-  
dence of  
facts set  
forth.

15. (1) In any proceeding under this act a certificate signed by the Adjutant-General of the United States Army as to persons in the army or in any branch of the United States service while serving pursuant to law with the army, signed by the Chief of the Bureau of Navigation of the Navy Department of the United States as to persons in the navy or in any other branch of the United States service while serving pursuant to law with the navy, and signed by the Major-General, Commandant, United States Marine Corps, as to persons in the Marine Corps, or in any other branch of the United States service while serving pursuant to law with the Marine Corps, or signed by an officer designated by any of them, respectively, for the purpose, shall when produced be prima facie evidence as to any of the following facts stated in such certificate: That a person named has not been, or is, or has been in military service; the time when and the place where such person

entered military service, his residence at that time, and the rank, branch and unit of such service that he entered, the dates within which he was in military service, the monthly pay received by such person at the date of issuing the certificate, the time when and place where such person died in or was discharged from such service. Any such certificate when purporting to be signed by any one of such officers or by any person purporting upon the face of the certificate to have been so authorized shall be prima facie evidence of its contents and of the authority of the signer to issue the same.

(2) Where a person in military service has been reported missing he shall be presumed to continue in the service until accounted for, and no period herein limited which begins or ends with the death of such person shall begin or end until the death of such person is in fact reported to or found by the Department of War or Navy of the United States, or any court or board thereof, or until such death is found by a court of competent jurisdiction; *provided*, that no period herein limited, which begins or ends with the death of such person, shall be extended hereby beyond a period of six months after the termination of the war.

Continuation  
of service.

Proviso.

16. Any interlocutory order made by any court under the provisions of this act may, upon the court's own motion or otherwise, be revoked, modified, or extended by it upon such notice to the parties affected as it may require.

Interlocu-  
tory order  
modified, etc.

17. This act shall remain in force until the termination of the war, and for six months thereafter.

Duration of  
act.

18. This act may be cited as the Soldiers' and Sailors' Civil Rights Act.

Act how  
cited.

19. This act shall take effect immediately.

Approved February 26, 1918.

## CHAPTER 129.

An Act authorizing members of the fire departments of cities of this State to exercise the powers of police officers.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Firemen  
vested with  
police  
powers.

1. The chief, his assistants and other members of the fire departments of cities of this State shall have and are vested hereby with the powers of police officers in going to, while at, and returning from any fire that may occur.

2. This act shall take effect immediately.

Approved February 26, 1918.

## CHAPTER 130.

An Act to amend an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 38  
amended.

1. Section thirty-eight of the act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-

first, one thousand nine hundred and eleven, is hereby amended to read as follows:

38. Any order hereafter made by the board may be reviewed upon certiorari by the Supreme Court. No certiorari to review any such order shall be allowed, unless application therefor be made within thirty days from the date upon which such order becomes effective, nor unless notice in writing of such application shall have been given to said board, with a copy of the affidavits or proofs upon which such application is based; notice of such application shall be served upon the secretary of said board, either personally or by leaving the same at the office of said board in the city of Trenton. The Supreme Court is hereby given jurisdiction to review said order of the board and to set aside such order in whole or in part when it clearly appears that there was no evidence before the board to support reasonably the same or that the same was without the jurisdiction of the board. The evidence presented to the board, together with the findings, and the order issued thereon, shall be certified by the board to the Supreme Court as its return. No such order shall be set aside in whole or in part for any irregularity or informality in the proceedings of said board unless such irregularity or informality tends to defeat or impair the substantial right or interest of the prosecutor in certiorari. If, with respect to any order brought under review by certiorari, it shall appear equitable and just that a rehearing should be had before said board, the Supreme Court may order that such rehearing be had upon such terms and conditions as are reasonable, and the said board shall thereupon proceed to rehearing on the testimony theretofore taken before it, and upon which the order under review was based, and upon such additional testimony, if any, as may be produced. As the result of such rehearing the board may readopt such order, or alter,

Orders  
reviewable.

Application  
for certiorari.

Jurisdiction  
of supreme  
court.

Irregulari-  
ties not to im-  
pair rights.

Rehearing.

amend, modify or extend the order theretofore made by it.

Action by  
court of  
errors and  
appeals.

Whenever a judgment of the Supreme Court upon certiorari to review an order made by said board shall be appealed to the Court of Errors and Appeals, and said Court of Errors and Appeals shall deem it equitable and just that a rehearing should be had before said board, the said court shall remit the record and proceedings before it to the Supreme Court, to the end that said court may order that such rehearing may be had before said board upon such terms and conditions as are reasonable, as hereinbefore provided.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed.

3. This act shall take effect immediately.

Approved February 26, 1918.

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## CHAPTER 131.

An Act to enable municipalities to pay for certain improvements left or to be left uncompleted because of war conditions and to authorize the assessment of benefits for any completed portion of any such improvement prior to the completion of the whole thereof, and validating improvement certificates issued or to be issued in payment thereof.

Preamble.

WHEREAS, Certain municipalities in this State have heretofore awarded or may hereafter award contracts for certain public improvements, which, owing to war conditions, have not as yet been or may not be completed until certain embargoes or



other restrictions have been lifted, and ordinary commercial activities resumed; and

WHEREAS, The terms of the contracts under which such improvements are made provide for the retention of certain percentages of the contract price or prices, pending the final completion of such contracts; and

Preamble.

WHEREAS, Owing to said war conditions, it is sometimes impossible for the contractors to complete said contracts until long after the period provided in such contracts for the completion of the work therein called for; and

Preamble.

WHEREAS, The power of the various municipalities to assess benefits for a portion of the uncompleted work done or to be done under any such contract has been questioned, unless such work has been entirely completed; and

Preamble.

WHEREAS, The validity of certain improvement certificates issued or to be issued in payment of such work prior to completion has also been questioned; now, therefore,

Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Where any municipality in this State has heretofore or shall hereafter make any contract for the paving or repaving of any street, the construction of any sewer or drain or other public improvement, and whenever in such case the contractor, owing to war conditions, embargoes or other restrictions, is unable to complete any such improvement according to the terms of the contract, the governing body of such municipality in such case shall have power, by resolution, to extend the time for the completion of any such contract and to waive any term or con-

Extension of  
time; pay-  
ment for  
work done.

dition thereof and to provide for the payment to the contractor having such improvement in charge of the full value of the work done thereunder up to the time of the adoption of such resolution; *provided*, that before any moneys shall be paid under any such resolution, contrary to the terms or conditions of any such contract, satisfactory proof shall be presented to such governing body by such contractor that all persons having liens or claims against the funds in the hands of such municipality belonging to such contractor under said contract, have been fully paid and satisfied; *and provided, also*, that such contractor and the surety or sureties on the bond or bonds given in connection therewith shall consent thereto in writing, filed with the clerk of such municipality.

Proviso.

Proviso.

Assess-  
ments.

2. The governing body of any such municipality shall have the right, power and authority to assess benefits against the properties along the line of any public improvement for any completed portion of the work called for by any contract providing for such improvement, prior to the completion and acceptance of the whole of the work called for by said contract.

Improvement  
certificates  
validated.

3. All improvement certificates of any municipality in this State given or to be given in payment, in whole or in part, for any work done under any contract providing for a public improvement therein, issued or to be issued prior to the completion of the whole of the work called for in such contract, are hereby validated and confirmed.

4. This act shall take effect immediately.

Approved February 26, 1918.

## CHAPTER 132.

An Act authorizing municipalities to appoint to its fire or police departments any person now serving in the military or naval service of the United States, or subject to service therein, without pay during the period thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any municipality within this State is hereby permitted and given the power at any time during the period of the present war to appoint to the fire or police departments thereof, or promote therein without salary during such period, any person or persons now in the military or naval service of the United States or of the State of New Jersey, or who may enlist or be conscripted, or subject to service therein.

Temporary appointments to fire or police force.

2. In any municipality wherein the provisions of the act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, shall be in operation and effect, then any appointment made under section one of this act shall be made in accordance with the provisions thereof in so far as it relates to the priority of right to such appointment or promotion.

As to civil service positions.

3. Any appointment or promotion made by and under section one of this act shall be effective from the time of the making thereof, and shall entitle any such person or persons so appointed or promoted to the right of enjoying and holding such

Permanency of appointment.

office or position, and the pay attached thereto upon his or their discharge from further military and naval duty and entry upon the duties required to be performed by such office or position.

Action after  
discharge.

4. Any person so appointed or promoted as aforesaid under the provisions of this act shall, within ninety days after his discharge from further military or naval duty, report and enter upon the duties required to be performed by such office or forfeit his right thereto.

5. This act shall take effect immediately.

Approved February 26, 1918.

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### CHAPTER 133.

An Act to provide for the licensing, regulation and inspection of public eating houses and places, and the posting of ratings of such public eating places, in municipalities of this State.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Regulation  
of sanitary  
conditions of  
hotels and  
eating places.

1. Boards of health in any municipality of this State shall be authorized and empowered to pass, amend and repeal an ordinance or ordinances for the licensing and regulation of the sanitary conditions of all hotels, restaurants, cafés and other public eating houses in such municipalities, and provide for the posting of ratings or score cards setting forth the sanitary conditions of any such public eating house, after inspection of the same, and to post the same in some conspicuous or public place in such public eating house.

Penalty.

2. Such boards of health are further empowered and authorized to fix and prescribe reasonable pen-

alties for the violation of such ordinance or ordinances, not to exceed one hundred dollars for each offense.

3. This act shall take effect immediately.

Approved February 26, 1918.

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#### CHAPTER 134.

An Act requiring proprietors of theatres, moving-picture houses and other places of public amusement to call the attention of their patrons at every performance to all exits and fire-escapes in the manner hereinafter described, and providing penalties for the violation of the provisions of this act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The proprietor of every theatre or other place of public amusement wherein printed programs of the performances are either furnished free or sold must have printed in a conspicuous part of said program, and prior in position to the program of each performance, a diagram of the seating arrangement of each floor, balcony or gallery, showing plainly thereon the location of each fire-escape and other exit, and that underneath each diagram there must be printed the following statement: "The laws of New Jersey require that this diagram be printed in every program of all theatres and other places of public amusement. Penalty for nonobservance, one hundred dollars."

Diagram of  
seats and  
exits printed  
in program.

2. The proprietor of every moving-picture house must show on the screen, at least once in each performance, and for at least one-half a minute each

Diagram of  
seats and  
exits shown  
on screen.

time, a diagram of the seating arrangement of each floor, balcony or gallery, showing plainly thereon the location of each fire-escape and other exits, and each diagram so shown must have the following statement printed underneath in letters sufficiently large that they may be easily read from any portion of the auditorium: "The laws of New Jersey require that this diagram be shown in all moving-picture houses at least once every performance and kept on the screen for at least one-half a minute. Penalty for nonobservance, one hundred dollars."

Penalty for  
violation.

3. Any proprietor of a theatre, moving-picture house or other place of public amusement who violates or omits to comply with any of the foregoing provisions of this act shall be guilty of a misdemeanor, and punishable by a fine of not more than one hundred dollars, said fine to be paid into the treasury of the firemen's relief fund of municipality in which violation occurs, or into the general treasury of the said municipality should there be no firemen's relief fund therein.

Act effective.

4. This act shall take effect July first, one thousand nine hundred and eighteen.

Approved February 26, 1918.

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## CHAPTER 135.

An Act concerning police justices in the villages of this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Police jus-  
tices in  
villages.

1. The board of trustees of every village of this State shall, from time to time, appoint some fit and

discreet person to be the police justice of the said village, who shall hold his office for the like term of office, and be entitled to like fees for like service as justices of the peace in and for the several counties of this State, but said police justice shall not, by virtue of his said office, be authorized to hear and try any civil action, except such as may be brought to recover a penalty under an ordinance of the village, in which case he shall possess and have the same power as a justice of the peace in his civil capacity; and the board of trustees may pay him such compensation, in addition to the said fees, as they shall, from time to time, deem proper; *provided, however*, if any village now have a police justice, duly qualified, and whose term of office has not expired, no appointment shall be made under this act until after the expiration of said term.

Compensa-  
tion.

Proviso.

Approved February 26, 1918.

#### CHAPTER 136.

An Act to amend an act to amend an act entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),' approved April fourth, one thousand eight hundred and ninety-eight," approved April nineteenth, one thousand nine hundred and eleven, which amendment was approved March thirtieth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Paragraph fifty-two of the act referred to in the title of this act is hereby amended to read as follows:

Section 52  
amended.

Procedure to  
secure trans-  
fer of voter.

Order  
authorizing  
transfer.

Name  
erased.

52. No person shall vote at any general election in any election district other than the one in which he is registered, unless he shall appear before either the justice of the Supreme Court holding the Circuit Court of said county, or one of the judges of the Court of Common Pleas of said county, or one of the judges assigned to hold the Circuit Court of said county, at the court house, or at such other place within said county as will be most convenient and accessible to the largest number of voters in said county, as either the said justice or judge in his discretion shall determine, or before the municipal clerk of the municipality in which said person resides, excepting such municipalities that are county seats, on or prior to the day of the general election, and shall make proof to the satisfaction of said justice or judge, or municipal clerk that he has moved from the election district in which he has registered since the day on which he did register, and that he has moved into another district in said municipality, and shall obtain from said justice or judge, or municipal clerk, an order sealed with the seal of the county clerk, or the seal of the municipality in which said person resides, directing the board of registry and election to place the name of the said voter upon the registry of the said election district; said order shall be shown to the board of registry and election in which said voter is registered, and said board shall thereupon erase his name from said register and issue a transfer as now provided by law, which transfer and the order of the court shall be filed by the voter with the board of registry and election in the election district where said voter desires to vote, and said board shall obey said order.

2. This act shall take effect immediately.

Approved February 27, 1918.



## CHAPTER 137.

An Act concerning the use by the government of the United States of surface or underground waters for purposes connected with the military encampments within this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. For any and all purposes connected with its military encampments within the borders of this State, the government of the United States shall have and enjoy the free and unrestricted use of any of the surface or underground waters of this State during the continuance of the present war and one year thereafter, without any charge on the part of the State. *Provided, however,* that such use by the government of the United States shall not unduly jeopardize or diminish the necessary supply of any municipality now dependent for potable water upon any surface or underground supply from which the government of the United States is now or may hereafter draw the whole or any part of the supply for any military encampment.

Use of  
waters by  
federal  
government.

Proviso.

2. Nothing herein contained shall exempt any water company which may now or hereafter supply water to any military encampment for a valuable consideration from the charges imposed in accordance with law for excess diversion or otherwise.

Charges for  
excess diver-  
sion.

3. The provisions of this act shall be retroactive and shall be deemed to apply to the diversion of any water by the government of the United States from and after the first day of January, one thousand nine hundred and seventeen.

Act  
retroactive.

4. This act shall take effect immediately.

Approved February 27, 1918.

## CHAPTER 138.

An Act to amend and supplement an act entitled  
"An act regulating the business of undertaking,  
embalming and disposal of dead human bodies,"  
approved May twelfth, one thousand nine hun-  
dred and six, the title of which said act was  
amended to read as above set forth by an act  
approved April eighth, one thousand nine hun-  
dred and eight.

BE IT ENACTED *by the Senate and General Assem-  
bly of the State of New Jersey:*

Section 10  
amended.

Only licensed  
persons to act  
as em-  
balmers or  
manager.

Proviso.

1. Section ten of the act of which this act is  
amendatory and supplemental be and the same is  
hereby amended so that it shall read as follows:

10. No person who has not been licensed as pre-  
scribed in this act shall transact the business of  
undertaking or embalming or the business of pre-  
serving or disposing of dead human bodies by any  
means whatever. No person who has not been  
licensed as prescribed in this act shall act as mana-  
ger of any corporation engaged in the business of  
undertaking or embalming, or the business of pre-  
serving or disposing of dead human bodies by any  
means whatever. No person who has not been  
licensed as prescribed in this act, and who is an  
officer of any corporation engaged in the business  
of undertaking or embalming or the business of  
preserving or disposing of dead human bodies, by  
any means whatever, shall actively participate in  
any capacity in the actual preservation or disposal  
of dead human bodies; *provided, however*, that this  
provision shall not apply to any person who was  
actively participating as an officer of any such cor-  
poration in the actual preservation or disposal of

dead human bodies on the fourth day of July, one thousand nine hundred and seventeen. The foregoing provisions of this section shall not apply to the business of disposing of dead human bodies by incineration, nor to the commissioned medical officers of the army of the United States, or to persons engaged in the United States marine hospital service. No person shall employ, for the purpose of undertaking or embalming, any arsenical or other poisonous agent which may by its presence in the viscera prevent the detection of criminal usage of said poisonous agent before the death of the individual occurred; *provided, however*, that this provision shall not prohibit the use by any association incorporated under an act entitled "An act to provide for the incorporation of pathological and anatomical associations for the advancement of medical and surgical science," approved June fifteenth, one thousand nine hundred and seven, of any substance for the preservation of dead bodies which have legally come into the possession of such association.

Exceptions.

Use of certain poisons.

Proviso.

2. Section eleven of the act of which this act is amendatory and supplemental be and the same hereby is amended so that it shall read as follows:

Section 11 amended.

11. Any person who shall violate any of the provisions of this act shall be liable to a penalty of one hundred dollars. Any person shall be regarded as transacting the business of undertaking or embalming within the meaning of this act who shall use, in connection with his or her name, the words "undertaker and embalmer," "undertaker," "embalmer," "funeral director," or any other title intending to imply or designate him or her as an undertaker or embalmer, or both, or who shall, with or without the use of such title or titles, or any of them, engage in the business of undertaking or embalming, or the business of preserving or disposing of dead human bodies by any means whatever, except where the disposal is by incineration, either as

Penalty for violations.

Definitions.

a proprietor of such business, or as manager of such business or any branch establishment thereof, whether such business is conducted in his name or otherwise.

Embalmers  
licensed.

Fee.

Renewals.

Proviso.

Assistants  
registered.

Registration  
fee.

Identification  
card.

Validity.

3. Every person licensed under any law of this State to transact the business of undertaking or embalming, or the business of preserving or disposing of dead human bodies, by any means whatever, except where the disposal is by incineration, shall, on or before the first day of September, in each and every year, secure a renewal of his said license upon the payment to the secretary of the Board of Undertakers and Embalmers of this State of a renewal fee of two dollars. The license of any person who shall fail to pay said renewal fee, as above stated, and to secure a renewal of his license, shall expire and become absolutely void on the first day of October in the year in which said failure occurred; *provided, however*, that any person whose license has expired, as aforesaid, may secure the reinstatement of the same at any time prior to the first day of January in said year upon the payment to the secretary of said board of the sum of ten dollars.

4. Every person employed as an assistant by any person or corporation engaged in the business of undertaking or embalming, or the business of preserving or disposing of dead human bodies by any means whatever, except where the disposal is by incineration, shall be registered with the said Board of Undertakers and Embalmers. Such registration shall be made upon application to the secretary of said board in the form prescribed by said board, and upon the payment to the secretary of said board of the sum of one dollar for each such registration. Upon such registration the secretary shall issue for the use of the person registered a card, to be known as a registration card, upon which shall be stated the name, age and place of employment of said employee, and the name and address of the employer. Such registration shall be valid and

effective only during the time that the person so registered remains in the employ of the person or corporation named in the certificate of registration. Every assistant whose name has heretofore been certified to the board under the provisions of the act of which this act is an amendment and supplement, and who is continuing in the employ of the employer having so certified his name, shall receive a registration card in the same form as that above prescribed for assistants' registration, without the payment of any fee.

Registration  
if continued  
in employ.

5. Any person or corporation engaged in the business of undertaking or embalming, or the business of preserving or disposing of dead human bodies by any means whatever, except where the disposal is by incineration, who shall have in his or its employ any person as an assistant in or about said business who is not registered in accordance with this act, shall be liable to a penalty of twenty-five dollars for each offense. Any person who shall be employed by any person or corporation engaged in such business as an assistant in or about such business who is not registered as an assistant in accordance with this act shall be liable to a penalty of ten dollars for each offense. Every continuation of such employment, either by employer or employee, after conviction, shall constitute a separate offense. Any person or corporation engaged in the business of undertaking or embalming, or in the business of preserving or disposing of dead human bodies by any means whatever, except where the disposal is by incineration, shall cause to be conspicuously displayed in every place or establishment in which said business is conducted, the name of the manager of the business conducted at such place or establishment. Every person or corporation violating this provision shall be subject to a penalty of twenty-five dollars for each offense.

Penalty for  
employing  
persons not  
registered.

Manager's  
name dis-  
played.

Penalty.

6. Every District Court in any city or judicial district, and every justice of the peace in any

Jurisdiction  
of courts.

county, and any recorder in any city, is hereby empowered on oath or affirmation made according to law, that any person or persons has or have violated any provision of this act, or of the act of which this is an amendment and supplement, to issue process at the suit of the Board of Undertakers and Embalmers of the State of New Jersey, as plaintiff; such process shall be either in the nature of a summons or warrant against the person or persons so charged, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five nor more than fifteen entire days. Such process shall state what provision of the law is alleged to have been violated by the defendant or defendants, and upon the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the peace, or recorder, shall proceed to hear testimony and to determine and give judgment in the matter without the filing of any pleadings for the plaintiff, for the recovery of such penalty, with costs, or for the defendant; and the said court, justice of the peace or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and person of the defendant or defendants; and the said court, justice of the peace, or recorder, is further empowered to cause any such defendant or defendants who may refuse or neglect to pay the amount of the judgment rendered against him, and all the costs and charges incident thereto, unless an appeal is granted, to be committed to the county jail for a period not exceeding thirty days.

7. The officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts and before such magistrates and officers as aforesaid, including the constables of such counties and all police officers of such cities; and said District Court, jus-

What stated.

Hearing

Execution.

Commitment.

Officers authorized to act.

tice of the peace, or recorder, shall have power to adjourn the hearing or trial in any case from time to time, such adjournment not to exceed thirty days from the return of the summons or warrant, except by consent of both parties, and to bail the person so charged in such sum as he shall deem proper for his appearance at such time and place as said trial or hearing shall be adjourned to, and in default of bail to commit the person so charged to the common jail of the county, to be there detained until the trial or hearing of said charge.

Adjourn-  
ments.

Bail.

8. The conviction in prosecutions under this act and under the act to which this is an amendment and supplement shall be in the following or similar form:

Form of  
conviction.

State of New Jersey,        }  
County of.....} s.s.

Be it remembered that on this.....day of .....at.....in said county, C. D., defendant, was, by the District Court of the City of .....(or by the recorder, or, as the case may be), convicted of violating the .....section of an act entitled "An act regulating the business of undertaking, embalming and disposal of dead human bodies," approved May twelfth, one thousand nine hundred and six, in a summary proceeding at the suit of the Board of Undertakers and Embalmers of the State of New Jersey, who sue for the use and benefit of the State of New Jersey, plaintiff, upon a complaint made by .....; and further, that the witnesses in said proceedings who testified for the plaintiff were ..... (name them), and the witnesses who testified for the defendant were ..... (name them), wherefore, the said court (or recorder, or, as the case may be), doth hereby give judgment that the plaintiff recover of the defendant the sum of..... dollars, penalty, and..... dollars, costs of this proceeding.

**Costs.** The said conviction shall be signed by the judge of the District Court, recorder, or other magistrate before whom the conviction is had; the costs in prosecutions under this act and under the act to which this is an amendment and supplement shall be the same as costs in the District Courts in actions on contract.

Approved February 27, 1918.

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#### CHAPTER 139.

An Act to provide for the recovery of salary by municipal officers or employees illegally dismissed from such office or employment.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

**Recovery of  
salary by  
dismissed  
employee.**

1. Whenever any municipal officer or employee shall have been illegally dismissed from such office or employment and the said dismissal shall have been set aside as illegal by a court of competent jurisdiction, such officer or employee shall be entitled to recover the salary of such office or employment for the period covered by such illegal dismissal.

**Repealer.**

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

3. This act shall take effect immediately.

Approved February 27, 1918.



## CHAPTER 140.

An Act to amend an act entitled "An act concerning tuberculosis," approved March twenty-eighth, nineteen hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section thirteen of the act to which this act is amendatory be and the same hereby is amended to read as follows:

Section 13  
amended.

13. There shall be paid by the State Treasurer quarterly to each county which maintains tubercular patients, either in the county hospital or in a hospital of a municipality or an incorporated society under contract between such county and such municipality or incorporated society, the sum of three dollars per week for each person maintained in such institution by such county during the time of such confinement, except those patients paying full maintenance.

Amount paid  
by State per  
patient.

2. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Repealer.

3. This act shall take effect immediately.

Approved February 27, 1918.

## CHAPTER 141.

An Act to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions, for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authority to enforce its provisions, and defining their power and authorities," approved April sixth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 3  
amended.

1. Section three of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Signals.

## SIGNALS.

3. Signals. On all public roads, streets, highways and turnpikes, the following regulations shall be in force:

Slowing or  
stopping.

Slowing or Stopping. (1). Every driver in slowing up or stopping shall signal to those behind by raising a whip or hand.

- Turning. (2). In turning while Turning:  
hand, whip,  
or device. in motion or in starting to turn from a standing-still position, signal shall be given by extending the whip or hand, or by operating an adequate mechanical device indicating the direction in which the turn is to be made.
- Backing. (3). Before backing, Backing. ample warning should be given, and while backing unceasing vigilance shall be exercised not to injure those behind.
- Stop for Police Whistle. (4). Any driver, upon Police  
whistle. two blasts of a police whistle blown by a police officer, shall stop.
- Car Standing at Night. (5). When in case of Car standing  
at night. accident or emergency it becomes necessary to leave any vehicle on any public road or street at night, at least one red light must be conspicuously displayed thereon by the

Sleigh bells.

Sleighbing.

owner or person in charge, such light to be visible in both directions.

- (6). No person shall drive any horse or horses attached to any sleigh or sled on any street unless there shall be a sufficient number of bells attached to the harness of such horse or horses to give warning of their approach.

Lamp on bicycle.

Lamp on Bicycle.

- (7). All bicycles when in use on any street at night shall have a lamp of sufficient illuminating power to be seen two hundred feet in the direction in which such bicycle is approaching, such lamp to be attached thereto and kept lighted from one-half hour after sunset to one-half hour before sunrise.

Audible Signal on Bicycle. (8). Bicycles shall be equipped with an audible signal which can be heard easily at a distance of two hundred feet.

Audible  
signal on  
bicycle.

2. This act shall take effect immediately.

Approved February 27, 1918.

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## CHAPTER 142.

An Act authorizing cities of the first class in this State to provide moneys for increase of salaries of policemen or firemen during fiscal year by issuing temporary loan bonds.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 1. Whenever in any city of the first class in this State the salaries or compensation paid to members of the police or fire departments shall be increased during the fiscal year, it shall be lawful, in order to provide the moneys necessary for such increase, to raise the same by issuing temporary loan bonds for the amount of such increase, which bonds shall bear interest at not exceeding five per centum per annum; *provided, however,* that no such bonds shall be issued under the authority of this act after the thirty-first day of December, one thousand nine hundred and eighteen; such bonds shall become due not later than December thirty-first, one thousand nine hundred and nineteen; and provision for the retire-

Temporary  
bonds to meet  
increased pay.

Proviso.

ment or payment of such bonds shall be made in the annual budget of such city adopted next after the issuance of such bonds.

2. This act shall take effect immediately.

Approved February 27, 1918.

#### CHAPTER 143.

An Act to create a State Board of Fisheries, defining its powers and duties, regulating the taking of fish with fish pound nets in the waters of the Atlantic Ocean within three nautical miles of the coast line of this State and in the waters of Sandy Hook bay or Raritan bay, and the disposal of food fish so taken.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Board of  
fisheries.

Members.

Terms.

Vacancies.

Offices.

Meetings.

1. A State Board of Fisheries is hereby established. Such board shall consist of five members who shall be citizens of this State. The members of said board shall be appointed by the Governor, with the advice and consent of the Senate, as soon as may be after the passage of this act. Of the members originally appointed, one member shall be appointed for one year, one for two years, one for three years, one for four years and one for five years, and thereafter members shall be appointed for the term of five years. Vacancies shall be filled for the unexpired term. The board shall be provided with suitable offices at Trenton, at which all original records shall be kept. The board may, however, for local purposes, establish suboffices in other parts of the State. Said board shall meet every

month at Trenton, at such times as its rules may prescribe, and at such other times and places, within the State, as in its judgment may be necessary. The Governor shall appoint one of the members of said board as president, whose office as president shall be coterminous with his term as member. The members of said board shall receive no compensation for their services, but shall be entitled to receive their necessary traveling and other expenses, incurred in the performance of their official duties.

President.

Expenses met.

2. The Board of Fisheries shall select, with the approval of the Governor, a person as director, whose salary shall be fixed by said board, but which shall not exceed five thousand dollars per annum. He shall devote his entire time to the duties of his office, and shall serve for a term of five years, and until his successor has been appointed and qualified. He may be removed from office by a majority of the board, with the approval and consent of the Governor. He shall be the executive officer of the board, and under its direction and control shall have general charge and supervision of the work of the board. He shall, with the approval of the board, appoint such assistants and other employees as may be necessary to conduct the business of the board, whose compensation shall be fixed by said board except as otherwise provided. The employees of said board shall be subject to the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and the acts supplemental thereto and amendatory thereof.

Director.

Salary.

Term.

Duties.

Assistants.

Civil service requirements.

3. It shall be the duty of the Board of Fisheries to take measures to conserve the salt-water fish

Conservation of fish.

Storage plants.	supply of the State, other than shellfish, in order that reasonable prices for fish may be maintained to the consumers thereof throughout the State. Said board shall have power to rent, lease, erect, or acquire, by purchase or condemnation, at suitable points along the Atlantic coast of this State, and elsewhere in this State, necessary storage plants and warehouses and other facilities and equipment necessary for conducting the business of buying, selling and storing fish, and performing the other duties imposed upon it by this act.
Right of con- demnation.	In case condemnation proceedings are necessary either for the acquisition of the fee of any lands with the buildings thereon erected, or for the acquisition of the right to use and occupy the same for a limited time only, they shall be conducted in accordance with the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto. Said board shall have the power to purchase from time to time salt-water food fish of all kinds and sorts, except shellfish, at the market price thereof, and to sell and dispose of the same to retail or wholesale dealers in this State or elsewhere, and at retail to the public generally, at prices to be fixed and determined by said board from time to time. Said board shall also have the power to store and keep surplus supplies of fish so purchased in cold storage plants and warehouses, either within or without this State, and from time to time to sell and dispose of the same to retail and wholesale dealers and municipalities, either within or without this State, and to the public generally, and may, if in its judgment it shall be advisable so to do, enter into agreements and arrangements with wholesale and retail dealers and municipalities by which such dealers
Purchase food fish.	
Sale.	
Storage of fish.	
Disposal.	
Agreement as to sale.	



and municipalities, in consideration of the supplying of fish to them at prices to be agreed upon, shall agree to sell to the consumers at prices to be agreed upon with the board.

4. After the first day of January, nineteen hundred and nineteen, said board shall have power to grant licenses authorizing the location, operation and maintenance of fish pound nets in waters of the Atlantic Ocean, within three nautical miles of the coast line of this State and in Sandy Hook bay or Raritan bay.

License  
pound net  
fishing.

Licenses may be granted under this section upon the payment to the board of a fee of fifty dollars for each fish pound net to be erected in the Atlantic ocean, and ten dollars for each fish pound net to be erected in Sandy Hook bay or Raritan bay. Said board may determine the method of numbering and the identification of fish pounds. No fish pound net shall be located in any place other than in the location for which such license was granted, and no pounds, except pounds heretofore established, shall be set, erected, operated or maintained in the Atlantic ocean within one and one-half miles of any other pound, said measurement to be parallel with the coast line.

License fees.

Location  
of pound  
nets.

5. No license shall be issued under this act to any person who is not a bona fide resident of this State at the time of making such application, and any such license shall become null and void upon the removal of the person holding such license from the State. No such license shall be issued to any corporation unless such corporation is a domestic corporation, all the shares of stock of which are held by bona fide residents of this State, and if at any time the stock of any such corporation shall become the property of any nonresident of this State, the license of such corporation shall immediately become void. Any license issued under this act shall annually expire on the thirty-first day of December next succeeding its issue,

Licensee a  
resident.

As to cor-  
porations.

Expiration  
of licenses.

**Renewal.****Agreement.****Proviso.****Catch  
purchased.****Proviso.****Revocation  
of license.****Report by  
licensee.**

and may be renewed by said board, on the payment of the same fee and upon the same terms as those upon which the original license was granted. Every license issued under this act shall contain a covenant and agreement that the licensee shall and will sell to said board, at a reasonable price to be fixed by said board, the entire catch of his net or nets for the period covered by said license; *provided*, that the licensee may sell the whole or any part of the catch of his net or nets to any purchaser for a higher price than that offered by said board, if the said licensee shall first offer said catch of his net or nets to said board at said higher price and said board shall refuse to purchase the same at said price. The said board shall purchase, at a reasonable price to be fixed by said board, all of the catch of the fish pound nets licensed under this act, unless such catch is sold to other purchasers as above provided; *provided, however*, that if at the commencement of the fishing season for the year nineteen hundred and nineteen the said board shall not be ready to commence the purchase and sale of fish as contemplated by this act, it may postpone the commencement of such business until such time as it shall fix, in which event the persons operating fish pounds under license from said board shall be relieved from the performance of the covenant, condition and agreement contained in said license until such time as said board shall notify them that said board is ready to commence the purchase of fish as contemplated by this act. The said board is hereby authorized to revoke, after notice and hearing, the license of any person or corporation who violates the covenant and agreement contained in said license pursuant to the provisions of this section.

6. On or before the thirtieth day of January in each year every holder of a license granted under this act shall make a detailed report, under oath

or affirmation, for the preceding year to the Board of Fisheries, on blanks furnished by said board, setting forth the approximate value of each pound, the number of men employed or engaged in operating such pound, the number of pounds of fish caught and disposed of, and upon the failure to file such report within the time herein limited, any license granted under this act may be revoked by this board, after notice and hearing.

7. After the first day of January, nineteen hundred and nineteen, no person shall, without first obtaining the license provided for in this act, erect, set, operate or maintain any fish pound net in any of the waters of the Atlantic ocean within three nautical miles of the coast line of this State, or in Sandy Hook bay or Raritan bay, within the jurisdiction of this State.

Illegal to  
set pound  
net without  
license.

8. Any person violating any of the provisions of this act shall be liable to a penalty of two hundred dollars, which penalty shall be recovered by any member of the Board of Fisheries, the director, or any employee designated by said board to enforce the provisions of this act, or by the person authorized to institute proceedings under an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the acts amendatory thereof or supplementary thereto, and the procedure for the collection of such penalty shall conform to the procedure prescribed by the act last above mentioned.

Penalty.

Enforcement  
of penalty.

9. The act entitled "An act prohibiting any person or corporation from erecting, setting, operating or maintaining any fish pound net in any of the waters of the Atlantic ocean, Sandy Hook bay or Raritan bay, without first obtaining a license for such purpose from the Board of Fish and Game Commissioners of this State," approved

Acts repealed.

April second, one thousand nine hundred and twelve, and the acts amendatory thereof and supplemental thereto be and the same is hereby repealed, but this repealer shall not take effect until the first day of January, nineteen hundred and nineteen.

Proviso.

10. *Provided, however,* that nothing in this act shall prevent the board from purchasing or selling fish immediately after the passage of this act.

Proviso.

*Provided, however,* that it shall not be compulsory for the fishermen to sell or offer their fish to the board unless they desire to do so prior to January first, one thousand nine hundred and nineteen.

Validity  
of act.

11. If any provision of this act shall be determined to be unconstitutional it shall be deemed to be severable from the other portions of said act and shall not invalidate such portions.

12. This act shall take effect immediately.

Approved February 27, 1918.

#### CHAPTER 144.

An Act to change the beginning and termination of the fiscal year of the State and of the several State officers and institutions, and to regulate the making of their reports.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

State fiscal  
year.

1. The fiscal year of the State of New Jersey and of the several State departments, officers and institutions shall begin on the first day of July and end on the thirtieth day of June, on and after July first, one thousand nine hundred and eighteen.

2. Each department of the State government, board, commission, charitable or correctional institutions or any other State agency requiring an annual appropriation from the State, heretofore required to present a request therefor to the Governor on or before November fifteenth of each year, under the provisions of chapter 15 of the Laws of 1916, shall hereafter present such request on or before October fifteenth of each year beginning October fifteenth, one thousand nine hundred and eighteen. The Comptroller of the Treasury is hereby directed, empowered, and it shall be his duty to make a proper apportionment of all money appropriated for the expenses of any department of the State government, board, commission, charitable or correctional institution or any other State agency for the fiscal year beginning November first, one thousand nine hundred and seventeen, to meet the requirements made necessary by this act in which the fiscal year beginning November first, one thousand nine hundred and seventeen, and ending October thirty-first, one thousand nine hundred and eighteen, is abridged to end June thirtieth, one thousand nine hundred and eighteen.
3. Every officer of this State or of any institution of this State required to make any statement or report under any existing law at a time prior to or subsequent to the beginning or ending of the fiscal year, as heretofore established, shall make such statement or report within the same time as limited prior or subsequent to the beginning or ending of the fiscal year as hereby fixed and established.
4. Any act or thing required to be done under existing laws on or before or after the beginning or ending of the fiscal year, as heretofore established, shall be required to be done on or before or after the beginning or ending of the fiscal year as hereby established.
5. Any existing law that refers to the fiscal year as beginning November first and ending October

Request for funds.

Apportionment of moneys already appropriated.

Time for making of fiscal reports.

Acts to conform to new year.

Enforcement of existing laws.

thirty-first shall not be hereby repealed, but shall be enforced in conformity with the provisions of this act.

6. This act shall take effect immediately.

Approved February 27, 1918.

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#### CHAPTER 145.

A Supplement to an act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in towns, townships, boroughs and other municipalities, except cities, of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subject to future taxation and assessment," approved May eighteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Extension of  
provision  
of act.

1. The provisions of the act to which this act is a supplement and the various supplements thereto and amendments thereof be and the same are hereby extended to include all cases where any tax, assessment, water rate or water rent shall have been levied or imposed, or attempted to be levied or imposed, on any land in any town, township, borough or other municipality of this State, except cities, subsequent to the passage of the act to which this act is a supplement, and where such tax, assessment, water rate or water rent shall remain unpaid and in arrears for the period of one year.

2. Commissioners heretofore appointed, as well as those hereafter to be appointed under the provisions of the act to which this act is a supplement, be and they hereby are vested with jurisdiction in the cases included within this act as well as the cases included within the act to which this act is a supplement.

Jurisdiction  
of commis-  
sioners.

3. Whenever commissioners appointed under the provisions of the act to which this act is a supplement shall have heretofore made a report or reports to the Circuit Court under the provisions of the said act, and shall desire to withdraw the same for reconsideration, the said court shall, when petitioned by the said commissioners, at any time before confirmation, return the said report or reports to the said commissioners, who may thereupon correct, revise or annul the same, and present a new, revised or corrected report to the said court in the premises without unnecessary delay. On the coming in of the said new, revised or corrected report, it shall be considered by the said court an original report for the purpose of this act, and notice thereof shall be given in the manner provided in said act.

Reconsider-  
ation and  
revision of  
reports.

4. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Repealer.

5. This act shall be deemed a public act, and shall take effect immediately.

Approved February 27, 1918.

## CHAPTER 146.

An Act to enable cities of the first and second class to regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces, and to regulate and restrict the location of trades and industries.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

**Building  
regulations.**

**City districted.**

**Uniform  
regulations.**

**Design of act.**

**Consideration.**

1. The common council or governing commission of cities of the first and second class shall have power to regulate and limit the height and bulk of buildings hereafter erected and to regulate and determine the area of yards, courts and other open spaces. The common council or governing commission may divide the city into districts of such number, shape and area as it may deem best suited to carry out the purposes of this section. The regulations as to the height and bulk of buildings and the area of yards, courts and other open spaces shall be uniform for each class of buildings throughout each district. The regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire and other dangers and to promote the public health and welfare, including provision for adequate light, air and convenience of access. The common council or governing commission shall pay reasonable regard to the character of buildings erected in each district, the value of the land and the use to which it may be put to the end that such regulations may promote public health, safety and welfare and the most desirable use for which the land of each district may be adapted and may tend to conserve the value of the buildings and enhance the value of land throughout the city.



2. The common council or governing commission of cities of the first and second class shall also have the power to regulate and restrict the location of buildings designed for specified uses, as well as the location of trades and industries, and may divide the city into districts of such number, shape and area as it may deem best suited to carry out the purposes of this section. For each such district regulations may be imposed designating the uses for which buildings may not be erected or altered, and designating the trades and industries that shall be excluded or subjected to special regulations. Such regulations shall be designed to promote the public health, safety and general welfare. The common council or governing commission shall give reasonable consideration, among other things, to the character of the district, its peculiar suitability for particular uses, the conservation of property values, and the direction of building development in accord with a well-considered plan.

Location of  
certain  
buildings.

Uses  
designated.

Considera-  
tions.

3. The common council or governing commission of cities of the first and second class accepting the provisions of this act shall appoint a commission to be known as "Commission on Building Districts and Restrictions," to consist of the chief engineer of the board or body having control of the streets and highways, the superintendent of buildings, the officer of said city in charge of the inspection of combustibles and fire risks, the president or other officer of said city in charge of the board or body which assesses and revises taxes, four members of the city plan commission if such commission exists, and three additional members at large. In any city of this State which has not appointed a city plan commission, the common council or governing commission shall then appoint seven members at large instead of three. Such commission shall serve without pay and shall recommend the boundaries of districts and appropriate regulations and restrictions to be enforced therein. Such commission shall

Commission  
appointed.

How com-  
posed.

Recommend  
boundaries.

Report.

Boundaries  
fixed.

Changes in  
regulations  
and districts.

In case of  
protest.

Assistants.

Expenses.

make a tentative report and hold hearings thereon at such times and places and upon such notice as said commission shall determine before submitting its final report to the common council or governing commission. Said common council or governing commission shall not determine the boundaries of any district nor impose any regulation or restriction until after the final report of a commission so appointed. After such final report said common council or governing commission shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published for five days in two newspapers of said city.

4. The common council or governing commission may, from time to time, after public notice and hearing, amend, supplement or change said regulations or districts. Such proposed amendment, supplement or change, however, must first be referred to the commission on building districts and restrictions for consideration and report before final action shall be taken thereon by said common council or governing commission. But in case a protest against a proposed amendment, supplement or change be presented, duly signed and acknowledged by the owners of twenty per centum or more of the frontage of the property proposed to be altered, or by the owners of twenty per centum of the frontage upon the street immediately in the rear thereof, or by the owners of twenty per centum of the frontage directly opposite the property proposed to be altered, such amendment shall not be passed except by a three-quarters vote of the common council or governing commission.

5. The experts, clerks and secretary of the city plan commission, in cities where such commission exists, shall act in similar capacities for the commission on building districts and restrictions. Such expenses as said commission on buildings districts and restrictions may lawfully incur under the

powers hereby granted, including the necessary disbursements incurred by its members in the performances of their duties as members of said commission, shall be paid out of the amount appropriated for the city plan commission by the board or body having charge of the finances of said city; *provided*, that such expenditures are duly approved by the city plan commission; *and provided, further*, that the total amount so expended in any one year shall not exceed the appropriation for such year.

Proviso.

Proviso.

6. In any city of the first or second class in this State which has not appointed a city plan commission, it shall be lawful for the board or body having charge of the finances of said city to appropriate any amount not exceeding ten thousand dollars in any year that such commission shall remain in existence for the expenses of such commission on building districts and restrictions, and the moneys for said commission shall be raised by annual tax upon real and personal property as other taxes are raised in and for such city; *provided, however*, that for the fiscal year in which this act becomes effective, such moneys may be raised by said board or body having charge of the finances of such city, by appropriating for that purpose any moneys in the treasury by such city not otherwise appropriated, or by issuing and selling temporary loan bonds or certificates of indebtedness; *provided*, that the payment of such bonds or certificates, with interest, shall be provided for in the next tax levy.

Appropriation.

Proviso.

Proviso.

7. This act shall not be construed so as to limit or abridge any right, power or authority conferred or vested in city plan commissions in cities of this State.

City plan commissions not affected.

8. Wherever the provisions of any ordinance or regulation adopted by the common council or governing commission under the provisions of this act impose requirements for lower height of buildings or a less percentage of lot that may be occupied, or require wider or larger courts or deeper yards than

When local ordinances govern.

When tenement house laws, etc., govern.

are imposed or required by existing provision of law or ordinance, the provision of such local ordinance or regulation adopted under the provision of this act shall govern. Where, however, the provisions of the New Jersey tenement house law, the building code or other ordinance or regulation of any city of the first or second class impose requirements for lower height of building, or less percentage of lot that may be occupied, or require wider or larger courts or deeper yards than are required by any ordinance or regulation which may be adopted by the common council or governing commission under the provision of this act, the provision of said New Jersey tenement house law or said building code or other ordinance or regulation shall govern.

9. This act shall take effect immediately.

Approved February 27, 1918.

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## CHAPTER 147.

An Act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions, located and conducted in this State, which are supported in whole or in part from county, municipal or State funds.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

## ARTICLE I.

## ORGANIZATION, JURISDICTION AND GENERAL POWERS.

101. There is hereby created the "Department of Charities and Corrections," which shall consist of the "State Board of Charities and Corrections" and the "Commissioner of Charities and Corrections," with such divisions, bureaus, branches, committees, officers and employees as are specifically referred to in this act or as may be constituted or employed by virtue of the authority hereby conferred.

How department of charities and corrections constituted.

102. The Department of Charities and Corrections is hereinafter referred to by the short title, "Department"; the State Board of Charities and Corrections by the short title, "State Board"; and the Commissioner of Charities and Corrections by the short title, "Commissioner."

Short titles for reference.

103. The State Board shall be composed of eight residents of this State, of whom at least one shall be a woman. The Governor, or officer administering the State government, shall be ex officio an additional member. The members of the Board shall be appointed by the Governor without regard to political belief or affiliation, subject to confirmation by the Senate. They shall be subject to

State board.

Appointments and removals.

removal by the Governor at any time for good and sufficient cause.

Terms of  
state board.

104. The first appointments made after the passage of this act shall be designated by the Governor to be for terms ending respectively on the thirtieth day of June in each of the following years: one thousand nine hundred and nineteen, one thousand nine hundred and twenty, one thousand nine hundred and twenty-one, one thousand nine hundred and twenty-two, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-four, one thousand nine hundred and twenty-five, one thousand nine hundred and twenty-six. In the year one thousand nine hundred and nineteen, and annually thereafter, one appointment shall be made for a term commencing on the first day of July and ending on the thirtieth day of June in the eighth year thereafter. Vacancies shall be filled by the Governor for the balance of the unexpired term only.

Vacancies.

No salary;  
expenses met.

105. The members of the State Board shall not receive any compensation for their services, but shall be reimbursed for their actual expenditures incurred in the performance of their duties.

Organization.

106. As soon as may be after the appointment of the first State Board in accordance with the provisions of this act, it shall organize by the election of one of its members as president, who shall serve until the thirtieth day of June, one thousand nine hundred and nineteen, and on the first day of July in each successive year the State Board shall likewise reorganize by the election of one of its members as president.

Office.

107. The State Board shall be provided with suitable office accommodations in the city of Trenton, where its principal office shall be maintained. It may establish branch offices or bureaus elsewhere in the State and in the various institutions within its jurisdiction, as it may determine.

Branches.

It shall hold at least six regular meetings in each year at its principal office in Trenton, and may meet there or elsewhere in the State as often and at such times as it may consider necessary. The presence of four members at any regular or special meeting shall constitute a quorum for the transaction of all business.

Meetings.

Quorum.

108. The commissioner shall be appointed by the State Board. He shall hold his office at the will of the State Board. He shall devote his entire time to the performance of his duties. His office shall be in the unclassified service list of the civil service. He shall receive a salary, to be fixed by the State Board, not exceeding ten thousand dollars per year. In the selection of a commissioner the State Board shall not be restricted to the residents of the State of New Jersey.

Commissioner:  
appointment.

Salary.

109. The State Board shall have power to create within the department a division of education, a division of medicine and psychiatry, a division of labor and agriculture, a division of statistics, a division of parole, a division of food and dietetics and such other divisions as it may deem necessary. Each division shall be in charge of a qualified expert who shall be appointed by and receive the compensation fixed by the commissioner with the approval of the State Board. The State Board may in its discretion combine the duties of two or more divisions under one head. The division chiefs shall perform such services at such times and places and exercise such powers as the commissioner shall prescribe. The commissioner may from time to time, with the consent of the State Board, designate one of such division chiefs to exercise the powers and perform the duties of commissioner during his disability or absence.

Subdivisions  
of state  
board.Expert at  
head of each  
division.

Duties.

110. The secretary of the State Board and the necessary clerks, stenographers and assistants shall be appointed and their compensation fixed by the commissioner, under such general rules and

Secretary and  
assistants.

regulations as may be approved by the State Board.

Commissioner  
to be head of  
department.

111. The commissioner shall be the chief executive and administrative officer of the State Board and its official agent for all purposes. Within the contemplation of the Civil Service act, he shall be considered the "head" of the department. He shall likewise be the budget officer, and, unless some other official be designated by the State Board for the purpose, he shall be its fiscal officer. He shall have general charge and supervision of the work of the department.

Institutional  
board of  
managers.

112. The State Board shall appoint for each of the institutions or noninstitutional agencies included in the provisions of sections one hundred and seventeen and one hundred and eighteen of this act, or for such groups or classes thereof as it may determine, a board of managers which shall be known as "The Board of Managers of—"

Noninstitu-  
tional boards  
of managers.

naming the institution or group or class of institutions for which the board is appointed. The name or names of the boards in charge of the noninstitutional agencies shall be determined by the State Board. These boards of managers shall be appointed by the State Board, with the approval of the Governor, from the residents of the State at large, without respect to political affiliation or belief. These boards shall consist of not less than five nor more than seven members. Upon the board or boards which succeed, in accordance with the powers conferred upon the State Board by this act, to the management of any of the following institutions, the Hospitals for the Insane, the Village for Epileptics, the Sanatorium for Tuberculous Diseases, the Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows, the Amelioration of the Condition of the Blind, the State Institution for Feeble-Minded and the State Home for Boys, at least two of the members shall be women. Likewise upon the board or boards suc-

Number on  
board.

Women on  
boards.



ceeding to the management of the Women's Reformatory, the State Home for Girls, the Care of Dependent Children, at least a majority of the members shall be women. The members of such boards shall serve for a term of three years, commencing on the first day of August. (Except in the case of the first boards appointed, whose terms shall commence immediately upon appointments and terminate on the thirty-first of July in the third year following.) Vacancies shall be filled by the State Board for the balance of the unexpired term only. The members of such boards shall not receive any compensation for their services, but shall be reimbursed for their actual expenditures incurred in the performance of their duties. They shall be subject to removal by the State Board at any time, for good and sufficient cause.

Terms.

Vacancies.

No compensation;  
expenses met.

Removal.

113. The principal office of each board of managers shall be at the institution or one of the institutions under its special charge, where the board shall meet at least once a month and as often there and elsewhere in the State as it shall determine.

Principal  
office of  
each board.

114. Each board of managers shall have power, unless and until otherwise provided by the State Board by rule, regulation or order formally adopted, to determine the number, qualifications, compensation, powers and duties of the officers and employees of the institutions or noninstitutional agencies committed to its charge. Each board with the approval of the State Board, shall appoint the chief executive officer of each institution or noninstitutional agency in its charge, and determine his or her official title. The chief executive officer so designated shall appoint, with the approval of the board of managers, all officers and employees of the institution or noninstitutional agency. Nothing contained herein shall apply to the appointment of the Principal Keeper of the State Prison.

Powers delegated to  
boards.

Executive  
officer.

Subordinates  
designated.

State prison  
excepted.

Management  
and authority  
vested in  
boards.

115. Subject to the supervision, control and ultimate authority of the State Board, the management, direction and control of the several institutions and noninstitutional agencies shall be vested in the several boards of managers, who shall be responsible to the State Board for the efficient, economical and scientific operation thereof. The chief executive officer of each institution or noninstitutional agency shall be the executive and administrative officer thereof, and shall be responsible to the board for the proper conduct and management of the institution or noninstitutional agency under his care, the physical condition of the property, the proper use of the plant and equipment, the conduct of all employees appointed by him and the care and treatment of the inmates of the institution, subject to the rules and regulations adopted by the board of managers.

Responsibility  
of executive  
officer.

Complete  
jurisdiction of  
state board.

116. Within the limitations imposed by general legislation applicable to all agencies of the State, the State Board is hereby granted complete and exclusive jurisdiction, supreme and final authority, and the requisite power to accomplish its aims and purposes in and upon the following institutions, boards, commissions and other agencies hereinafter designated as the charitable and correctional institutions of the State, to the end that they shall be humanely, scientifically, efficiently and economically maintained and operated. Any particular grant of power hereinafter contained shall be held to be in specification but not in limitation of this general grant of power.

Charitable  
institutions  
included  
in act.

117. The charitable institutions and noninstitutional agencies of the State, within the meaning of this act, shall include the following and as well any institution established hereafter for any similar purpose:

- a. New Jersey State Hospital at Trenton,
- b. New Jersey State Hospital at Morris Plains,
- c. New Jersey State Village for Epileptics,

- d. New Jersey Sanatorium for Tuberculous Diseases,
- e. The State Institution for Feeble-Minded (formerly the Home for the Care and Training of Feeble-Minded Women),
- f. State Colonies for Feeble-Minded Males,
- g. New Jersey Home for Disabled Soldiers,
- h. New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives and Widows,
- i. State Board of Children's Guardians,
- j. Commission for the Amelioration of the Condition of the Blind,

as now established and as the same are to be hereafter maintained and operated, pursuant to the provisions of this act.

118. The correctional institutions of the State, within the meaning of this act, shall include the following, and, as well, any institution established hereafter for any similar purpose:

Correctional  
institutions

- a. New Jersey State Prison,
- b. New Jersey Reformatory,
- c. New Jersey Reformatory for Women,
- d. State Home for Boys,
- e. State Home for Girls,

as now established and as the same are to be hereafter maintained and operated, pursuant to the provisions of this act.

119. The State Board shall have power to determine all matters relating to the unified and continuous development of all the institutions and non-institutional agencies within its jurisdiction. It shall determine all matters of policy and shall have power to regulate the administration of any of the institutions or noninstitutional agencies within its jurisdiction, correct and adjust the same so that each institution and noninstitutional agency shall perform its proper function as an integral part of a general system. The rules, regulations, orders and directions issued by the State Board or by the

General  
policy.

Rules, etc.

commissioner pursuant thereto, for this purpose shall be accepted and enforced by any board of managers having charge of any institution or group of institutions or noninstitutional agencies or any phase of the work within the jurisdiction of the State Board.

Personal  
attention by  
boards and  
commissioner.

120. The State Board shall arrange for the personal contact by its members and by the commissioner with each of the institutions and the work of the noninstitutional agencies, by visitation and by such other means as it may determine to be necessary and proper, so that it may be as nearly as is practicable continually in touch with and informed concerning the general condition of and the progress made by the several institutions and noninstitutional agencies and the general results of the management thereof, the condition and welfare of the inmates and other persons committed or admitted to any institution or noninstitutional agency within its jurisdiction or any of its committees or any board of managers. The State Board shall, by special committee or otherwise, visit and inspect each institution at least semi-annually, at periods which shall not be fixed in advance.

Inspections.

Reports.

121. Each board of managers and each division chief shall, at such time as shall be fixed by the State Board, file with the commissioner a written report concerning the conduct of the institution or the phase of work or agency entrusted to it during the preceding year, which report shall contain such detail of information as the commissioner shall prescribe, including estimates for the conduct of the institution or agency during the coming year. From these reports, with such other matter regarding the continuous development of the charitable and correctional institutions and noninstitutional agencies of the State or matters allied thereto as the State Board or commissioner shall see fit to include, the report of the State Board shall be compiled and filed with the Governor at such time as may be pro-

Report to  
governor.

vided by law. Such report shall set forth the true condition of each and every such institution and noninstitutional agency, with such recommendations with reference thereto, or the extension and development thereof, as the State Board may determine. The State Board shall make the requisition for the annual State appropriation to be made in behalf of the department, in such form and at such time as may be prescribed under the present or any future budget system of the State.

Requisition  
for appropriation.

122. Hereafter all appropriations of money from the State treasury for the uses and purposes of the several institutions and noninstitutional agencies included within the provisions of sections one hundred and seventeen and one hundred and eighteen of this act, and for all expenses incidental thereto or connected therewith, as well as appropriations for the uses and purposes of the department, shall be made to the department as one item, in accordance with the provisions of an act entitled "An act to provide a budget system and to provide a method of ascertaining the financial condition of the State and the appropriations necessary for the various departments, institutions and other agencies of the State," approved March first, one thousand nine hundred and sixteen, and the amendments, supplements and revisions thereof. The several institutions and noninstitutional agencies included within the provisions of sections one hundred and seventeen and one hundred and eighteen of this act shall submit their requests for appropriations to the State Board in the form and at the time prescribed by law. The State Board shall be the sole agency for the transmission to the Governor of the requests for appropriations on behalf of the department and the institutions and noninstitutional agencies included within the provisions of sections one hundred and seventeen and one hundred and eighteen of this act, with such modifications of the requests of the

Appropriations made in bulk.

Requests for funds made to state board.

Requests  
submitted to  
governor.

Working  
capital  
allotted.

Expenditures  
subject to  
act.

Appropriation  
must not be  
exceeded.

Extent of  
jurisdiction of  
state board.

several institutions as the board may determine.

Within the meaning of the Budget Act, the State board shall be the sole board authorized to submit a request to the Governor for appropriations on behalf of any of the charitable or correctional institutions or noninstitutional agencies included within the provisions of sections one hundred and seventeen and one hundred and eighteen of this act. Appropriations for working capital for all institutions and noninstitutional agencies included within the provisions of section one hundred and seventeen and one hundred and eighteen of this act shall be made in bulk, and may be allotted by the State Board or used as a general fund, as it may determine. The expenditures of appropriations made to the department, in accordance with the provisions of this section, shall be subject to the provisions of an act entitled "An act regulating the receipt and disbursements of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven, and the amendments, supplements and revisions thereof.

123. All expenditures for or on account of the department or any institution or noninstitutional agency within its jurisdiction, shall be paid out of the funds appropriated by the Legislature, and all earnings or income shall be duly accounted for and paid into the State treasury. The total expenditures for all purposes shall not exceed in any year the sum or sums appropriated by the Legislature.

124. In addition to the jurisdiction and power conferred by this act upon the State Board over the institutions and noninstitutional agencies named in sections one hundred and seventeen and one hundred and eighteen of this act, it shall have supervision over all institutions and organizations, whether county, municipal, public or private, to which payments are made from the treasury of the State, directly or indirectly, for or on account of the

board and maintenance of any persons admitted or committed thereto, with the right of visitation and inspection at any and all times, for the purpose of determining the conditions, circumstances and surroundings under which such persons so admitted or committed are lodged, boarded, cared for and maintained. In the execution of this power any member of the State Board, the commissioner, or his duly authorized agent, shall have the right of admission to all parts of any building or buildings in which such persons are lodged, cared for or treated, as often as may be necessary. The books, records and accounts of such institution or organization shall be open to his inspection, or for inspection and audit by the State Auditor of Accounts, or any of his subordinates, in so far as they relate to the receipt and expenditure of State moneys, in order to determine whether the amount so paid by the State is a proper charge, which question the State Board shall determine, and also to determine whether such persons so admitted or committed are properly and adequately boarded, lodged, treated, cared for and maintained. The extent and results of such supervision and inspection shall be included in the annual or any special report of the State Board with such recommendations as it may deem necessary.

Right of  
inspection.

Admission to  
buildings.

Inspection  
and audit  
of books.

125. The State Board shall have power of visitation and inspection of all county and city jails or places of detention, county or city workhouses, county penitentiaries, county insane and tuberculous hospitals, poor farms, almshouses, county and municipal schools of detention, and privately maintained institutions and noninstitutional agencies for the care and treatment of the insane, the blind, the deaf, the dumb, the epileptic, the feeble-minded, or other institutions and noninstitutional agencies conducted for the benefit of the physically and mentally defective, or the care of dependent children. Any member of the State Board or committee

Inspection of  
county jails,  
workhouses,  
hospitals, etc.

Admission  
for purpose  
of inspection.

thereof, or the commissioner or his duly authorized agent, shall be admitted to any and all parts of any of such institutions at any time, for the purpose of inspecting and observing the physical condition thereof, the methods of management and operation thereof, the physical condition of the inmates, the care, treatment and discipline thereof. The State Board may make such report with reference to the result of such observation and inspection and recommendation with reference thereto, as it may determine.

## ARTICLE II.

### GENERAL PROVISIONS APPLICABLE TO ALL STATE INSTITUTIONS AND NONINSTITUTIONAL AGENCIES.

#### A. Parole.

Right of  
parole.

201. The several boards of managers of the correctional institutions as classified in this act shall have power to release upon parole, such inmates of their respective institutions as they may determine to be eligible therefor, except a person sentenced to death.

Conditions of  
parole.

202. The State Board shall prescribe by rules formally adopted, the procedure for and the granting of parole and the terms and conditions incident thereto.

Custodian  
of persons  
paroled.

203. The legal custody of all persons released upon parole shall be vested in the chief executive officer of the institution from which such person is paroled, continuously until final discharge.

Revocation of  
parole.

204. Whenever, in the judgment of the board of managers, a paroled prisoner has violated the terms, conditions and limitations of his parole and is unfit to be further at liberty, or if such paroled prisoner shall be convicted of crime in any court of this State, or of any other State, or of the United States, committed after the issue of his parole, the board shall have power to issue revocation of such parole. This revocation shall be made by an order



in writing, signed by the chairman and attested by the secretary of the board.

205. No person committed upon a sentence prescribing a definite minimum term of imprisonment shall be released upon parole by the board of managers until the expiration of such minimum term less any earned commutation thereof. In case of a life sentence, the minimum term shall be taken to be fifteen years. In cases of coincident sentences for more than one crime, the sentences shall be regarded as consecutive and the total of the minimum periods shall be regarded as determining the minimum term of imprisonment.

Parole after minimum sentence.

Coincident sentences.

206. The provisions of this act shall apply to all persons heretofore or hereafter committed to any correctional institution as classified in this act.

Application of act.

207. The expenses incident to the operation of the parole system in each institution shall be paid from its maintenance account.

Expenses of parole.

#### B. Discharge.

208. Each board of managers of a correctional institution as classified in this act shall have power to issue a final discharge from custody to any person committed thereto and released on parole who has by his or her conduct given evidence that he or she is to be deemed reliable and trustworthy and will remain at liberty without violating the law and that his or her final discharge will not be incompatible with the welfare of society. *Provided, however,* that any person who has been additionally penalized by a fine, shall not be finally discharged until such fine has been paid or remitted by the Court of Pardons. But no person shall be detained for any period in excess of the maximum term fixed by sentence or operation of law, or the age limit with reference to institutions wherein the right of detention is determined by age.

Discharge of paroled person.

Proviso.

Limit of detention.

## C. Retaking.

**Retaking persons leaving without discharge.** 209. The chief executive officer of any institution shall have power to arrest without warrant any inmate committed thereto by order of any court, who shall leave such institution as defined in this act, without first obtaining a parole or discharge therefrom, and return him or her to said institution. For purpose of retaking, the chief executive office may go to any place either within or without this State, where such escaped inmate may be.

**Special officer to make arrest.** 210. The chief executive officer may, whenever he shall deem it necessary, appoint in writing any subordinate officer or employee of the institution as special officer, to seek after and arrest any inmate thereof who may have left without parole or discharge. Each special officer shall have in that respect, the same power as is given to the chief executive officer.

**Assist return to institution.** 211. Every police officer and constable shall assist in the location and return to institutional custody of any institutional inmate who has left the institution without parole or discharge.

**Warrant for arrest.** 212. A warrant for the arrest of any institutional inmate who shall have left the institution without parole or discharge or whose parole has been revoked, may be served by the chief executive officer, or his special officer or the regularly appointed parole officer or any person authorized to serve criminal process, in any county of this State. If the person for whom such warrant has been issued is confined elsewhere in this State, the service of the warrant upon the warden or chief executive officer of the institution wherein such person is confined, shall require him to facilitate the return of the person named in the warrant upon the expiration of the pending confinement. The chief executive officer or the parole officer or special officer, when so directed by the chief executive officer, may without warrant apprehend any paroled person

and cause him or her to be detained in any city or county jail or returned to the institution, to await the determination of the board of managers as to the revocation of parole.

#### D. Transfer.

##### 1. Between Correctional Institutions.

213. Any inmate of any correctional institution as classified in this act may be transferred to any other such correctional institution, by order of the commissioner directing such transfer, either upon the application of the chief executive officer or upon the initiative of the commissioner. Such transfers shall be made in accordance with the formally adopted rules of the State Board.

Transfer  
of inmates.

214. No transfer shall be made which will conflict with established age or sex limitations.

Age and sex.

215. The expenses of transfer shall be paid from the maintenance account of the institution making the transfer.

Expenses of  
transfer.

216. The person so transferred shall be held in the custody of the institution to which transfer is made, subject to the rules and regulations thereof and the provisions of law applicable thereto as though originally committed to such institution. *Provided, however,* that no order of transfer shall operate as authority for the detention of any person for a term in excess of that contemplated by the original sentence or order of commitment and that no person sentenced to a definite minimum term of imprisonment shall as a result of transfer be paroled or finally discharged before the expiration of such minimum term. If return to the institution of original transfer becomes necessary under the terms of this proviso, the commissioner shall so determine and issue order of transfer accordingly.

Custody of  
transferred  
person.

Proviso.

Retransfer.

## 2. Between Charitable Institutions.

Transfer  
of inmates.

217. Any inmate of any charitable institution as classified in this act may be transferred to any other such charitable institution, by order of the commissioner directing such transfer either upon the application of the chief executive officer, or the initiative of the commissioner. Such transfers shall be made in accordance with the formally adopted rules of the State Board.

Age and sex.

218. No transfers shall be made which will conflict with established age or sex limitations.

Expenses of  
transfer.

219. The expenses of transfer shall be paid from the maintenance account of the institution making the transfer.

Settlement  
of persons.

220. Determination by the original order for commitment as to settlement, indigency or rate of payment shall apply to and govern upon the transfer of the patient or inmate. With the transfer there shall pass to the institution to which the inmate or patient is transferred, copies of all records, papers and documents relating to the admission or commitment of the inmate or patient, medical records, securities for the payment of maintenance, and the like. If, for any reason, there has been no determination of settlement, indigency or maintenance rate, these facts shall be determined as in an original application under the procedure set forth in article IV of this act, upon the initiative of the chief executive officer of the institution in which said inmate or patient is when transfer is desired. Due notice of the transfer shall be given to the director of the board of chosen freeholders of the county in which such inmate or patient is determined to have a legal settlement, if any, of such transfer having been made. *Provided,*

Transfer of  
records.

If no  
settlement.

Freeholders  
notified.

Proviso.

*however,* that any criminal insane shall be transferred to the house of detention for criminal insane established at the New Jersey State Hospital at Trenton.

221. Any person transferred as aforesaid and cured of the disease for which he was transferred, as evidenced by the certificate of the chief executive officer, or whom the board of managers of the institution of transfer are otherwise prepared to discharge, may be discharged from the institution to which transferred as though originally committed or admitted thereto, except in the case of persons convicted of crime and transferred from a correctional institution, whose final discharge shall be governed and controlled by the provisions of section four hundred and thirty-seven of this act.

Discharge  
after cure.

### 3. From Correctional to Charitable Institutions.

222. Any inmate of any correctional institution as classified in this act may be transferred to any charitable institution as classified in this act, in accordance with the provisions of sections four hundred and one, four hundred and nine and four hundred and thirty-seven of this act.

Transfer  
from correc-  
tional to  
charitable  
institution.

223. No transfers shall be made which will conflict with established age or sex limitations.

Age and sex.

224. The expenses of transfer shall be paid from the maintenance account of the institution making the transfer.

Expenses  
of transfer.

### E. Payments on Parole or Discharge.

225. The State Board shall have power to prescribe with reference to each institution within its jurisdiction the sum of money not in excess of twenty-five dollars in each case, which shall be paid by the chief executive officer to each person upon parole or discharge and the clothing, if any, which shall be provided for such paroled or discharged person. In addition thereto, there shall be returned to each paroled or discharged person the personal property which was taken from him or her at the time of admission to the institution.

Payment on  
parole or  
discharge.

Return of  
personal  
property.

## F. Transportation Expenses.

Prisoners  
conveyed by  
sheriff.

Bills of  
costs.

226. The sheriffs of the several counties shall convey to the several correctional institutions all prisoners sentenced or committed thereto within the time and in the manner provided for the transportation of prisoners sentenced to the State prison and be allowed therefor the same fees. The county clerks of the several counties shall deliver to the sheriffs certified copies of all bills of costs, including therein only charges for services actually rendered and commitments for all prisoners sentenced or committed to any of the said institutions in the manner and within the time now prescribed in cases of conviction and sentence to the State Prison.

## G. Medical Service and Quarantine.

Establish  
quarantine.

Isolate  
patients.

Custody of  
inmates of  
camps.

227. The board of managers of any institution, referred to in paragraphs one hundred and seventeen and one hundred and eighteen of this act, shall have power, in case of the existence of any contagious or infectious disease, to establish such quarantine regulations as they may deem necessary, and may provide for the isolation of the inmates suffering from such disease, either within the institution or outside thereof in isolation camp, or in any hospital for the care and treatment of such diseases, with power either to pay the expenses of establishing and maintaining such quarantine and isolation camp, including all the incidents thereof, or to pay for the board and treatment of such inmates in a regularly established hospital. The custody of all inmates in any hospital or quarantine camp shall remain in the chief executive officer of the institution of which such persons are inmates. No inmate shall be placed in any hospital outside the limits of the institution without the approval of the commissioner first had and obtained.

228. The board of managers of any institution included within the provisions of paragraphs one hundred and seventeen and one hundred and eighteen of this act, shall have power to place any inmate in any hospital in this State for such medical or surgical treatment as may be necessary, which cannot properly and adequately be rendered within the institution, and to pay for the care, maintenance and treatment of such persons; *provided, however*, that the approval of the commissioner shall be first obtained.

May place inmates in hospitals.

Proviso.

229. If any female committed to any of the institutions referred to in paragraphs one hundred and seventeen and one hundred and eighteen of this act, at the time of such commitment, is the mother of a nursing child in her care under two years of age, or is pregnant with child, which shall be born after such commitment, such child may accompany its mother to and remain in such institution until it is two years of age and may then be removed therefrom. If, when such child arrives at the age of two years, it is without family or relatives able and willing to assume its support, such child shall thereupon become a public charge and become the ward of the Board succeeding, in accordance with the provisions of this act, to the powers and duties of the State Board of Children's Guardians.

Children accompanying mothers.

Removal of child.

230. The various institutions charitable and correctional, and the noninstitutional agencies hereinbefore referred to in sections one hundred and seventeen and one hundred and eighteen of this act, shall be subject to the following specific provisions and general regulations:

General regulations.

231. The board of managers may require such officers and employees whose continuous presence is deemed necessary, to reside at or contiguous to the institution and in such case, the board may, by resolution, allow to such officer or employee maintenance and sustenance or commutation

Residence at institution.

thereof, in such amount or to such extent, if at all, as it shall in each case determine.

Bond may be required.

232. Each board of managers may in its discretion require any official or employee of the institution or noninstitutional agency under its charge to give bond for the faithful performance of his duties and fix the amount of such bond. In event that a surety company bond shall be given, the amount of the premium required thereon shall be paid from the maintenance account of the institution or noninstitutional agency to which the bonded person shall be attached.

Offices may be changed or abolished.

233. Each board of managers shall have power, subject to the approval of the State Board, to abolish any office or employment which they may find to be unnecessary, to combine and consolidate the functions of any offices or employments and abolish either or both thereof or more than two as they may determine, to transfer officers and employees and to promote and reduce the same, subject to the provisions of the Civil Service law.

Discharge of unclassified employees.

234. Any officer or employee connected with any of the institutions or noninstitutional agencies whose office or employment is not within the classified service list of the civil service of the State, whose performance of or qualifications for the duties of his office or employment are unsatisfactory to the board of managers, may, with the approval of the State Board, be discharged therefrom, or the State Board may act in the premises without the initiative or assent of the board of managers.

Exemption from jury and militia duty.

235. All chief executive officers, medical directors, stewards, wardens and all other officers and employees of all the correctional and charitable institutions and noninstitutional agencies shall be exempt from serving on juries and in time of peace from all service in the militia; and the certificate of the chairman of the respective board of managers shall be evidence of the fact of such employment.



236. No person suffering from insanity, or alleged to be insane, shall be committed to or confined in any unlicensed private institution in this State for the care and treatment of the insane, for any purpose or upon any pretext whatsoever; any person who shall violate the provisions of this section shall be guilty of a misdemeanor and punished accordingly.

Insane not confined in unlicensed private institution.

237. Any person who shall sign an application or certificate for the commitment of any person alleged to be insane, feeble-minded, epileptic or tubercular to any institution for the care of the insane, feeble-minded, epileptic or tubercular in this State for any purpose other than such care and treatment of such person alleged to be insane, feeble-minded, epileptic or tubercular shall be guilty of a misdemeanor and punished accordingly.

Misdemeanor to sign for commitment except for treatment.

238. The members of the State Board, the commissioner, his deputies and assistants, the members of the several boards of managers, chief executive officers and medical directors, stewards, wardens, and all other officers and employees of all of the correctional and charitable institutions and non-institutional agencies of this State, shall not be liable in any action at law for admitting, receiving, keeping or detaining or transferring or discharging as provided by this act, or directed by any order made in accordance with this act, any person coming to any of said institutions or noninstitutional agencies, either on his own or the application of his friends or relatives, or by order of any judge or court of this State, but such application or order, or certified copy thereof, shall be sufficient warrant and authority for the admission, keeping, detaining, transferring, discharging or reasonable care, treatment, management and control of any patient or inmate received at or committed to any of said institutions or noninstitutional agencies according to the terms of this act.

As to liability for action at law.

## ARTICLE III.

SPECIFIC PROVISIONS RELATING TO CORRECTIONAL  
INSTITUTIONS.

## NEW JERSEY STATE PRISON.

State prison  
defined.

301. The State Prison shall be held to include the existing prison in the city of Trenton or wherever the State Prison may hereafter be located, and any and all farms, camps, quarries or grounds where the convicts sentenced to the State Prison may from time to time be kept, housed or employed.

Keeper ap-  
pointed by  
governor.  
Term.

302. Unless and until the provisions of the Constitution of this State in this particular shall be changed, the Principal Keeper shall be appointed by the Governor as heretofore, and shall hold his office for the term of five years.

Residence.

Salary, etc.

303. The Principal Keeper shall occupy the residence provided by the State during his term of office. He shall receive a salary of thirty-five hundred dollars a year together with such allowance for fuel, light and maintenance in the residence provided as the board of managers may determine.

Executive of  
prison.

Responsibility.

Proviso.

304. The Principal Keeper shall be the chief executive and administrative officer of the board of managers in the management and operation of the State Prison. He shall be directly responsible to the board for the management and operation of the prison and the custody, care and treatment of the inmates thereof, under the rules and regulations adopted by the board; *provided, however*, that if at any time there shall fail to be a board of managers, the powers and duties of the board of managers shall be vested in and exercised by the chief executive officer of such institution, except only that in such case the Court of Pardons shall be the sole power authorized to issue and revoke paroles.

305. Primarily, the duty of the Principal Keeper of the State Prison shall be to receive from the hands of the sheriff, or other proper officer, every person sentenced to imprisonment in the State Prison, and safely keep him in the said prison according to the laws of this State and the rules and regulations of the board of managers until he is discharged therefrom according to law. He shall also receive and safely keep in said prison, at the expense of the United States, all persons committed under the authority of the United States until they shall be discharged in the due course of the laws thereof.

Duties of  
prison  
keeper.

U. S. prisoners.

306. For every month of faithful performance of assigned labor by any convict committed to the State Prison there shall be remitted to him from the maximum and minimum term of his sentence two days, and in addition, for every month of continuous orderly deportment, two days, and for every month of manifest effort of self-improvement and control, two days. *Provided, nevertheless,* that in any month in which a convict shall have merited and received punishment no such remission of sentence shall be made, and in case of any flagrant misconduct by any convict the board of managers may declare a forfeiture of the time previously remitted to him, either in whole or in part, as to them shall seem just. On the recommendation of the Principal Keeper and moral instructor, there shall be remitted two additional days per month to every convict who for twelve months preceding shall have merited the same by continuous good conduct, and for each succeeding year of uninterrupted good conduct the remittance shall be progressively increased at the rate of one day per month for that year.

Deductions  
for good  
behavior.

Proviso.

Credit for  
past good  
conduct.

307. The board of managers shall adopt a system of identification and record and exchange of identifications, and the Principal Keeper shall cause such identification system to be applied to every prisoner

Record of  
prisoners.

committed to the State Prison. It shall be the further duty of the Principal Keeper to obtain and record information concerning the past life and the nature and gravity of the crime for which the prisoner was sentenced, as well as of the conduct of such prisoner while in the prison. Such information shall be laid before the board of managers and shall by them be considered when determining the parole of any prisoner.

Subsequent  
conviction not  
to include  
former term.

308. If any prisoner confined in the State Prison shall be released or discharged therefrom at any time prior to the expiration of the maximum term, and shall be subsequently convicted of crime and again sentenced to the State Prison, the unexpired portion of the maximum term for which said prisoner was previously sentenced shall not be added to the subsequent sentence, nor shall said prisoner be held upon any subsequent sentence for any cause for a term greater than the maximum stated in the sentence upon which commitment is made.

Minimum  
age.

309. No female and no male under the age of sixteen years shall be sentenced to confinement in the State Prison nor confined therein, except in the case of a male convicted of murder.

#### NEW JERSEY STATE REFORMATORY FOR WOMEN.

Women's  
reformatory  
defined.

310. The New Jersey State Reformatory for Women shall be held to include the existing reformatory at Clinton, New Jersey, and any and all places where the convicts sentenced to the Women's Reformatory may, from time to time, be kept, housed or employed.

For females  
only.

311. Any female above the age of sixteen years, convicted of a crime punishable by imprisonment in the State Prison, may be committed to the Women's Reformatory. No male person shall be so committed or there confined.

Sentences.

312. The several courts in sentencing to the Women's Reformatory shall not fix or limit the

duration of sentence, but the time which any such prisoner shall serve in said reformatory shall not in any case exceed the maximum term provided by law for the offense of which the prisoner shall have been convicted and sentenced. The term of such service may be terminated by the board of managers, in accordance with their rules and regulations.

313. The chief executive officer of the reformatory shall be directly responsible to the board of managers for the management and operation of the reformatory and the custody, care and treatment of the inmates thereof, under the rules and regulations adopted by the board.

Responsi-  
bility of  
executive  
officer.

314. Primarily, the duty of the chief executive officer of the Women's Reformatory shall be to receive from the hands of the sheriff or other proper officer, every person sentenced to imprisonment in the Women's Reformatory and safely keep her in said reformatory, according to the laws of this State and the rules and regulations of the reformatory, until she is discharged therefrom according to law.

Duties of  
chief exec-  
utive.

#### NEW JERSEY REFORMATORY.

315. The New Jersey Reformatory shall be held to include the existing reformatory near the city of Rahway and any and all farms, camps, quarries or grounds, where the prisoners sentenced to the reformatory may, from time to time, be kept, housed or employed.

Reformatory  
defined.

316. Any male person between the ages of sixteen and thirty years, who has been convicted of a crime punishable by imprisonment in the State Prison, who has not previously been sentenced to a State prison or a penitentiary in this or any other State, may be committed to the reformatory.

Classes  
committed.

317. The courts in sentencing to the reformatory shall not fix or limit the duration of sentence,

Sentences.

but the time which any such person shall serve in the reformatory shall not in any case exceed the maximum term provided by law for the crime for which the prisoner was convicted and sentenced, and the term of such service may be terminated by the board of managers of the reformatory in accordance with its rules and regulations formally adopted.

Responsibility  
of executive  
officer.

318. The chief executive officer of the reformatory shall be directly responsible to the board of managers for the management and operation of the reformatory and the custody, care and treatment of the inmates thereof, under the rules and regulations adopted by the board.

Duty of chief  
officer.

319. Primarily, the duty of the chief executive officer of the reformatory shall be to receive from the hands of the sheriff, or other proper officer, every person sentenced to imprisonment in the reformatory and safely keep him in the said reformatory, according to the laws of this State and the rules and regulations of the reformatory, until he is discharged therefrom according to law.

#### STATE HOME FOR BOYS.

Boys' home.

320. The State Home for Boys, formerly known as the State Reform School for Juvenile Offenders, and later designated as the State Home for Boys, shall be held to include the existing home at Jamesburg, New Jersey, and any and all places where the persons committed thereto may, from time to time, be kept, housed or employed.

Responsibility  
of executive  
officer.

321. The chief executive officer shall be directly responsible to the board of managers for the management and operation of the home and the custody, care and treatment of the inmates thereof, under the rules and regulations adopted by the board.

Duty of chief  
officer.

322. Primarily, the duty of the chief executive officer of the home shall be to receive from the

hands of the sheriff or other proper officer, every person sentenced to imprisonment in the home and safely keep him in the said home, according to the laws of this State and the rules and regulations of the home, until he is discharged therefrom according to law.

323. Any boy under the age of sixteen years and of the age of eight years or more, who may be arrested upon complaint of any crime except murder, or who may be charged with being a disorderly person or habitually vagrant or habitually truant, may be committed by the magistrate before whom he may be taken, after his examination, to such place of detention as may be provided for juvenile offenders, or in want thereof, to the jail of the county or city wherein the charge is made. The said magistrate shall forthwith certify and send a copy of the complaint and commitment to the judge of the juvenile court, who shall make disposition thereof in accordance with the laws of this State relating to the trial and commitment of juvenile offenders.

Commitment  
of boys.

Disposition  
of case by  
juvenile court.

324. Any boy under the age of sixteen years and of the age of eight years or more, upon being found guilty of any crime, except murder, in any court of record, the court, instead of entering judgment and pronouncing sentence according to law, may cause an order to be entered in the minutes of the said court that the said boy be committed to the said home as a juvenile delinquent, and thereupon the court may commit him thereto by warrant, which shall set forth the name and age of the boy committed, the name or names of his parents or guardian, if they can be ascertained, and his place of residence. The nature of the crime of which he was found guilty shall not be stated.

Committed  
as juvenile  
delinquent.

325. Any parent or guardian may make complaint to the judge of the juvenile court that any boy under the age of sixteen years, the son or ward of such parent or guardian, is habitually truant or

Complaint  
of truancy,  
disorderly  
conduct, etc.

Boy committed to home.

Security for payment of expenses.

Expenses of commitment and board.

Fees allowable.

habitually vagrant or disorderly or incorrigible, and such judge shall thereupon issue a warrant to the sheriff, constable or police officer to cause said boy to be brought before him at such time and place as he may appoint, when and where said judge shall examine the parties, and if, in his judgment, the complaint is well founded and the boy is a fit subject for the said home, he shall issue a warrant, with the consent of the said parent or guardian endorsed thereon, to be executed by the sheriff, a constable or police officer committing said boy to said home. Security for the payment of the expenses of the hearing upon complaint and commitment and of the transfer of the said boy to the said home and the expenses of his board and maintenance at said home may, in the discretion of the said judge, be required of the said parent or guardian in cases arising under sections three hundred and twenty-three or three hundred and twenty-four or three hundred and twenty-five.

326. Whenever a boy shall be committed to said home under the provisions of the sections three hundred and twenty-three, or three hundred and twenty-four or three hundred and twenty-five, it shall be the duty of the judge, at the time of the examination, to make inquiry as to the ability of the parent or guardian to pay the expenses of the commitment proceedings and the board of said boy, and shall endorse on the warrant of commitment a statement of his finding in that regard.

327. For making copies of a complaint and commitment under this act, every magistrate shall be entitled to the same fees as are allowed by law for the original complaint and commitment. Officers serving process shall be entitled to the same fees, which shall be paid in the same manner as for like service in criminal cases. The sheriff, constable or officer executing a warrant of commitment shall be entitled to a fee of five dollars beside the necessary traveling expenses for himself and



the boy, to be taxed by the judge. Other fees shall be the same as are allowed for similar services in the Court of Quarter Sessions, and all such fees shall be paid as other fees are paid in criminal causes.

328. The several courts in committing to the said home shall not fix or limit the duration of the commitment, but the boy so committed may be detained until he reaches the age of twenty-one years, unless such term of detention is terminated by the board in accordance with its rules and regulations formally adopted. Detention.

329. No inmate of the State Home for Boys shall be indentured or bound out to service. Not inden-  
tured or  
bound out.

330. As a part of the parole system in said home, the board may place any inmate for whose welfare and improvement such course is deemed advisable, at service or employment; may place any inmate of school age, for whose welfare such course is deemed advisable, to board in a private family, at a cost not to exceed the per capita maintenance cost in the home, and may send to properly qualified educational or vocational institutions, for purposes of instruction, any inmate who has shown a capacity for a more extensive training than the home can provide, at a cost not to exceed the per capita maintenance rate in the home. Disposition  
of inmates  
for their  
benefit.

#### STATE HOME FOR GIRLS.

331. The State Home for Girls, formerly known as the State Industrial School for Girls, and later designated as the State Home for Girls, shall be held to include the existing home at Trenton, New Jersey, and any and all places where the persons committed thereto may, from time to time, be kept, housed or employed. Girls' home.

332. Any girl under the age of nineteen years, and of the age of eight years or more, may be committed to the said home, for the same causes. Commitment  
of girls.

and by the same processes as are provided by the provisions of this act relating to the State Home for Boys.

Provisions  
of law  
applicable.

333. The provisions hereinbefore recited and applicable to the State Home for Boys shall apply to and control in all respects the maintenance, management and operation of the State Home for Girls.

#### ARTICLE IV.

COMMITMENTS AND ADMISSIONS TO STATE, COUNTY AND  
PRIVATE INSTITUTIONS FOR THE INSANE, THE STATE  
VILLAGE FOR EPILEPTICS, THE STATE SANA-  
TORIUM FOR TUBERCULOUS DISEASES, THE  
STATE INSTITUTION FOR FEEBLE-  
MINDED, AND THE STATE COLO-  
NIES FOR FEEBLE-MINDED  
MALES; DETERMINATION  
OF INDIGENCY, MAIN-  
TENANCE, DETEN-  
TION AND DIS-  
CHARGE THERE-  
FROM.

Application of  
provisions of  
article IV.

401. The provisions contained in article IV of this act shall apply to and govern the admission and commitment of the insane, epileptic, tuberculous and feeble-minded to the several and respective charitable institutions designated therefor and govern and control all phases of the relationship between the inmate and the institution after admission or commitment, including maintenance, custody, treatment, parole and discharge, as though each provision of this article had been specifically enacted with relation to each and every class of persons described in this section. All the provisions of this article shall apply to each of the classes of persons named and institutions designated therefor, the boards of managers and

officials thereof and all other officials, boards and authorities, as though specifically enacted with proper words of description in each respect.

402. A person alleged to be insane may be committed to and confined in any institution for the care and treatment of the insane in this State (as defined in section four hundred and sixty-two of this article), upon the filing as hereinafter provided of an application in writing hereinafter described, by a person interested in the admission of such patient (as defined in section four hundred and sixty-one of this article), by reason of relationship or marriage, or by the person having the charge or care of such patient, or by the sheriff, or by the overseer of the poor or person charged with the care and relief of the poor, or by any chief of police or police captain of any municipality in this State where such patient may be, or by the chief executive officer of any correctional institution, or of any public or private charitable institution or hospital in which such patient may be, or by the Commissioner of Charities and Corrections.

Insane  
committed on  
application.

By whom  
application  
made.

403. All applications and certificates for commitment to and confinement of any patient in any State, county or private institution for the care and treatment of the insane in this State, must be made on forms approved by the commissioner and furnished by the board of managers of said institution, by the board of chosen freeholders, or by the management of such private institution, as the case may be.

Applications  
made on ap-  
proved forms.

404. The application for admission and commitment to any such institution shall be attached to and accompanied by the certificate in writing of two physicians under oath. Every physician in order to qualify so as to certify to the insanity of such patient for the purpose of securing his commitment to any such institution must be of reputable character, duly licensed to practice medicine

Physicians'  
certificate.

in this State and holding a degree of doctor of medicine, a permanent resident of this State, and shall have been in the actual practice of his profession for at least five years.

What certificate to show.

405. Every certificate shall set forth the date of the making of the personal examination of the subject of the application, which must be made in every case by the physician signing the certificates, separately or together, not more than ten days prior to the admission of such person to such institution, and, in cases coming under class A, not more than ten days prior to the date of the making of the application. Every certificate shall contain a thorough description and identification of the person sought to be confined. Each certificate shall set forth the facts and circumstances upon which the judgment of such physicians is based, and shall include therein a personal description sufficient to identify such patient, and the facts concerning hereditary taint and previous attacks if any, and shall set forth the fact that the condition of the patient is such as to require care and treatment in an institution for the insane, and such other information as may be required to be furnished upon the forms approved and furnished as aforesaid.

Confinement of non-residents.

406. A nonresident of this State may be confined in any institution for the care and treatment of the insane in this State in the same manner as residents may be admitted and committed, except that the physicians' certificates attached to the application for admission and confinement of said nonresident to any such institution preliminary to the inquiry and final hearing, may be made by two physicians residents of the State from which said nonresident may be sent, which certificates shall be on the form prescribed for residents of this State. The nonresident physicians must have all the qualifications required by the laws of the State from which said nonresident is sent to secure the

commitment of patients resident in said State to any institution for the care and treatment of the insane located in said State. But the inquiry and final hearing in the manner provided in this article shall not be held unless certificates shall be presented at the final hearing to the judicial officer by two resident physicians of this State, after personal examination of the nonresident person alleged to be insane, having the qualifications prescribed in this act and upon compliance with all the other provisions of this article.

407. No physician who is a relative, either by blood or marriage, of the patient, or director, chief executive officer, proprietor of, or who is financially interested in any institution for the care and treatment of the insane in this State to which it is proposed to commit any patient, or who is professionally employed as resident physician at a regularly paid salary by the management thereof, shall be qualified to certify as to the patient's insanity.

Certain  
physicians  
disqualified to  
certify as to  
patients  
insanity.

408. In all counties in this State where the county counsel, county solicitor, county clerk, county physician or county probation officer or any of their assistants is now in charge and supervision of the preparation of papers relating to the commitment of the insane in any county, such person shall be known as "Commissioner in Lunacy," such duties shall continue to pertain to the office of such county counsel, county solicitor, county clerk, county physician or county probation officer or their successors in office. In all other counties the judge of the Court of Common Pleas, with the consent of the board of chosen freeholders, shall designate some county official or employee as commissioner in lunacy for such county. Such commissioner in lunacy holding designation under either of the methods herein provided, in addition to the performance of his regular duties, shall have charge and supervision of the preparation of papers relating to the commitment of the insane in such county,

Commissioner  
in lunacy.

Duties.

Preparation of  
committal  
papers.

and in cases arising in other counties in which the legal settlement appears to be in such county. The classification and requirements of such official or employee under the laws and rules concerning civil service shall not be affected in any way by reason of such designation or additional duties as commissioner in lunacy, and additional compensation, if any, for such services as commissioner in lunacy as aforesaid may be fixed by the board of chosen freeholders and paid in the same manner as the other county employees are paid. It shall be the duty of the boards of chosen freeholders of all counties to notify the various institutions for the insane of the name and address of such commissioner in lunacy.

Classes of  
commitments.

409. For the purpose of this article the method of commitment of insane patients shall be divided into five classes:

Class A.

Class A. Where immediate temporary confinement of a patient in an institution is not necessary before making the final order of commitment.

Class B.

Class B. Where immediate temporary confinement of a patient is necessary, owing to the condition of the patient, and where an order of temporary confinement can be obtained before the patient is taken into such institution.

Class C.

Class C. Where immediate confinement of the patient in an institution before making the temporary order hereinafter referred to is necessary, owing to the condition of the patient, and where an order of temporary commitment cannot be obtained before the patient is taken into such institution.

Class D.

Class D. Where a person voluntarily applies for admission to an institution for treatment. In all such cases the admission and maintenance shall be governed by the provisions of section four hundred and thirty-four of this article.

Class E.

Class E. Where a person in confinement, under care of the chief executive officer of any correc-

tional institution, is to be transferred to an institution for treatment. In all such cases the procedure shall be governed by the provisions of section four hundred and thirty-seven of this article.

410. Class A. The class designated "A" shall include all cases where the condition of the patient, in the judgment of the certifying physicians, is such that immediate temporary admission to an institution pending a judicial hearing and final order of commitment, as hereinafter provided, is not necessary. In all such cases the application in writing, with physicians' certificates attached thereto, as provided in this article, shall be first made to the judicial officer (as defined in section four hundred and sixty-four of this article) in the county in which said patient resides or may be. Whereupon said judicial officer shall fix the time and place for the final hearing to inquire into the sanity of the patient, of which time and place notice shall be given as in this article provided of such inquiry, which said inquiry shall be set by the judicial officer for a time not later than twenty days from the date of said application. Said time and place of hearing shall be indorsed on the application papers by the judicial officer over his signature. Said final inquiry as to the sanity, legal settlement and indigence of said patient shall be conducted as is otherwise provided in this act.

Immediate  
temporary  
confinement  
unnecessary.

Inquiry held.

411. Class B. The class designated "B" shall include all cases where the condition of the patient, in the judgment of the certifying physicians, is such that he should be placed under immediate restraint in an institution, and where an order of temporary commitment can be obtained prior to his admission into such institution. In all such cases a statement of such condition of the patient must appear in the certificates of the physicians certifying to the insanity of the patient. The person making the application shall, before such patient is admitted to such institution, obtain an order of temporary com-

Immediate  
temporary  
confinement  
necessary.

Order  
obtained.

mitment instituting the inquiry, from a judge of any court of record in the county in which such person resides or may be; *provided, however*, that a justice of the peace, acting as such or sitting in the justices' court, shall not be construed to be a judge of a court of record within the meaning of this act, where a District Court exists, at the time of the making of said order. Such order instituting an inquiry as to the insanity of the patient shall direct that proof shall be taken at said inquiry as to the mental condition of said patient and shall be attached to the application and the certificates.

**Previso.** Such order of temporary commitment, application and certificate shall be filed with the chief executive officer of the institution before or at the time of the admission of the patient to such institution, and shall be the warrant and authority for the admission and detention of the patient for a temporary period not exceeding twenty days from the date thereof. It shall be the duty of the chief executive officer (as defined in section four hundred and sixty of this article) forthwith after such application, certificates and order of temporary commitment shall have been received by him, to mail certified copies thereof under his hand and seal of the institution to the commissioner in lunacy of the county from which the commitment of such patient is requested. It shall thereupon be the duty of the said commissioner to present forthwith such certified copies to a judicial officer in such county and to request the fixing of a time and place certain for the final hearing. The judicial officer shall fix a day for such final hearing, which shall not be more than twenty days from the date of the temporary order of the commitment theretofore made.

**Proofs.**

**Order of commitment.**

**Immediate confinement before order.** 412. Class C. The class designated "C" shall include all cases where the condition of the patient, in the judgment of the certifying physicians, is such that the patient should be placed under immediate restraint and confinement in an institution, and



where it is impossible to obtain an order of temporary commitment from a judge of any court of record, as herein designated, in the county in which the patient resides or may be. A statement of such condition of the patient must appear in the certificates of the physicians and the application shall contain a statement of the applicant's inability to secure such order of temporary commitment. The person making the application shall, on or before the admission of such patient to the institution, present the application and certificates to the chief executive officer of such institution, and such papers shall be the warrant and justification for the temporary detention of the patient at such institution. The chief executive officer shall thereupon make or cause to be made a copy of the papers so filed and shall certify to the same under his hand and seal of the institution and forthwith mail such certified copies to the commissioner in lunacy of the county from which said patient shall have been admitted. It shall be the duty of the said commissioner, upon receipt of the papers from the chief executive officer, to present the same to the judicial officer of such county and obtain an order of temporary commitment, which order shall approve the admission of such patient to such institution, and shall be the warrant and authority for the detention of the patient for a temporary period not exceeding twenty days from the date of the admission of such patient, and it shall be the duty of said commissioner to forward said order to the chief executive officer of such institution. The judicial officer shall also designate the time and place of the final hearing, which shall not be more than twenty days from the admission of said patient into said institution.

Statement  
of condition.

Application  
and detention.

Order of  
commitment.

413. When any patient shall be admitted to an institution by the filing of an application and certificates either under class B or class C, and the chief executive officer at the time of such admission, or any time before final hearing, shall be satisfied

If patient  
considered  
sane.

Patient discharged before final hearing.

that such patient is sane, he shall, in his discretion, discharge the said patient forthwith, and at the same time mail to the commissioner of lunacy of the county whence said patient was admitted to the hospital a certificate setting forth that such patient is sane, and has been discharged from the hospital to which he was presented for admission; such certificate to be signed by the chief executive officer of said hospital. If, however, at any time before the final hearing, the medical director shall have reason to doubt the insanity of said patient, it shall be his duty to certify forthwith his reasons therefor to the chief executive officer, who shall forward the same to the commissioner in lunacy of the county from which the admission of such patient has been requested, and the said commissioner shall forthwith bring the certificate of doubt to the attention of the judicial officer for consideration at the final hearing.

Notice of final hearing.

414. In all cases where the patient is not confined in an institution before the final hearing, it shall be the duty of the applicant to cause to be served personally upon the patient or his attorney a written notice of the time and place of such final hearing, such service to be made at least one day before the date fixed, and which notice shall contain a statement that if such patient desires to oppose the application for a final order of commitment he may appear personally or by attorney at the time and place fixed for such final hearing. Proof of such service shall be made at the final hearing, and at such final hearing the applicant shall, if required by the judicial officer, produce the patient.

Notice of final hearing served on patient.

415. In all cases where the patient is confined in an institution before the final hearing it shall be the duty of the commissioner in lunacy to serve or cause to be served personally upon the patient a written notice of the time and place of such final hearing, such service to be made at least one day before the date fixed, and which notice shall con-

tain a statement that if such patient desires to oppose the application for a final order of commitment, he may appear personally or by attorney at the time and place fixed for such final hearing. Proof of such service shall be made at the final hearing. It shall be the duty of the chief executive officer to see that such patient, if he so desires, is given every opportunity to appear personally or by attorney at such hearing, and to assist him in communicating with his friends, relatives or attorney; *provided, however,* that if the chief executive officer of any institution for the insane in which such patient may be under detention shall certify that in his opinion it would be prejudicial to the health of the patient, or unsafe to produce the patient at the inquiry, then such patient shall not be required to be produced. Two days' notice of the time and place of the final hearing shall in all cases be mailed to or served upon the applicant, but in case such applicant is not the husband, wife or nearest relative, such notice shall be mailed to or served upon such husband, wife or nearest relative if possible. Proof of such service shall be made at the final hearing.

Patients' rights.

Proviso.

Notice of final hearing.

416. On the day fixed for the final hearing the applicant shall bring the matter before the judicial officer and shall produce before such judicial officer in all cases coming under Class A the original application and certificates and any other papers pertinent to the inquiry, and in all cases coming under class B and Class C the commissioner in lunacy shall produce certified copies of the application, certificates and order of temporary commitment and any other papers pertinent to the inquiry, and such judicial officer shall thereupon hear the matter in a summary way and determine the case as herein provided. He is authorized to hear and determine the matter without a jury, or in his discretion to call a jury to determine the question of the sanity of such patient and shall have power to compel the

Papers at final hearing.

Hearing and determination.

Witnesses.	attendance of witnesses from any part of the State of New Jersey, and also the attendance of jurors and the production of the patient either in court or at the place where the patient may be, and the production of the original application and certificates and any other papers or documents. The judicial officer is authorized to continue such final hearing in open court from time to time as may be necessary, and such continuance shall be endorsed on the application for commitment or certified copy thereof, which shall be sufficient warrant and authority for the detention of such patient for such period; <i>provided, however,</i> that the aggregate period of such continuances shall not exceed three months from the date originally fixed for the final hearing. Such judicial officer shall also have power to order the taking and transcribing of the testimony adduced at such hearing, the expense of which shall be paid by the board of chosen freeholders of such county in the same manner as other court expenses are paid. Such judicial officer may refer the matter of the examination of witnesses to the commissioner in lunacy of such county, for the use of such judicial officer, and such commissioner is hereby authorized and empowered to administer oaths or affirmations for this purpose. Additional compensation for the examination of witnesses by such commissioner may be fixed by the judicial officer, subject to the approval of the board of chosen freeholders, and paid to such commissioner in the same manner as compensation is paid to other county employees.
Continuation of hearing.	
Proviso.	
Reference.	
Costs and expenses in Class A or C.	417. In all cases coming under class A or class C, the judicial officer making the final order of commitment or the temporary order of commitment, as the case may be, may in his discretion direct that the costs and expenses of transportation of the patient to the institution shall be borne by the applicant or by the county from which such patient was committed, as the circumstances of the

case may warrant, and boards of chosen freeholders shall have power to contract for such transportation from time to time.

418. In all cases coming under class B, the judge of any court of record who shall sign the order of temporary commitment, in all counties where the transportation of all indigent patients is not otherwise provided for, is authorized, in his discretion, in indigent cases, to issue an order directing the overseer of the poor, or person charged with the care and relief of the poor in the municipality in which such patient resides or may be, to take and convey such patient to the institution designated in said order of temporary commitment, in which case the cost and expense of the transportation of the patient shall be borne by such municipality.

Costs and  
expenses in  
Class B.

419. The judicial officer shall first inquire as to the sanity of the patient. If the patient shall be found to be sane, the judicial officer shall order his discharge forthwith, and such order shall be entered upon the minutes of the court. If the patient shall be found to be insane, the judicial officer shall then inquire as to the indigence and legal settlement of such patient.

First inquiry  
as to sanity.

420. If on the final hearing said judicial officer shall determine that said patient is insane and indigent, and appears to have a legal settlement in a county in this State other than the one in which said final hearing shall be held, he shall adjourn said inquiry for two weeks, and shall cause notice to be given to the board of chosen freeholders of the county in which said patient appears to have a legal settlement, which notice shall be mailed to the commissioner in lunacy of said county or to the clerk of such board if no commissioner shall have been designated in such county, at least one week before the date of said adjourned inquiry, and such inquiry shall not be had nor final determination made in the case of such patient except

Insane and  
indigent, but  
of another  
county.

upon proof being made that such notice has been mailed as herein required.

Legal settle-  
ment in  
county.

421. Legal settlement in any county within the meaning of this article shall be continuous residence in such county for a period of not less than five years immediately preceding the date of application for commitment, excluding in the computation of such period the time, if any, spent by such patient in any charitable, or correctional institution or public hospital; *provided, however*, that where such patient is an alien and has taken up his residence in any county in this State immediately upon arriving in this country, having had such county as his destination, and who shall have resided in such county for a period of at least three years immediately preceding the date of application for commitment, such patient shall be deemed to have a legal settlement in such county within the meaning of this act.

Proviso.

Continuance  
of settlement.

422. Any patient who shall have acquired a legal settlement within the meaning of this article in any county in this State shall retain such settlement until he shall have acquired a legal settlement in some other county in this State; *provided, however*, that such settlement shall be deemed to have been abandoned in case such patient shall have resided without this State for a period of one year or more..

Proviso.

Legal settle-  
ment in state.

423. Legal settlement in this State, as distinguished from legal settlement in any political subdivision thereof, shall be continuous residence in this State for a period of at least one year immediately preceding the date of the application for commitment, excluding in the computation of such period the time, if any, spent by such patient in any charitable or correctional institution or public hospital.

State to bear  
costs of non-  
resident.

424. Any patient not having lived in the State of New Jersey for at least one year prior to the application for commitment to any institution for

the care and treatment of the insane in this State, shall not be deemed to have a legal settlement in this State within the meaning of this article, but shall be committed to one of the institutions owned by the State pending his removal to the place where he has a legal settlement, if any, and the cost and expense of the care and treatment of such patient during such confinement, and his removal, when the cost of his removal is not otherwise provided for, shall be borne by the State.

425. Nothing in this article shall be construed as affecting the right of the State, or of any political subdivision thereof, to return any patient to a foreign country or to return any patient to any other State wherein such patient still retains a legal settlement according to the laws of such State, and in all such cases no legal settlement shall be deemed to have been acquired in this State, or any political subdivision thereof, within the meaning of this article.

Returning  
patient to  
proper resi-  
dence.

426. After the proofs have been taken and the matter heard as provided in this act, either before or after the temporary commitment of the patient as aforesaid, upon the rendering of final judgment in case the person is found by the judicial officer to be insane and a proper person to be confined in one of the institutions for the insane in this State, he shall make an order committing such patient, which shall contain a determination of the insanity of such patient, the names of the physicians who certified to his insanity, and shall recite the notices given of the inquiry and the final place of his confinement, until restored to reason, or until the further order of a court of competent jurisdiction or his discharge therefrom, and shall also contain a determination of the patient's legal settlement, and shall provide for the payment of the expense of the care and treatment of such patient. Such order shall be filed in the office of the county clerk of such county, whose duty it shall be

Order of  
committal.

Provide for  
payment.

Order filed  
and certified.

forthwith to forward a certified copy thereof to the chief executive officer of the institution to which such person is committed.

If no settlement in county.

427. If the patient shall be found to be insane and indigent, and to have no legal settlement in any county in this State, the judicial officer may commit such patient to an institution owned by the State of New Jersey.

If insane and indigent and belongs to county.

428. If the patient shall be found to be insane and indigent and to have a legal settlement in the county from which his admission was requested, such judicial officer shall make an order committing the patient as an indigent patient to the institution owned by the county, if there be such, and if there be no institution owned by such county, then such patient shall be committed as an indigent patient to an institution owned by the State of New Jersey.

Order of commitment to another county or state institution.

429. If, at the final hearing, the judicial officer shall find that such patient is indigent and has a legal settlement in such other county as set forth in section four hundred and twenty of this act, he shall make an order committing such patient, as an indigent patient, to an institution of such other county. If there be no such institution owned by the other county, the judicial officer shall make an order committing such patient as an indigent patient to an institution owned by the State of New Jersey. Any indigent patient may be committed or transferred by the judicial officer to any public institution for the insane upon the consent of the management of such institution, and the consent of the State or of the county chargeable with his support, as the case may be.

If patient able to pay.

430. If the judicial officer shall determine that the patient is insane and has sufficient estate to pay for his full maintenance as fixed by the board of managers or board of chosen freeholders, as the case may be, or if the person or persons legally liable for his support as herein provided, are able to pay for his maintenance, fixed as aforesaid, said



judicial officer, after determining the legal settlement of such patient may, in his discretion, commit such patient to any State or county institution for the care and treatment of the insane in this State. In the final order of commitment he shall direct that the care and maintenance of such patient in the institution designated in said order shall be paid out of the estate of the patient or by the person or persons chargeable by law with his support, or by contract, as the case may be, and such order shall specify the amount per week which shall be paid thereunder, and shall, in the discretion of the judicial officer, contain such direction as may seem proper concerning security to be given for such payment. *Provided, however,* that nothing contained herein shall be construed to prevent such judicial officer from ordering the payment out of the estate of such patient, or by the person or persons legally liable for his support, of any part of the cost and expense of the care and maintenance of any indigent patient in any State or county institution, and such sums shall be collected by the county collector of such county and shall be paid to the State Treasurer in the case of State indigent patients, or to the board of chosen freeholders in the case of county indigent patients.

Order direct-  
ing payment.

Proviso.

431. The judicial officer may, after final hearing, commit any patient found to be insane and nonindigent as a nonindigent patient to any State or county institution irrespective of the legal settlement of such patient, where provision is made for his care and maintenance, in an amount approved by the board of managers of the State institution or by the board of chosen freeholders, as the case may be, and such patient may remain as a nonindigent patient in such institution as long as said sum shall be regularly paid out of the estate of such patient, or by the person or persons chargeable by law with his care and maintenance, or under contract.

Nonindigent  
patients.

Return pa-  
tient in  
arrears.

432. The board of managers, or the board of chosen freeholders or the proper committee thereof, as the case may be, in its judgment, is hereby authorized to return to his family any patient admitted to and confined in its institution as non-indigent if the person or persons liable for such patient's board and maintenance, either by court order or by contract, shall become in arrears in the payment of such board and maintenance for a period of six months.

Guardian  
to conserve  
estate and pay  
charges.

433. In all cases where, on final hearing, it appears that the patient is possessed of real or personal property and no arrangements have been made for the payment of such patient's maintenance, and no application has been made for the appointment of a guardian of the estate of such patient, an application may be made to the Court of Chancery, and such court shall have power to appoint some competent person, resident in this State, guardian of such estate during such commitment, whose duty it shall be to conserve such estate for the purpose of maintaining such patient in the institution in which he may be lawfully confined, and such guardian is hereby authorized to pay such maintenance under the direction of such court. Such person shall furnish a bond as guardian in double the amount of such estate conditioned for the faithful performance of his duties as guardian; *provided*, that if the chief executive officer of such institution, or the county collector of the county in which the institution is located, is appointed guardian, he shall not be required to furnish a bond as aforesaid, and the Court of Chancery is authorized to make such directions for payment for such maintenance as may be necessary. Such guardian shall be discharged after accounting, without advertising, upon the death or discharge of such patient from confinement.

Bond of  
guardian.

Proviso.

Voluntary  
application  
for admission  
for treatment.

434. Class D. Any person resident in this State believing himself about to become insane or in

danger of losing his reason, and being desirous of obtaining treatment for the betterment of his mental condition, may be admitted to any public institution for the care and treatment of the insane in this State by filing with the chief executive officer thereof, at or before his admission, an application in writing to be approved and furnished by the board of managers or the board of chosen freeholders, as the case may be, setting forth his name, place or places of residence for a period of ten years preceding such application, and a full statement of his financial ability to support himself or the financial ability of the person or persons chargeable by law with his support, together with such other information as may be required on the forms approved and furnished as aforesaid. It shall be the duty of the chief executive officer to forward forthwith a certified copy of such application to the commissioner in lunacy of the county from which such patient is admitted, who shall investigate the matter of legal settlement and indigence of such patient, and the person or persons chargeable with his support, and report the facts to the proper judicial officer of such county, who shall make a legal finding as to the legal settlement and the financial ability of the patient or the person or persons chargeable with his support as aforesaid, and shall have the right to make an order for the payment of the whole or any part of the costs and expense of the care and maintenance of such patient, as in the case of involuntary commitments. Such finding shall be filed in the same manner as final orders of commitment are filed.

435. In all cases where any such patient desiring to obtain treatment for the betterment of his mental condition, as aforesaid, furnishes to the chief executive officer of such institution the cost thereof in advance on deposit as security, or a bond with sufficient surety, conditioned for the payment of the cost of his care and treatment therein, it shall

Security for  
payment  
for care and  
treatment.

not be required that the chief executive officer certify a copy of the application for admission to the commissioner in lunacy, or to obtain a judicial finding as aforesaid. Such bond shall be executed and acknowledged by the parties thereto, one of whom shall be an owner of real estate in the State of New Jersey with equity worth at least the amount of the cost and expense of such patient's care and treatment for a period of one year, and the penalty shall be double the amount of such cost. Such bond may be furnished by a duly authorized surety company.

Discharge.

436. Any person admitted to any institution under the provisions of section four hundred and thirty-four may be discharged therefrom upon the certificate of the medical director, made to the chief executive officer stating either that the said patient is cured or that further treatment in said institution is unnecessary or undesirable.

Prisoners  
transferred to  
appropriate  
institution.

437. Class E. If any person in confinement under commitment, indictment or sentence, or under any process, shall appear to be insane, epileptic, imbecile or feeble minded, the justice of the Supreme Court presiding in the courts of the county in which such person is confined, or judge of the Court of Common Pleas of said county, may, upon presentation to him of the application and certificates hereinabove provided, institute an inquiry and take proofs as to the mental or physical condition and legal settlement of said person in the manner and form hereinbefore provided, pending which inquiry such person may be temporarily confined in an appropriate public institution in this State, upon an order of such justice or judge; and if said justice or judge shall determine that said person is insane, epileptic, imbecile or feeble minded, he shall order that said person be removed from imprisonment, and that he be confined in one of the institutions for the care and treatment of such persons owned by the State of New Jersey, or if said jus-

tice or judge shall deem it expedient, in an institution for the care and treatment of such persons owned by one of the counties of this State, until said person is cured or removed or discharged according to law. Such order shall contain a determination of such person's condition, and if such justice or judge shall find that such person has no legal settlement in any county in this State, he shall be maintained in such institution at the expense of the State, and if he has a legal settlement in any county in this State he shall be maintained by such county. Said justice or judge shall file said order with the clerk of the county, and said clerk shall forthwith forward a certified copy of said order to the sheriff or chief executive officer of the institution from which such person is to be discharged, and to the chief executive officer of the institution in which said person has been ordered confined. Said justice or judge may, in his discretion, order the removal of said person so confined as aforesaid from the institution in which he is confined, and may order his confinement in another one of the institutions in this State. Said justice or judge shall file said order with the clerk of the county from which such person was originally committed, and said clerk shall forthwith forward a certified copy of said order to the chief executive officer of the institution from which such person is to be removed, and likewise to the chief executive officer of the institution in which such person is to be confined. *Provided, however,* that when such person is in a condition to be discharged from the institution to which he has been removed, as cured, upon that fact being certified by the chief executive officer to the justice or judge said person shall be remanded by order of the justice or judge to the place in which he was confined under commitment, indictment or sentence, or other process as aforesaid, there to be dealt with according to law, unless the maximum period of detention fixed by sen-

Determina-  
tion of per-  
son's condi-  
tion and  
settlement.

Order of  
removal.

Certified copy.

Proviso.

tence or operation of law, shall meanwhile have expired, in which case such inmate shall be discharged from custody when cured. This certificate, together with the order of the justice or judge, shall be filed with the clerk of the county, and said clerk shall forthwith forward a certified copy of said order to the chief executive officer of the institution from which such person is remanded.

Parole and  
discharge.

438. Any patient admitted to any institution in this State, whether upon final order of commitment or otherwise, may be paroled or discharged therefrom in accordance with the rules and regulations prescribed by the board of managers or the board of chosen freeholders or the proper committee thereof, as the case may be; *provided, however*, that in all cases where the patient shall have been transferred to the institution from a correctional institution he shall not be paroled or discharged prior to the expiration of the minimum period of detention.

Proviso.

Misdemeanor  
to aid escape.

439. Any person who shall aid or abet in any way the escape or elopement of any patient confined in any public institution in this State shall be guilty of a misdemeanor, and punished accordingly.

Those liable  
for patient's  
support.

440. Every patient supported in any State charitable institution in this State shall be personally liable for his maintenance therein and for all necessary expenses incurred by said institution in his behalf, or for any part thereof, and the husband, father and grandfather, mother and grandmother, and the children and grandchildren, severally and respectively, being of sufficient ability, and the wife, if she is in sufficiently comfortable circumstances, of every patient so confined, whose estate is not sufficient for his support, shall, at his, her or their charges and expense, support and maintain said patient in such institution in such manner and to such an amount as the judicial officer shall direct as provided in this article. All

husbands living separate and apart from their wives so confined, and all parents of illegitimate children so confined shall also be personally liable under the provisions of this article.

441. The minimum rate of payment for the maintenance of any nonindigent patient shall be fixed by the board of managers, and shall be construed to be a reasonable charge for the care and treatment of any such patient and for necessities advanced to such patient.

Minimum  
payment.

442. In all cases where an indigent patient is found to have a legal settlement in any county in this State, the cost of his care and maintenance shall be borne by such county from the beginning of his confinement, as provided by law, except that part which may be collected on account of the board of an indigent patient, as in section four hundred and thirty provided.

Indigent  
patient's sup-  
ported by  
county.

443. In all cases where an indigent patient is found to have no legal settlement in any county in this State the cost of his care and maintenance shall be borne by the State of New Jersey from the beginning of his confinement except that part which may be collected on account of the board of an indigent patient as in section four hundred and thirty provided.

Indigent  
patient sup-  
ported by  
State.

444. When any patient shall be committed to any State or county institution as an indigent patient, and it shall subsequently appear that such patient, or some person chargeable with his care and maintenance as provided for in this act, is able to pay all or any part of his care and maintenance, including arrearages, it shall be the duty of the Attorney-General or the county counsel, as the case may be, as soon as he shall obtain such information, to apply to the judicial officer for the reopening of the matter, and such judicial officer shall have the power at any time, in his discretion, to reopen the case, take additional testimony and inquire into the facts, and may commit such patient as a non-

Collection of  
arreages  
if patient  
or family  
found able  
to pay.

indigent patient if there shall be sufficient moneys to pay his full maintenance, as fixed by the management of the institution, and make such further order requiring the estate of such patient or the person or persons so chargeable by law to pay such amount for the care and maintenance of such patient as shall be specified in said order, and shall make such further order as may be necessary.

Change from  
nonindigent  
to indigent  
class.

445. When any patient shall be committed to any State or county institution as a nonindigent patient and an order has been made directing the payment of the cost of the care and maintenance of such patient out of his estate, or by the person or persons chargeable by law with his care and maintenance, and such estate shall subsequently become exhausted or such person or persons chargeable as aforesaid shall become unable to continue such payments, or if such payments so due cannot be collected by the management of the institution, the guardian of such patient, or the person or persons chargeable as aforesaid, or the chief executive officer of such institution may apply in writing to the judicial officer for the reopening of the matter, and such judicial officer shall have power, in his discretion, upon notice to the proper parties, to inquire into the facts, if necessary, and change the status of such patient to the indigent class, and make such further order or direction as may be necessary.

Notice of  
change of  
class.

446. No order shall be made changing the status of any patient in any institution from the nonindigent class to the indigent class without at least ten days' notice of the application for such order to the county to be charged with the support of such patient, or the State, as the case may be.

Persons com-  
mitted to  
proper insti-  
tution.

447. Idiots, imbeciles, epileptics or feeble-minded persons shall not be committed or admitted to either of the hospitals for the insane except in the cases of transfer thereto of persons convicted of



crime. Members of each class shall be committed to the institution specializing in that class of cases.

448. No county in this State shall be chargeable with the cost of the care and maintenance of any indigent patient, unless the judicial officer shall find as a matter of fact and the final order of commitment shall set forth that such patient is indigent and has a legal settlement in such county, and in case such order is made by the judicial officer of another county, a certified copy of the same shall be filed with the clerk of the county so charged. The cost of clothing and maintenance of any indigent patient which may have accrued prior to the determination of legal settlement in any county shall be paid by the county in which such settlement is determined to be. When any patient is admitted to any institution in this State and shall have died or removed therefrom for any cause before the final hearing, the judicial officer having jurisdiction is authorized to make a judicial finding as to the legal settlement and indigence of such patient, and his admission to such institution, for the purpose of providing for the payment of the maintenance and clothing of such patient during his confinement prior to death or removal.

County's liability must be set forth.

Cost of clothing, etc.

If patient die before final hearing.

449. No female patient shall be taken to any charitable institution in this State unless she is accompanied by her husband, father, brother or son, or by her family physician, or by some female of reputable character and mature age, and it shall be the duty of the chief executive officer of such institutions to make or cause to be made immediately upon receiving such female patient, a record of the name or names of the person or persons accompanying such female patient to the institution, and of the relationship, if any, of such person or persons to such female patient.

Female patient accompanied when taken.

450. In case any patient is dissatisfied with the refusal of the chief executive officer to discharge him from confinement, or in case any friend or rela-

Proceedings to secure release.

tive in his behalf desires to obtain the release of such patient from any institution in this State in which he may be confined, after final commitment therein, in accordance with the provisions of this article, he may proceed to apply for his release in accordance with the provisions of an act entitled "An act regulating the practice of writs of habeas corpus, sued out by or in behalf of persons confined in any hospital for the insane, or lunatic asylum in this State," approved April second, eighteen hundred and ninety-eight, being chapter one hundred and thirty-five of the pamphlet laws of that year, and on the return day of the writ the justice or judge hearing the matter shall not discharge said person under such writ unless it shall be found in such proceedings that such person is not afflicted as stated in the order of commitment; *provided, however,* that nothing in this act contained shall be construed as abrogating in any way the right of any person to sue out any writ of habeas corpus to which he or they may otherwise be entitled.

Proviso.

Liability of  
patient's  
estate.

451. The estate of any patient, or the person chargeable with liability for his support in any institution in this State as provided by law, or the State or county as provided by law, shall be liable for the support of such patient in such institution from the time of his commitment thereto, irrespective of whether such patient is committed as non-indigent or indigent, or whether the status of such patient has been or shall be changed after his commitment; and this article shall be construed, in this respect, between the State and the counties, as retroactive.

Reasonable  
and necessary  
cost.

452. In any suit instituted in any court in this State for the recovery of the cost of maintenance of any nonindigent patient in any institution in this State, in the absence of an express contract stipulating the amount to be paid for the maintenance of such patient, the minimum rate as fixed by the board of managers of such institution shall be con-

strued to be the reasonable and necessary cost advanced for the maintenance of such patient.

453. It shall be the duty of the overseer of the poor, or the person charged with the care and relief of the poor in each municipality, upon request, to furnish to the commissioner in lunacy a statement of facts concerning the legal settlement and financial ability of every indigent patient and of the financial ability of the relative or other person chargeable with his support, in such municipality.

Statement of  
settlement  
furnished.

454. The board of managers or the board of chosen freeholders, or the proper committee thereof, as the case may be, in its judgment, is hereby authorized to compromise and settle any claim due such board or committee for the support of any nonindigent patient. A memorandum of such compromise and settlement shall be entered in the official minutes of the proceedings of such board or committee.

Settlement of  
claims.

455. The provisions of this article concerning the commitment of patients to institutions for the insane of this State shall apply to the commitment of patients to private institutions for the care and treatment of the insane which are duly licensed as provided by law; *provided, however*, that the provisions of this article concerning or pertaining to the investigation and determination of legal settlement and indigence of patients shall not apply in cases of admission to such duly licensed private institutions.

Act applies  
to private  
institutions.

Proviso.

456. The body of any person who shall be admitted or confined in any institution in this State on final adjudication as an indigent patient shall, by reason of such indigent commitment, be considered subject to physical examination after death for the purpose of determining in such case the cause of the mental ailment resulting in said person's commitment to said institution and the cause of death of such person, in the discretion of the medical director of such institution, with the approval of the

Post mortem  
examination.

board of managers, and such medical director is authorized to make such necessary examination personally or direct the same if done under his supervision and care and on his written certificate of the advisability therefor, but such examination shall not be of such a character as to interfere with the appearance of the body when such body is claimed for burial by relatives or friends of the deceased.

Descriptive  
entry of  
patient.

457. Every chief executive officer of each State charitable institution in this State shall, within three days after the reception of any patient, make, or cause to be made, a descriptive entry of the case of said patient in a book or other systematic form of case records with card index exclusively set apart for that purpose. Said chief executive officer shall also make or cause to be made from time to time entries as to the mental state, bodily condition and medical treatment of said patient, together with the forms of restraint employed during such time as such patient remains under his care, and in the event of the discharge or death of said patient the chief executive officer shall state in said case book the circumstances appertaining thereto.

Additional  
entries.

Limited  
payment  
by state  
treasurer.

458. Nothing herein contained shall be construed as authorizing the State Treasurer to pay the authorities of any county institution for the care and treatment of the insane any greater sum for any purpose than is authorized by law.

Medical  
director.

459. The term "medical director" within the intent of this article shall mean the chief medical officer in charge of the medical service in any charitable institution included within the provisions of this act.

Chief execu-  
tive officer.

460. The term "chief executive officer" within the intent of this article shall mean the chief executive and administrative officer of any institution as designated for that purpose by the board of managers.

461. The term "patient" within the meaning of this article shall include any person or persons alleged to be insane, epileptic, tuberculous or feeble-minded whose admission to any institution for the care and treatment of such class of persons in this State has been applied for. Patient.

462. The terms "institution," "institution for the insane" or "institution for the care and treatment of the insane" within the meaning of this article (except as herein otherwise described) shall include any State or county institution for the care and treatment of the insane, the epileptic, the tuberculous or feeble-minded in this State, as the case may be. Institution.

463. The term "county counsel" within the meaning of this article shall include the chief legal officer or adviser of the board of chosen freeholders of any county in this State or his duly authorized representative. County counsel.

464. The term "judicial officer" within the meaning of this article shall include any judge of the Circuit Court or the Court of Common Pleas of any county in this State, and also the judge of the Juvenile Court of or in any county. Judicial officer.

#### ARTICLE V.

##### RELATION BETWEEN STATE AND COUNTY REGARDING MONEYS PAID FOR MAINTENANCE OF INDIGENT PATIENTS.

501. The price to be paid for keeping any indigent person in any charitable institution owned by the State, shall be paid to such State institutions out of the State treasury, except as may otherwise be provided by law. The State House Commission shall fix the rate of per capita payment for State patients in each State institution or group of institutions, including the allowance for clothing of State patients, and shall likewise fix the per capita Rates fixed and paid by state.

rate to be paid to such institutions for the maintenance and clothing of indigent patients in such institutions chargeable to the counties. Payments shall be made at the rates fixed by the State House Commission, monthly, by the State Treasurer on the warrant of the Comptroller, to the treasurers or auditors of such institutions. The State House Commission shall likewise fix the rate to be paid by the State to the several counties on behalf of the maintenance of indigent patients in any county institution, which payments shall be made by the State Treasurer on the warrant of the Comptroller to the board of chosen freeholders, upon a statement furnished by such board giving the name and number of such county indigent patients who may have been thus supported in such institutions during the preceding month, computing from the first of November. This statement shall set forth the amount, if any, received by the county from any person or persons for or on behalf of the maintenance of any said patients in said county institutions, and in determining the rate to be paid from the State treasury on behalf of such patients, the amount of contribution payable on account of the maintenance of such patients in such county institutions shall be equally divided between the State and the county. The State House Commission shall likewise fix the per capita rate which each county shall pay to the treasurer or auditor of the institutions owned by the State for the maintenance and clothing of each patient therein having a legal settlement in such county. The State House Commission shall likewise fix the rate to be paid for the maintenance and clothing of the convict and criminal insane in any State institution, which rate shall be paid by the State in the case of State patients, and in the case of county patients, the same rate shall be paid, to be divided between the State and the county in the proportion

Payments to  
counties.

Statement.

What state-  
ment to show.

Other rates  
fixed.

of three on the part of the State to two on the part of the county.

502. The county collector of each county shall pay in quarterly payments to the treasurer or auditor or the board of managers of each institution owned by the State, to which indigent patients chargeable to the county have been committed, the amount of the per capita rate for such patients, together with such proportionate part of the allowance for clothing as shall be fixed by the State House Commission, upon the certification by the chief executive officer of the institution, who shall under oath send to the clerk of the board of chosen freeholders of each county supporting patients at said institutions, at least three days before the day for the meeting of the board of chosen freeholders, a statement giving the names of all patients supported at said institutions at the expense of the county for which said statement is made, which statement shall contain the dates of admission or commitment of the respective patients, the town, township, borough or city from which they come, the date of the discharge of any who have been discharged, the dates of the death of any who have died, and the dates between which any patients may have been away from said institutions on a visit or otherwise during said month.

Payments  
by county  
collectors.

Statement  
furnished.

504. The board of chosen freeholders of each county shall annually levy and raise the amount required to meet the expense of maintaining and clothing the patients chargeable to such county in the several institutions owned by the State, and such further sum as is estimated will be necessary to cover all similar bills for one year in advance. Each county shall have the power to compel every individual or municipality that is legally liable for the support of any such patients, to repay the amount of such bills, with interest, and each board of managers shall have the authority to sue for and recover in the name of its treasurer, from any

Tax levy.

Repayment  
by those  
legally liable.

county indebted, all sums that may be due for the support, maintenance and clothing of any patient chargeable to a county.

## ARTICLE VI.

### SPECIFIC PROVISIONS RELATING TO CHARITABLE INSTITUTIONS.

#### THE NEW JERSEY SANATORIUM FOR TUBERCULOUS DISEASES.

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|--|---|
| Sanatorium<br>for tubercu-<br>losis.   | 601. The New Jersey Sanatorium for Tuberculous Diseases shall be held to include the existing buildings and lands at Glen Gardner, and all farms, camps or grounds where the patients admitted thereto may, from time to time, be maintained, kept, housed or employed.   |
| Admissions.                            | 602. Any person may be admitted to the sanatorium provided he or she shall have been a resident of this State for at least one year continuously next preceding the application for admission thereto, and who shall be afflicted with a tuberculous disease of the respiratory organs which is of a curable nature.  |
| Responsibility<br>for manage-<br>ment. | 603. The chief executive officer of the sanatorium shall be directly responsible to the board of managers for the management and operation of the sanatorium and the maintenance, care and treatment of the patients admitted or committed thereto under the rules and regulations adopted by the board of managers.  |
| Terms of<br>admission.                 | 604. Admission to and maintenance in the sanatorium shall be governed by the provisions of Article II, Section D, Transfers; Article IV, Commitments and Admissions, and Article V, of this act; <i>provided</i> , that, in addition to the requirements thereof, the physician's certificate shall set forth that the form of tubercular disease with which the person to be admitted is afflicted is of |
| Proviso.                               |   |



the respiratory organs and is of a curable nature. Any inmate of the sanatorium may be discharged or transferred in accordance with the provisions of Articles II and IV of this act in so far as they relate to the transfer and discharge of inmates of charitable institutions.

Discharge.

#### NEW JERSEY STATE VILLAGE FOR EPILEPTICS.

605. The New Jersey State Village for Epileptics shall be held to include the existing buildings and lands at Skillman, and any and all farms, camps, quarries or grounds where the inmates or patients thereof may from time to time be maintained, kept, housed or employed.

Epileptic village.

606. Any person above the age of five years may be admitted to the Village, provided he or she shall have been a resident of this State for at least one year continuously next preceding the application for admission thereto, and shall be afflicted with any form of epilepsy.

Admissions.

607. The chief executive officer of the Village shall be directly responsible to the board of managers for the management and operation of the Village and the maintenance, care and treatment of the patients admitted or committed thereto, under the rules and regulations adopted by the board of managers. Admission to and maintenance in the Village shall be governed by the provisions of Article II, Section D—Transfers; Article IV, Commitments and Admissions, and Article V of this act. Any inmate of the Village may be discharged or transferred in accordance with the provisions of Articles II and IV of this act in so far as they relate to the transfer and discharge of inmates of charitable institutions. The chief executive officer shall have the custody and control of every person, indigent or otherwise, admitted to the Village, until properly discharged.

Responsibility for management.

Terms of admission.

Parole.

608. The chief executive officer is hereby authorized to permit any patient to return to his or her parent, relatives or guardian upon a visit, for such length of time as the chief executive officer, by his order in writing, shall direct, but such applicant shall be deemed to be at all times in the legal custody of the said chief executive officer and subject to be retaken and returned to the said Village at any time after the expiration of the time fixed in the said permit.

#### NEW JERSEY STATE HOSPITALS.

State hospitals.

609. The New Jersey State Hospitals shall be held to include the existing buildings and lands of the New Jersey State Hospital at Trenton and the New Jersey State Hospital at Morris Plains, and any and all farms, grounds or places where the inmates thereof may from time to time be maintained, kept, housed or employed.

Terms of commitment and admission.

610. Commitment and admission to the State Hospitals for the Insane, maintenance and detention therein and discharge therefrom shall be governed and controlled by the provisions of Article II, Section D—Transfers; Article IV, Commitments and Admissions, and Article V, of this act.

Responsibility for management.

611. Each of said hospitals shall have a chief executive officer who shall be directly responsible to the board of managers for the management and operation of the hospital and the maintenance, care and treatment of the patients admitted or committed thereto, under the rules and regulations adopted by the board of managers. The chief executive officer shall have the custody and control of every person, indigent or otherwise, admitted to the hospital until properly discharged.

Transferred convict not paroled.

612. No convict insane transferred to the New Jersey State Hospital at Trenton shall be admitted to parole while an inmate of that institution.

613. Insane persons from the counties of Union, Essex, Hudson, Morris, Passaic, Sussex and Bergen shall be admitted or committed to the hospital at Morris Plains. Insane from all other counties of the State shall be admitted or committed to the hospital at Trenton.

State dis-  
tricted.

614. Each county entitled to send patients to said hospitals under the provisions of this act and the rules and regulations of the board of managers may at all times keep such number of patients in just proportion with other counties as such hospitals can accommodate, which proportion shall be regulated by the board of managers. If any one or more of the counties shall not send their full proportion at any time, the vacancies may be allotted by the board of managers to other counties having patients whom they may desire to send. The officers of any county or municipality sending patients to said hospitals shall, before sending such patients, see that they are in a state of cleanliness, suitably clothed and provided with suitable changes of clothes.

Patients  
proportioned  
to counties.

Patients  
clean and  
clothed.

615. No provision of this act shall restrain or abridge the power and authority of the Court of Chancery over the persons and property of the insane.

Authority of  
chancery not  
affected.

#### NEW JERSEY HOME FOR DISABLED SOLDIERS.

616. The New Jersey Home for Disabled Soldiers shall be held to include the existing home now established at Kearny.

Soldiers'  
home.

617. The chief executive officer of the home shall be directly responsible to the board of managers for the management and operation of the home and the maintenance, care and treatment of the inmates thereof, under the rules and regulations adopted by the board of managers.

Responsibility  
for manage-  
ment.

618. Any honorably discharged soldier, sailor or marine may be admitted to said home as an inmate

Terms of  
admission.

upon the certificate of a judge of the Court of Common Pleas upon proof made to his satisfaction by the written certificate of a reputable physician and such other proof as the judge may require, that the applicant has been a soldier, sailor or marine in the army or navy of the United States and has been honorably discharged therefrom, that he is necessitous and has not the ability to procure the means sufficient for his comfortable support and necessary care and attendance, provided that he shall have been a resident of this State two years previous to the date of his application for admission; in addition to the other matters hereinbefore provided, he shall also state the place of his residence at the time of entering the service, the company and regiment, or vessel, in which he served, and the captain and colonel under whom he served, the time of his service and of his discharge, and further, that he will conduct himself properly and submit to the rules, regulations and discipline of the said home.

Benefits  
bestowed on  
inmates.

619. Any patient admitted to said home shall be entitled to all the benefits of the said home, and be furnished with clothing, subsistence, medical and surgical attendance, and with whatever may be suitable and necessary to promote his health and contribute to his comfort in accordance with the rules and regulations; but he may be rejected or removed by resolution of the board of managers for want of such qualifications for admission, on his being restored to the ability to promote his own support or for neglect to comply with the terms of his said agreement, or for gross immorality or insubordination.

May be  
removed.

Relief to  
outpatients.

620. The board of managers may in their discretion grant relief to persons as outpatients who have some but not sufficient means for comfortable support, with the necessary care and attendance, and who can with such relief be more properly provided for in their private residences; but no such

relief shall be granted except upon the proof of the qualifications and inability of the applicant mentioned in the six hundred and eighteenth section of this act, and also of the circumstances of himself and of his family relations, and the relief so granted shall in no case exceed two-thirds of the average cost of each patient at said home.

621. The board of managers may by resolution grant temporary relief to any disabled soldier who, in their judgment, is necessitous and worthy of relief, and who shall prove to their satisfaction to possess the qualifications necessary to be admitted to the home as above defined.

Temporary relief.

622. That in cases where the chief executive officer of the home deems it advisable, soldiers from other States who may come to the home in distress, and soldiers of our own State whose disability may date subsequent to their service in the army, may have temporary admittance and entertainment at the home, not in excess of sixty days.

Soldiers from other states admitted.

623. That men who were not residents of the State when they enlisted, but were disabled while serving in a New Jersey regiment or in the navy, being accredited to the State, may be admitted as beneficiaries of the home.

Soldiers in state service.

624. The chief executive officer of the home shall have all the power and authority exercised by the commandant of a military post or encampment of State troops, within the precincts of the home grounds, and all inmates of the home shall be subject to the rules and regulations governing the members of the National Guard of the State of New Jersey while attending an encampment.

Power and authority of executive.

THE NEW JERSEY HOME FOR DISABLED SOLDIERS,  
SAILORS, MARINES AND THEIR WIVES  
AND WIDOWS.

625. The New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives and

Home for soldiers and wives.

Widows shall be held to include the existing home for disabled soldiers, sailors, marines and their wives and widows new established at Vineland.

Responsibility  
for manage-  
ment.

626. The chief executive officer of the home shall be directly responsible to the board of managers for the management and operation of the home and the maintenance, care and treatment of the inmates thereof, under the rules and regulations adopted by the board of managers.

Terms of  
admission.

627. Any honorably discharged soldier, sailor or marine may be admitted to said home upon the same terms and conditions and by the same procedure as prescribed by section six hundred and eighteen of this act; *provided*, that he is at the time of application, a resident of this State and has been a resident thereof at least seven years immediately preceding application.

Proviso.

Admission  
of wife.

628. The wife of any person admitted to the home aforesaid may also be admitted on proof that she has been lawfully married for a period of not less than ten years to such soldier, sailor or marine entitled to admission, and that said wife is not less than fifty years of age.

Soldiers'  
widows  
admitted.

629. The widow of any soldier, sailor or marine who, if her husband were living, indigent and disabled, would be entitled to admission to said home, may be ordered to be admitted to said home, upon proof that her said husband had been honorably discharged from service or died an honorable death while in the service in the army or navy of the United States, and that she is necessitous and has not the ability to provide the means sufficient for her comfortable support and maintenance; that she is and has been for ten years last past a resident of this State; that she was the wife of said soldier, sailor or marine at the time of his service or became married to him prior to January first, one thousand eight hundred and eighty, and has never since the death of her husband married again; also, upon making proof of such other facts which would have

entitled her husband, if alive, to be admitted to said home.

630. The patients so admitted shall be entitled to all the benefits of the said home, and be furnished with clothing, subsistence, medical and surgical attendance, and with whatever may be suitable and necessary to promote their health and contribute to their comfort in accordance with the rules and regulations; but they may be rejected or removed by resolution of the board of managers for gross immorality or insubordination, or on their being restored to the ability to promote their own support.

Benefits  
bestowed on  
inmates.

#### STATE INSTITUTION FOR FEEBLE-MINDED.

631. The State Institution for Feeble-Minded shall be held to include the existing State Institution for Feeble-Minded which was formerly known as the Home for Feeble-Minded Women, and now established at Vineland, and any and all places where the inmates thereof may be kept, housed or employed.

Home for  
feeble-minded.

632. There may be admitted to said institution mentally defective women and female children of all ages and grades, whether deaf, dumb or blind, or otherwise; *provided, however*, that the chief executive officer shall first certify that there is sufficient accommodation in said institution for the care of such feeble-minded person.

Admissions.

Proviso.

633. The chief executive officer of the institution shall be directly responsible to the board of managers for the management and operation of the institution and the maintenance, care and treatment of the patients admitted or committed thereto, under the rules and regulations adopted by the board of managers. Admission to and maintenance in the institution shall be governed by the provisions of Articles II, IV and V of this act. Any inmate of this institution may be discharged or transferred

Responsibility  
for manage-  
ment.

Terms of  
admission.

Discharge.

in accordance with the provisions of Articles II and IV of this act in so far as they relate to the transfer and discharge of inmates of charitable institutions. The chief executive officer shall have the custody and control of every person, indigent or otherwise, admitted to the institution until properly discharged.

**Parole.**

634. The chief executive officer is hereby authorized to permit any patient to return to his or her parent, relatives or guardian upon a visit, for such length of time as the chief executive officer, by his order in writing, shall direct, but such patient shall be deemed to be at all times in the legal custody of the said chief executive officer and subject to be retaken and returned to the said institution at any time after the expiration of the time fixed in the said permit.

#### STATE COLONIES FOR FEEBLE-MINDED MALES.

**Colonies for feeble-minded males.**

635. The State Colonies for Feeble-Minded Males shall be held to include the existing State Colony for Feeble-Minded Males now established at New Lisbon, and any and all places where the inmates may be kept, housed or employed.

**Additional colonies.**

636. In addition to the existing colony, the board of managers may determine the location of additional colonies upon forest reserve or other lands owned by the State, and erect and furnish suitable buildings for the purposes of such colonies.

**Terms of admission.**

637. The inmates of such colonies may be such male persons as, except for sex, could be admitted or committed to the State Home for Feeble-Minded. For purposes of admission, commitment, maintenance, treatment, employment and discharge therefrom, the inmates of such colonies shall be upon the same basis as inmates of the State Home for Feeble-Minded.

**Responsibility for management.**

638. The chief executive officer of the colonies shall be directly responsible to the board of man-



agers for the management and operation of the colonies and the maintenance, care and treatment of the patients admitted or committed thereto, under the rules and regulations adopted by the board of managers. The chief executive officer shall have the custody and control of every person, indigent or otherwise, admitted to the colonies, until properly discharged.

## DEPENDENT CHILDREN AND STATE WARDS.

639. The care of and general supervision over all indigent, helpless, dependent, abandoned, friendless and poor children who may now be or who may hereafter become public charges and the care of and general supervision over all children adjudged public charges who may now or hereafter be in the charge, custody and control of any county asylum, county home, almshouse, poorhouse, charitable institution, home or family to which such child or children may be or have been committed, confined, apprenticed, indentured or bound out, is hereby vested in the board designated by the State Board for this purpose.

Care and supervision of children.

640. It shall be the duty of the said board, when any child shall become a public charge, to place such child in the care of some family within this State, with or without the payment of board, of the religious faith of the parent or parents of such child, if practicable. During the period in which the said board is seeking such family for such child and until such family is secured as hereinbefore provided, said board shall place such child in the custody of an institution in this State for the care of children; *provided*, that the institution in which the child is placed shall be one maintained for children of the religious faith of the parent or parents of such child when practicable. In case no institution of such religious faith exists in this State then the said board shall use its discretion in providing

Child placed in family.

Temporary disposition of child.

Proviso.

As to religious faith.

for the care of such child until a family has been secured.

Visitation  
of children  
in families or  
institutions.

641. It shall be the duty of the said board to visit, by its agent or agents, quarterly, all children who may be committed under this act, and also any home, asylum, institution or private family where any such child or children may be placed.

Duty of  
overseer of  
poor.

642. It shall be the duty of every overseer of the poor or other officer in any borough, city, county, township or any other municipality in any county in the State, having jurisdiction and power to do so, to place such child pending delivery to the agent of the said board, in some public or private institution for the care of dependent children, or with some family, paying therefor from the funds at his disposal, for a term of not more than thirty days after the date of such placement; he shall

Notice of  
placement.

forthwith give a written notice of such placement to the said board, which notice shall contain a description of such child or children, embracing its or their name, age, sex, religion, faith of its or their parent or parents, date of placement and such information as such officer has been able to ascertain. Upon such placement being made by such

Child a ward  
of board.

officer as aforesaid, such child or children shall immediately become the ward or wards of the said board, and it shall thereupon, for all intents and purposes, become and be declared the legal guardian of such child and entitled to its custody, which right of guardianship shall supersede any right of the parents of said child. Said board may surrender such right to one or both parents, if in the opinion of said board the best interests of said child will be promoted thereby, and the parent or parents are of good moral character and capable of maintaining said child.

Surrender  
of right.

Placement  
of children.

643. It shall be the duty of the said board, upon receipt of the notice of the placement of any child as hereinbefore provided, to place such child or children in the manner hereinbefore provided as

soon as possible thereafter; and in no case shall said child or children who may hereafter be placed as public charges, who may be over the age of twelve months, be detained as aforesaid for a longer period than thirty days, and the person in charge shall surrender such child or children to the care and custody of the said board at any time within thirty days, when surrender is demanded.

644. The said board may, in its discretion, return any child or children becoming its wards to the parent or parents or other relative agreeing to assume the care and maintenance of such child or children of sufficient ability to do so.

Return of  
children.

645. The expenses incurred by the said board for the support, care, education and maintenance of any child or children adjudged to be a public charge, and who shall become thereby a ward or wards of said board, shall be a charge against the township, borough, town, city or county in which said child has a settlement as determined by the provisions of "An act for the settlement and relief of the poor (Revision of 1911)," approved April twenty-first, one thousand nine hundred and eleven, the amendments, supplements or revisions thereof, and shall be paid by the said municipality, and the board of chosen freeholders of the respective counties of the State and the proper officers of any township, borough, town, city or other municipality having jurisdiction, shall annually hereafter, in their respective municipalities, provide sufficient funds for the prompt payment of said expenses.

Expenses a  
charge  
against  
municipality.

Funds  
provided.

646. It shall be unlawful for any person, corporation, association or institution to bring or send or cause to be brought or sent into the State of New Jersey any dependent child for the purpose of placing such child in any home in New Jersey, or procuring the placing of such child in any home in New Jersey by indenture, adoption or otherwise, or to abandon such child after being brought or

Bringing  
children into  
state.

sent into the State of New Jersey, without first obtaining the written consent of the commissioner, and conforming to this act and such rules and regulations of the State Board consistent herewith as it may from time to time adopt.

Indemnity  
bond given.

Amount.

Terms of  
bond.

Proviso.

Report to  
commissioner.

Removal of  
child from  
state for  
cause.

Forfeit.

647. Any person, corporation, association or institution, before bringing or sending, or causing to be brought or sent, any such child into this State, shall first give an indemnity bond in favor of the State of New Jersey in the penal sum of one thousand dollars, to be approved by said commissioner, conditioned as follows: That they will not send or bring, or cause to be brought or sent, into this State any child that is incorrigible, or one that is of unsound mind or body; *provided*, that nothing herein contained shall prevent the importation of blind children under the age of twelve years, subject to all other consistent provisions of this act; that they will at once, upon the placement of any child, report to the commissioner its name and age, and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of twenty-one years, become a public charge they will, within thirty days after written notice shall have been given them of such fact by the commissioner, remove such child from the State; and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State, such person, corporation, association or institution will remove from the State such child immediately upon its being released from such imprisonment, and upon failure, after thirty days' notice and demand to remove as aforesaid, any such child who shall become a public charge as aforesaid, or who shall have been convicted as aforementioned, in either event, such person, corporation, association or institution shall at once and thereby forfeit such sum as the State, or any county or municipality

thereof, shall have expended in the care, maintenance or prosecution of such child; that they will place or cause to be placed each of such dependent children under written contract, which will secure to such child a proper home, and will make the person so receiving such child responsible for its proper care, education and training; that they will properly supervise the care and training of each of such children, and that each of such children shall be visited at least once a year by a responsible agent of the person, corporation, association or institution so placing, or causing to be placed, such child as herein provided; that they will make to the said commissioner such reports of their work as said commissioner from time to time may require.

Supervision.

648. Any person, corporation, association or institution, or any officer or agent thereof herein described, who shall violate any of the provisions of sections six hundred and forty-six and six hundred and forty-seven of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars.

Penalty for violations.

649. The provisions of this act shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his or any other family, with the consent of the commissioner.

Relative may bring child into state.

650. The penalty provided in the bond referred to in section six hundred and forty-seven of this act shall be recovered in any court of competent jurisdiction in the name of the State of New Jersey; such bonds shall remain in force, and actions may be brought thereon, during any time within which there may be, within this State, any child under the age of twenty-one years who shall have been brought into this State by the principal obligor of said bond.

Recovery of penalty, where assembled to

Bonds in force.

651. That an annual sum, the per capita amount of which shall be fixed by the State House Committee on Finance, when appropriated by the Legislature, may be applied by the said board for the

Appropriation for public use.

## AMELIORATING THE CONDITION OF THE BLIND.

Aiding the  
blind.

Loans,  
stock, tools,  
furnished.

Repayment.

Use all means  
feasible to  
aid.

Cases of de-  
fective vision  
reported.

Study causes  
of blindness.

Appropriation  
per pupil.

651. The board designated to have in charge the work of ameliorating the condition of the blind, during each fiscal year may expend such sum as shall be appropriated, for the practical encouragement, by loans of capital, of stock in trade, or of tools and apparatus, of blind persons desirous of earning a living by any form of business or productive activity. Said board is hereby also authorized and empowered to loan any of the moneys provided pursuant to the provisions of this act for the amelioration of the condition of the blind, and to contract for the repayment of the same, and the moneys when repaid shall form a part of the fund to be kept and maintained by the aforesaid board, to be used by it pursuant to the provisions of this act.

652. Said board shall provide any and all means which in their judgment shall be deemed feasible for ameliorating the condition of the blind, and shall prepare and maintain a register of all the blind in the State. Every physician shall report to the board each and every case of defective vision where in the judgment of said physician the person suffering from such defective vision may become permanently blind.

653. The said board is hereby authorized and empowered to make inquiries concerning the cause of blindness, to learn what proportion of the cases of blindness of inhabitants of this State is preventable, and cooperate with the State Board of Health and other board, body or official of this State which may be interested in the subject, in adopting and enforcing proper preventive measures.

654. That an annual sum, the per capita amount of which shall be fixed by the State House Commission, for each pupil, when appropriated by the Legislature, may be applied by the said board for the

instruction or placing for instruction in some suitable and convenient institution such indigent deaf and dumb, blind or feeble-minded persons, or partially blind, inhabitants of this State, as may be selected by the board. Whenever it shall appear to the board that it is necessary for hospital care, instruction and support of blind babies and young children too frail or backward to enter other institutions for the blind, they shall be sent to some suitable and convenient institution in this State having special care of blind babies and children where such hospital care, instruction and support can be provided. In all such cases the rate to be paid by this State for such hospital care, instruction and support, including clothing and the necessary transportation to and from their homes, shall not exceed the per capita rate fixed by the State House Commission for such cases. For the instruction and support of any blind child placed in any institution outside of this State the rate to be paid by this State for such instruction and support, including clothing, shall not exceed the per capita rate fixed by the State House Commission for such cases.

Blind babies  
and children.

Rate paid  
by state.

## ARTICLE VII.

### INSTITUTIONAL LABOR AND ITS PRODUCTS.

701. The inmates of all correctional and charitable institutions within the jurisdiction of the State Board shall be employed in such productive occupations as are consistent with the health, strength and mental capacity of the persons so employed, who shall receive such compensation therefor as the State Board shall determine.

Inmates of  
institutions to  
be employed  
in productive  
capacity.

702. No contract shall be made by which the labor or time of any inmate of any of the institutions within the jurisdiction of the State Board, or the product or profit of his work, shall be let, contracted

Labor and  
products  
disposed of  
by this act.

for, leased, farmed out, given or sold to any person, firm or corporation, except in accordance with the provisions of this act.

Catalogue  
of articles  
and prices.

To whom  
catalogue  
sent.

703. The State Board shall cause to be prepared a catalogue containing a description and a price list of all the articles manufactured or produced by the institutions within its jurisdiction. Copies of this catalogue shall be sent to all institutions supported in whole or in part by the State, to all State departments and branches and agencies of the State government, to the governing bodies of each county in the State, and to each of the institutions maintained by each county, and the receipt of said catalogue by each of them shall be sufficient notice to each of them that the articles described in said catalogue are or are about to be manufactured or produced by the labor of the inmates of the institutions within the jurisdiction of the State Board.

Purchases  
made of  
articles pro-  
duced by  
institutions.

704. The several institutions, maintained in whole or in part by the State, noninstitutional agencies, and all departments and agencies of the State and all counties in the State, and the institutions maintained by the counties of the State, are hereby required to purchase from the State Board all articles or supplies manufactured or produced under the provisions of this act which are needed for use therein or thereby, and they shall not purchase any supplies or articles so manufactured or produced from any other source until and unless the State Board shall first certify on requisition made to it that such articles or supplies, or the equivalent thereof, cannot be furnished. All requisitions for articles or supplies made as herein provided shall be honored by the State Board as far as practicable.

Estimates  
for ensuing  
year.

705. At least thirty days before the commencement of each State fiscal year, the proper officials of each institution, noninstitutional agency, department or agency of the State or the counties thereof, shall report to the State Board estimates



for the ensuing year of the amount of supplies of different kinds required by them, which shall refer to the catalogue issued by the State Board, in so far as the articles indicated are included within such catalogue. No purchasing agency shall be allowed to evade the intent and meaning of this act by specifying slight variations from the standards adopted by the State Board, when the articles provided by it in accordance with its standards are reasonably adapted to the actual needs of the purchasing agency.

No technical evasion.

706. Any surplus product may be sold in the open market under such terms and conditions that it shall not compete unfairly with the product of free labor. Any nonperishable articles so marketed shall be stamped in a legible and conspicuous manner "Manufactured in the New Jersey ———," naming the institution of manufacture; *provided*, that whenever from the nature of the articles made or manufactured it shall be impracticable to stamp each article, or if such articles are usually put up in packages, it shall be sufficient for the purpose of this act to put a stamp, label or tag upon such package, showing where such articles are made, provided that said stamp, label or tag shall be put on said package in a good, lasting and permanent manner.

Sale of surplus.

Goods stamped.

Proviso.

707. The State Board shall have power to

Power of state board—

a. Assign to each institution the industries, occupations, vocations and labor to be operated or performed by the inmates thereof;

b. Establish for each institution and for each industry, occupation and vocation, hours and days of labor, determine the rate of compensation to be paid therein and pay or cause the same to be paid to the worker or his dependents, or apportion the pay between the worker and his dependents;

to fix working conditions;

c. Procure and install in each institution the machinery and equipment and furnish the tools, supplies, raw material, seeds, fertilizers and each

to equip and furnish tools and materials;

and every article necessary for the operation of the assigned industries and the performance of the assigned occupations and vocations with relation to the determined standards of quality and quantity;

to fix standards;

d. Establish standards of machinery equipment, tools, supplies, raw materials, adopt in conjunction with the State Purchasing Commission, styles, patterns, designs and qualities of finished products, determine the cost of production and fix the selling price thereof;

to arrange system of accounts;

e. Establish a uniform system of accounting and cost of production for materials and labor including maintenance and wage payments;

to issue catalogue;

f. Prepare and issue a catalogue containing a description and price list of all articles manufactured or produced by all the institutions within its jurisdiction;

to assign work;

g. Assign any number of the inmates of any institution to the performance of labor outside the usual limits of the institution of which they are inmates, of whatever character and wherever, within the boundaries of this State, may be determined by the State Board, provided such labor shall only be employed in enterprises of a public nature or connected with the public welfare or in such work in such places as may be necessary to meet any emergency arising from scarcity of labor on farms. Such labor shall be performed under the direct supervision of an officer or officers authorized by the commissioner;

to pay transportation and for clothing;

h. Pay from the working capital account or any other funds at its disposal, for the transportation of such laborers to and from the place of detention to the place of assigned labor, and for the proper clothing, maintenance, guarding and medical attention of the assigned laborers;

to fix charges for labor for other departments;

i. Determine the amount to be charged for the labor of such inmates as may be assigned to any work for any other department or branch of the State government not included within the jurisdic-

tion of this department, and contract and agree with the chief executive officer thereof as to the performance of the work, the rate to be paid therefor, the number of inmates to be assigned and such other details as may be necessary and proper.

j. To determine and apportion between the institution furnishing the labor and the institution receiving the benefit thereof, the cost of such labor and the expenses incident thereto, when such labor is assigned from one institution to another within the jurisdiction of this department;

to apportion  
cost of labor  
and expenses;

k. Detail keepers, guards or attendants from the employees of any institution as guards for the inmates thereof when out of the institution on assigned labor or to hire additional keepers or guards as may be necessary, paying therefor from the working capital account of such institution and including the cost thereof in the calculated cost of such labor;

to assign  
guards;

l. Perform as an independent contractor, with the labor of the inmates of the institutions within its jurisdiction, any public work, either upon the lands of the State or elsewhere;

to contract  
for public  
work;

m. Employ the inmates of any or all the institutions within its jurisdiction upon any work for the United States government or any department thereof, upon such terms as the State Board may determine.

to employ in-  
mates on U. S.  
work.

708. The employment of the inmates of any institution within the jurisdiction of the State Board shall be subject to the following specific limitations:

Limitations  
on employ-  
ment—

a. Marching or transportation of convicts in irons through the public streets or to or from their places of assigned labor shall not be permitted except in case of absolute emergency;

going along  
streets in  
irons;

b. Convict labor under armed guard shall not be used on public improvements in conjunction with free labor;

armed guard;

In place of  
free labor.

c. Convict labor shall not be used to take the place of free labor locked out or on strike.

Working  
capital.

709. The Legislature shall annually appropriate to the department a sum for working capital, which may be allotted by the State Board among the several institutions, which the State Treasurer shall, upon the warrant of the Comptroller, as directed by the rule or order of the State Board, advance to the several officers of the respective institutions designated as the custodians of the working capital thereof. Settlements between institutions, departments, boards and other State agencies, shall not be made in cash, but shall be made by debits and credits on the books of the State Comptroller. The custodian of working capital funds of any institution shall, on or before the tenth day of each month, file with the State House Commission a statement showing all deliveries made by such institution during the month immediately preceding. Delivery shall be considered to have been made only when the producing institution shall have received and submitted, with its monthly report, the acknowledgment of receipt from the receiving institution, board, commission or other State agency, or in event of sales in the open market, acknowledgment of receipt by the purchaser. A separate report to be submitted with the report of deliveries shall show all products sold, acknowledgement of delivery of which has not been received. All receipts from sales be credited to the working capital appropriation for the then current fiscal year as replacement thereof, and any excess of receipts from sales over the amounts paid or due for materials and wages of inmates at the end of the fiscal year shall pass into the general treasury of the State. The proceeds of the sale of any articles or products, the cost of which is properly chargeable to maintenance, during any fiscal year, shall be credited

Settlements.

Monthly  
statement.

Delivery.

Disposition  
of receipts.

to the maintenance account of the producing institution.

# ARTICLE VIII.

## SCHEDULE.

801. This act shall take effect immediately in so far as may be necessary for the appointment of the State Board and its organization, the appointment by it of a commissioner and such boards of managers as it may determine, the organization of the department, the appointment of division and bureau chiefs, clerks, stenographers and all like details of organization. The State Board, the commissioner and the boards of managers shall proceed with all preliminary preparations necessary to the assumption of full authority and the proper performance of their duties upon the date hereinafter fixed when this act shall become completely effective. Prior to such date the management and operation of the institutions and non-institutional agencies affected by this act shall remain as now constituted.

Act effective for preliminary preparations and appointments.

802. This act shall be completely effective on and after the first day of July, nineteen hundred and eighteen. The terms of office of all members of the several boards of managers, trustees or other governing body by whatever name called, of each and every of the several institutions and non-institutional agencies included within the provisions of sections one hundred and seventeen and one hundred and eighteen of this act, shall immediately cease and determine. All records, books, papers, property, moneys, actions and claims belonging to them or any of them shall be transferred to and enure to the respective boards of managers succeeding to the management of the several institutions and noninstitutional agencies.

Act fully in effect.

Terms of boards, etc., ended.

Disposition of records, etc.

803. All appropriations made to the institutions

Appropriations.

and noninstitutional agencies included within the provisions of sections one hundred and seventeen and one hundred and eighteen of this act, and available for disbursement on July first, one thousand nine hundred and eighteen, and as well all moneys requisitioned and all contracts made against the appropriations previously made, shall continue in full force. Each of such appropriations shall be construed as though made under one item to the department in accordance with the provisions of this act.

Fixed terms  
abolished.

804. All fixed terms of office of the officers and employees of each and every of the institutions and noninstitutional agencies included within the provisions of sections one hundred and seventeen and one hundred and eighteen of this act are hereby abolished and the present occupants thereof and their successors in office and employment shall continue in offices and employments and hold office and employment, subject to the power and authority conferred by this act upon the State Board, the commissioner and the boards of managers and the provisions of the Civil Service law. Nothing contained herein shall apply to the term of office of the keeper of the State Prison as prescribed by the Constitution of this State.

Continuance  
in office.

Office  
abolished.

805. The office of Commissioner of Charities and Corrections, as established by an act entitled "An act to create the office of Commissioner of Charities and Corrections and to define his powers and duties," approved March twenty-fifth, one thousand nine hundred and five, is hereby abolished and the term of office of the present incumbent thereof shall immediately cease and determine.

Term refers  
to newly  
appointed  
commissioner.

Wherever in any statute reference is made to the Commissioner of Charities and Corrections the reference shall be taken to apply to the Commissioner of Charities and Corrections appointed pursuant to the provisions of this act. Likewise any reference in any statute to the Department of

Application  
of terms.

Charities and Corrections or any board of managers, or other board or official of any of the correctional or charitable institutions or noninstitutional agencies now placed within the jurisdiction of the State Board constituted by this act, shall be taken to apply to the authority established in accordance with the provisions of this act exercising the powers and performing the duties with regard to which such reference is made.

806. All acts and parts of acts inconsistent herewith are hereby repealed. *Provided, however,* that if any paragraph of this act shall be declared invalid the invalid paragraph shall be rescinded and the remainder of the act shall remain in full force and effect.

Repealer.  
Provis—  
validity of  
act.

Approved February 28, 1918.

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#### CHAPTER 148.

An Act for the taxation of the gross receipts of street railway, traction, gas and electric light, heat and power corporations using or occupying public streets, highways, roads or other public places, in lieu of the taxation of the personal property of such corporations.

WHEREAS, Every street railway and traction corporation is now subject to and pays a franchise tax of five per centum (5%) of its gross receipts each year, which is payable as apportioned to each of the taxing districts in this State where said taxpayer has property, in accordance with chapter 290 of the Laws of 1906; and

Preamble.

## Preamble.

WHEREAS, Every gas and electric light, heat and power corporation is now subject to and pays for the year nineteen hundred and eighteen a franchise tax of three per centum (3%) of its gross receipts for the year nineteen hundred and nineteen a franchise tax of four per centum (4%) of its gross receipts, and for the year nineteen hundred and twenty and each year thereafter a franchise tax of five per centum (5%) of its gross receipts, which is payable as apportioned to each of the taxing districts where such taxpayer has property, in accordance with the terms of chapter 195 of the Laws of 1900, as amended by chapter 17 of the Laws of 1917; therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Annual tax  
on gross re-  
ceipts of pub-  
lic utility  
companies.

Apportioned  
among  
municipalities.

Tax in lieu  
of other taxes.

1. In addition to the franchise taxes which are imposed under and by the acts hereinbefore recited, there shall be levied and assessed upon gross receipts of street railway, traction, gas and electric light, heat and power corporations, an additional annual tax at the average rate of taxation of this State as computed and fixed by the State Board of Taxes and Assessment under the provisions of chapter 82 of the Laws of 1906, which additional tax shall be levied and assessed upon the same gross receipts upon which said franchise taxes are levied and assessed, and shall be apportioned, except as herein set forth, paid and collected in the same manner and at the same time as the said franchise taxes are apportioned, paid and collected, with the same rights of review and appeal, and subject to the same penalties, and with the same remedies for enforcement and collection as are by law made applicable to said franchise taxes; which additional tax hereby imposed shall be in lieu of all State, county, school and local taxation of any personal property, including ma-



chinery, apparatus and equipment, held or owned by any such corporation taxable hereunder.

2. For the purpose of apportioning to the several municipalities the franchise taxes imposed by the two acts hereinabove recited, the same valuations and returns shall be made by the assessor or board or body whose duty it is to make assessments in each taxing district, and such franchise taxes shall be apportioned in the same manner and upon the same basis, as though this act had not been passed.

Apportionment of franchise taxes.

3. For the purpose of apportioning to the several municipalities the tax imposed under and by this act, the assessor or board or body in each taxing district shall annually ascertain and value all the personal property, including machinery, apparatus, and equipment in such taxing district, of any corporation whose gross receipts are taxable under the provisions of this act and certify the same in the same manner and at the same time as is required for the apportionment of franchise taxes under the hereinabove recited acts, which valuations shall be subject to the same inquiry, equalization and revision in the same manner as is provided for the valuations required to be certified in and by said acts for the imposition of franchise taxes; and the State Board of Taxes and Assessment shall annually ascertain and apportion the tax hereby imposed on each corporation taxed hereunder to the various taxing districts in proportion to the value of the personal property, located in such taxing districts, of such corporation as shown by the statements filed with said board; such valuations of personal property in the respective municipalities shall, notwithstanding the exemption of such personal property from taxation by reason of this act, nevertheless be included in and considered a part of the total amount of valuations of such respective municipalities for all other purposes, except the computation of the

Basis of apportionment.

Boards of taxes and assessment to apportion.

Ascertaining total valuations.

Exceptions.

respective municipal tax rates and the computation of "the average rate of taxation" under the provisions of chapter 82 of the Laws of 1906.

Tax paid  
to county  
collector  
for road  
and bridge  
purposes.

4. It shall be the duty of the collector or other officer having custody of collected taxes in each taxing district to pay to the county collector on each dollar of the value of the personal property in such taxing district of the corporations taxed hereunder as certified to said State Board of Taxes and Assessment the tax of one mill imposed by chapter 16 of the Laws of 1917 for State road purposes, and the tax of one mill imposed by chapter 51 of the Laws of 1918 for interstate bridge and tunnel purposes, the same as if this act had not been passed.

Repealer.

5. All acts or parts of acts inconsistent with the provisions of this act to the extent of such inconsistency be and the same are hereby repealed.

Act effective.

6. This act shall take effect October first, one thousand nine hundred and eighteen, provided that the provisions of this act shall not be applicable to any taxes assessed for the year one thousand nine hundred and eighteen, but shall apply to taxes for the year one thousand nine hundred and nineteen and every year thereafter.

Applies  
year 1919, etc.

Approved February 28, 1918.

## CHAPTER 149.

A Supplement to an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule for compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created in the Department of Labor a bureau to be known as the Workmen's Compensation Bureau. Such bureau shall be composed of the Commissioner of Labor, who shall act as chairman thereof, for which service he shall receive the sum of fifteen hundred dollars per year; three deputy commissioners of compensation, one of whom shall be its secretary, and such referees and other employees as may, in the judgment of the Commissioner of Labor, be necessary.

Workmen's  
compensation  
bureau.

How com-  
posed.

2. The deputy commissioners, secretary of said bureau, referees and other employees shall be appointed by the Commissioner of Labor in accordance with the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight; *provided, however*, that the secretary and referees now holding office in the Workmen's Compensation Aid Bureau shall be appointed

Deputies and  
assistants  
appointed.

Proviso.

New Jersey State Library

Retention  
of present  
employees.

deputy commissioners of compensation, and the other employees of the Workmen's Compensation Aid Bureau shall be transferred to such positions in the bureau created by this act as the Commissioner of Labor shall direct, and shall continue as employees of said last-mentioned bureau, unless removed in accordance with the provisions of the act aforesaid. The salaries of the deputy commissioners, referees and other employees shall be fixed by the Commissioner of Labor.

Salaries.

Original  
jurisdiction  
of claims.

3. The Commissioner of Labor, the deputy commissioners and the referees appointed under this act, either sitting individually or together, shall have exclusive original jurisdiction of all claims for compensation arising under the act to which this act is a supplement, and the acts amendatory thereof and supplemental thereto.

Copy of  
agreement  
filed.

4. Whenever an employer or his insurance carrier and an injured employee, or the dependents of a deceased employee, shall, by agreement, duly signed, settle upon and determine the compensation due to the injured employee, or to the dependents of a deceased employee, as provided by law, the employer or the insurance carrier shall forthwith file with the bureau a true copy of such agreement. Such agreement shall not bind the employer or injured employee, or the dependents of a deceased employee, unless approved by the bureau. If an agreement for lawful and adequate compensation, approved by the bureau, is not filed within twenty-one days after the date of the happening of the injury, the bureau shall, so far as practicable, endeavor to bring about a settlement of the pending claim. If no petition is filed by the injured employee, or the dependents of a deceased employee, the bureau may institute an inquiry on its own motion, to determine the reasons for the failure to agree as to compensation, and may, either before or after the institution of such inquiry, with the consent of the injured employee, or

Agreement  
must be  
approved.

Attempt  
settlement.

Inquiry as  
to failure  
to file peti-  
tion.

the dependents of a deceased employee. file a petition for compensation. When such petition is filed by said bureau, on its own initiative, the subsequent proceedings shall be the same as is hereinafter set forth in cases where the claimant files a petition.

5. Every claimant for compensation under the act to which this act is a supplement, or its supplements or amendments, shall, unless a settlement is effected or an application made to the bureau, or a petition filed under the provisions of section four, file a petition in duplicate with the secretary of said bureau in his office, at the State House, in Trenton, within one year after the date on which the accident occurred, or in case an agreement for compensation has been made between such employer and such claimant, then within one year after the failure of the employer to make payment pursuant to the terms of such agreement; or in case compensation has been paid by such employer, then within one year after the last payment of compensation. A payment, or agreement to pay by the insurance carrier, shall for the purpose of this section be deemed a payment or agreement by the employer. The petition shall state the respective addresses of the petitioner and of the defendant, and shall be in the form now required by the act to which this act is a supplement. Said bureau shall prepare and print forms of petitions and shall furnish assistance to claimants in the preparation of such petitions, when requested so to do.

Claimant  
to file petition  
within a year.

What petition  
to show.

6. Within five days after the filing of such petition, or as soon thereafter as is practicable, the secretary shall cause a copy of such petition to be served upon such employer by a process server of said bureau in the manner now provided by law for the service of summons. Annexed to said copy so served shall be a notice directing the employer to file his answer thereto with the secretary

Copy of pe-  
tion served  
on employer.

Answer  
required.

of said bureau within the time now or hereafter limited by the act to which this act is a supplement for the filing of answers. The answer shall state the address of the defendant and shall be in the form now required by the act to which this act is a supplement.

Hearing on  
petition.

7. Within ten days after the filing of said answer, or in case no answer is filed, within ten days after the expiration of the time for filing an answer, the secretary of said bureau shall fix a time when and a place where he shall hear said petition, or shall send a transcript of the petition and answer to the Commissioner of Labor, a deputy commissioner or one of the referees, in which case such Commissioner of Labor, deputy commissioner or such referee, within fifteen days after the filing of said answer, shall fix a time and place for the hearing of said petition. Such time shall be not less than four weeks nor more than six weeks after the filing of said petition. Such petition shall be heard either in the county in which the injury occurred or in which the petitioner or defendant resides, or in which the defendant's place of business is located, or in which such defendant may be served with process. When a time and place has been fixed for such hearing, the Commissioner of Labor, deputy commissioner or the referee to whom the cause has been referred shall give at least ten days' notice to each party of the time and place for hearing. The Commissioner of Labor, deputy commissioner or any referee to whom any cause has been referred, shall have power to adjourn the hearing thereof from time to time in his discretion.

Time for  
hearing.

Where heard.

Notice of  
hearing.

Adjourn-  
ments.

Service of  
papers.

8. It shall be sufficient service of any paper, except the original notice to the defendant, if the same is sent by registered mail, addressed to the petitioner at the address contained in said petition, or to the defendant at the address contained in said answer.

9. At such hearing evidence, exclusive of **ex parte** affidavits, may be produced by both parties, but the official conducting such hearing shall not be bound by the rules of evidence.

Not bound  
by rules of  
evidence.

10. The procedure for the determination of claims by said bureau, except as herein otherwise provided, shall be conducted in the manner provided by the act to which this act is a supplement, and its supplements and amendments. The Commissioner of Labor, each deputy commissioner and each referee shall have the same power as the Court of Common Pleas under the act to which this act is a supplement, to modify any award of compensation and to provide for the commutation of any such award.

Procedure.

Power to  
modify  
award.

11. A statement containing the date and place of hearing, the names of the witnesses summoned, and the substance of the testimony of each witness, together with the judgment of the commissioner, secretary or referee, shall be legibly written in ink or typewritten and filed in the office of the secretary at Trenton, by the officer hearing said cause, within fifteen days after such judgment, which statement, together with the petition and answer shall constitute the record of the cause. A copy of the judgment of the commissioner, deputy commissioner or referee, if such judgment results in an award to the petitioner, shall, as soon as practicable after the same is rendered, be filed in the office of the clerk of the county in which the hearing was held, and when so filed shall have the same effect and may be collected and docketed in the same manner as judgments of the Court of Common Pleas under the act to which this act is a supplement. The secretary shall, within fifteen days after the rendering of the judgment, mail to each of the parties a statement of the substance of such judgment. The judgment of the said bureau shall be final and conclusive between the parties and shall bar any subsequent action or proceeding,

Statement  
filed—what  
to contain.

Copy of judgment filed  
with county clerk.

Effective as  
judgment of  
court.

Judgment a  
bar to other  
action.

unless reopened by the said bureau or appealed as hereinafter provided.

Docket.

12. The secretary of said bureau shall keep a docket in which shall be entered the title of each cause, the date of the determination thereof, and the filing of the judgment with the county clerk, if such judgment is filed, the date of appeal, if any, and the date on which the record in case of appeal was transmitted to the clerk of the Court of Common Pleas. The secretary shall also file the record of each case left with him by a referee or the commissioner, and shall keep a card index of such record in such manner as to afford ready reference thereto. Such records shall be open to the inspection of the public.

Records kept.

Power of court.

13. The Commissioner of Labor, each deputy commissioner and each of the referees shall have the same power as the Court of Common Pleas to issue subpoenas to compel the attendance of witnesses and the production of books and papers.

Witness fees.

The fees for the attendance of witnesses shall be such as are now provided for the attendance of witnesses in other civil cases, and shall be paid by the party arranging for the attendance of such witnesses. Such subpoenas shall be authenticated by the seal of the Department of Labor, and either party to any such proceeding may, without charge, secure subpoenas from the Commissioner of Labor, a deputy commissioner or any referee. The failure of any witness, when duly subpoenaed, to attend or give testimony shall be punishable by the Court of Common Pleas in the same manner as such failure is punishable by such court in a case therein pending.

Subpoenas.

Administering oaths.

14. The Commissioner of Labor, each deputy commissioner and each referee shall have power to administer oaths. Any person who, having been sworn as a witness in any such proceeding, shall wilfully give false testimony shall be guilty of perjury.



15. All hearings conducted under this act shall be open to the public. Public hearings.

16. Neither party shall pay any fees for filing any papers with the said bureau, or with the secretary thereof, and the clerk of any county shall file any papers required by this act to be filed with such clerk without the payment of any fee. No filing fees.

17. The Commissioner of Labor and the deputy commissioners may make such rules and regulations for the conduct of such hearing not inconsistent with the provisions of this act or of the act to which this act is a supplement, as may, in his judgment, be necessary. The official conducting any hearing under this act may, in his discretion, allow to the party in whose favor judgment is entered, costs of witness fees and a reasonable attorney fee when, in his judgment, the services of an attorney were necessary for the proper presentation of the case. Rules for hearings.

18. The deposition of any witness whose attendance before said bureau cannot be secured by reason of his absence from the State, or by reason of his physical inability to attend such hearing may be taken upon order of the official to whom said cause has been referred. In any such case the procedure for taking such depositions shall conform as nearly as practicable with the procedure outlined in the act entitled "An act concerning evidence (Revision of 1900)," approved March twenty-third, one thousand nine hundred. Allowance to successful party.

19. Either party may appeal from the judgment of said commissioner, deputy commissioner or referee, to the Court of Common Pleas of the county in which such hearing was held, by filing with the secretary of said bureau, and with the clerk of the county where such hearing was held, a notice of appeal. Such notice shall be filed within thirty days after such judgment has been rendered and shall briefly describe such judgment and state the intention of the party to appeal therefrom. The Deposition of absent witness.

Right or appeal.

Notice.

Notice a stay.	<p>filing of such notice shall stay the execution of the judgment until the determination or dismissal of said appeal. The appellant shall, within five days after the filing of a notice of appeal, send to the clerk of the Court of Common Pleas of the county in which such hearing was held, a transcript of the record in said cause, which transcript shall be furnished the said appellant by the secretary of the bureau upon the payment of a fee to be fixed by the Commissioner of Labor, not to exceed the sum of ten cents per folio. Within five days after the filing of said transcript, the judge of the Court of Common Pleas, upon the application of the appellant, shall fix a time and place for the hearing of said appeal, at least ten days' notice of which shall be served upon the respondent by the appellant.</p>
Transcript of record.	
Time and place for hearing appeal.	
Trial.	<p>The trial of such appeal shall be a trial de novo, in which the Court of Common Pleas shall in all things follow the procedure prescribed in the act to which this act is a supplement, and the judgment of said Court of Common Pleas on any such appeal shall have the same effect and be collected and docketed in the same manner as judgments of said court under the act to which this act is a supplement. In case the respondent in said appeal is unable to pay counsel, the judge of the Court of Common Pleas shall assign counsel to represent such respondent. Any such appeal may be dismissed by the judge of the Court of Common Pleas if the transcript of the record is not transmitted, or if the appeal is not prosecuted in accordance with the provisions of this act.</p>
Counsel may be assigned.	
Dismissal of appeal.	
Allowance for attorney's fee.	<p>20. The said Court of Common Pleas may, in its discretion, allow a reasonable attorney fee to the party prevailing in the trial of such appeal, which fee may be taxed in the costs and recovered against the unsuccessful party.</p>
Validity of act.	<p>21. In case any portion whatsoever of this act shall be adjudged to be unconstitutional, it shall</p>

not invalidate the remaining portions of said act, but shall be regarded as severable therefrom.

22. An act entitled "An act creating a Workmen's Compensation Aid Bureau in the Department of Labor," approved March fifteenth, one thousand nine hundred and sixteen, be and the same is hereby repealed.

Act repealed.

Approved February 28, 1918.

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## CHAPTER 150.

A Supplement to an act entitled "An act to regulate elections," approved April fourth, one thousand eight hundred and ninety-eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Whenever any emergency exists whereby, in the judgment either of the President of the United States or the Governor, it may become necessary to concentrate, either within or without the State, citizens of the State who are legal voters therein for the purpose of defense against either foreign or domestic enemies, and particularly during the present war, this act shall apply.

To whom act applicable.

2. When such an emergency exists the Governor shall file an order with the Secretary of State, which order shall set out the nature of such emergency and direct that the provisions of this act be enforced. Thereupon the Secretary of State shall proceed to carry out the provisions of this act until the Governor shall by further order determine that the emergency has ceased to exist and

Secretary of state to carry out act.

direct that the provisions of this act be discontinued.

Purposes  
of act.

3. The purpose of this act is to afford every qualified elector of this State, who is in active service in the military forces of this State, or of the United States, the right to vote at any primary, general or special election held in this State or in any subdivision thereof, notwithstanding the fact that such person may be absent on said election day from the election district in which he resides, whether such person is within or without this State, or within or without the United States, and notwithstanding the fact that such person may not be registered for such election as now required by law. Any person shall be deemed to be in active service in the military forces of this State or of the United States if actually in active service as a member of the State Militia, New Jersey National Guard, any branch or department of the Army or Navy of the United States, or any auxiliary forces acting in co-operation therewith.

Who meant.

Names and  
addresses  
ascertained.

4. Within sixty days prior to any primary, general or special election of this State or any subdivision thereof, the Secretary of State shall ascertain either from the Adjutant-General of New Jersey, or from the Adjutant-General or other proper authority of the United States, the names and post-office addresses of every qualified elector of this State in active service in the military forces of this State or of the United States as aforesaid.

Blank ballot  
supplied.

At least twenty days prior to any primary, general or special election, the Secretary of State shall forward by mail or otherwise to each person in such active service, as aforesaid, a blank ballot, conveniently prepared so that such person may vote for any candidates at such election or on any question to be submitted to the voters at such election.

Names on  
ballot.

The Secretary of State may either print the names of the candidates, when such names are known to him, upon such ballot, or may provide

that the person voting such ballot shall write the names of the persons for whom he is voting upon the ballot, or may print some names and leave others blank, to be written in as aforesaid as, in his discretion, may be most convenient.

5. The Secretary of State shall, at least twenty days prior to any primary, general or special election, forward to the county clerks, who are to prepare the ballots for such election, or, if such ballots are to be prepared by clerks of any municipalities, then to the clerks of such municipalities, the names and addresses of the qualified electors in the military forces of this State or of the United States, residing within the limits of such county or such municipality, as the case may be, and the clerk of such county or of such municipality, as the case may be, shall, as soon as possible, forward to each of such persons, by mail or otherwise, a printed or written list of the names of the candidates whose names will appear on the ballot for such election, together with the names of the nomination or office for which such person is a candidate; *provided, however*, that the names of the persons in the active military service of the United States shall not be forwarded by the Secretary of State to any county clerk or clerk of any municipality if the Secretary of War of the United States shall object, but in such case, the Secretary of State shall, as soon as possible, forward, by mail or otherwise, to the persons in active military service, as aforesaid, the names of the candidates to be voted for at such election.

Names and  
addresses of  
military  
voters sent  
municipal  
clerks.

Clerks to  
furnish list of  
candidates.

Proviso.

6. The Secretary of State shall send with each ballot either a printed copy of this act or printed directions for voting and transmitting a ballot as required by this act. The Secretary of State shall also send with each ballot, whether such ballot is sent by mail or otherwise, to each qualified elector of this State in active service in the military forces of this State or of the United States, two en-

Directions for  
voting.

Envelopes  
to be used.

velopes, the outer one of which shall be addressed to said Secretary of State, and shall contain a space upon the back thereof for the name of the military organization to which such person belongs and the home address at which such person is entitled to vote; the inner envelope shall be plain, and shall contain no marks whatever.

Ballots for  
voters out of  
country.

7. The Secretary of State is hereby authorized, if, in his discretion, it shall be advisable so to do, to arrange for the printing of the ballots to be used by the qualified electors of this State in active service in the military forces of the United States, who are stationed, at the time of any such election, outside of the United States, in the country in which such persons shall be stationed, and may send a representative to such country for the purpose of arranging for the printing of such ballots, and may transmit, by cable or otherwise, the necessary information to such representative.

Voting.

8. Any person who is unable to vote at any primary, general or special election in the election district in which he resides, because of absence from such election district due to his being in active service in the military forces of this State or of the United States, shall be entitled to fill in any ballot forwarded to him by the Secretary of State in accordance with the above requirements on the day of such election or on any day prior thereto. Such ballot, after having been prepared by the person intending to vote the same, shall be placed in the inner envelope, which envelope shall then be sealed and placed in the outer envelope, to which reference has above been made. Such person shall then write upon the back of said outer envelope, in the space left therefor, the name of the military organization to which such person belongs and the home address of such person at which he is entitled to vote, and also a statement as follows: "This ballot was prepared on the day of..... (filling in the date), beneath which he shall sign his name." Such

Ballots  
sealed and  
forwarded to  
secretary of  
state.

envelope shall then be deposited with the officer designated to receive such ballots by the commanding officer of the force with which such person is operating. Such officer, so designated as aforesaid, shall endorse upon said envelope his name and rank and the time when such ballot was received, and such envelope shall, with other like envelopes which shall have been deposited with such officer, be forwarded by him to the Secretary of State of this State.

9. Any such person in active service in the military forces of this State or of the United States who shall not have received an official ballot prior to the date of any primary, general or special election, shall be entitled to prepare and vote, on the date of such election, but not before such date, an unofficial ballot, indicating thereon the candidates for whom he intends to vote and the offices for which such persons are candidates and the propositions upon which he intends to vote. Any such person voting an unofficial ballot as aforesaid shall seal the same in a plain envelope, and place such plain envelope, when so sealed, in an outer envelope, which outer envelope shall contain the information required for the outer envelopes mentioned in the next preceding section, and shall be addressed to the Secretary of State of this State, and such outer envelope, when prepared as aforesaid, shall be delivered to the officer designated to receive ballots as aforesaid, which said envelope, when so delivered, shall be forwarded to the Secretary of State in the same manner that official ballots are required to be forwarded.

10. Upon the receipt of envelopes containing ballots from persons in active service in the military forces of this State or of the United States, the Secretary of State shall distribute said envelopes to the county board of elections in the county in which the persons so voting shall reside, and upon the delivery of such ballots to such county board of

Voting by  
unofficial  
ballot.

Such ballot  
forwarded to  
secretary of  
state.

Ballots  
distributed  
to county  
boards.

elections, shall take from the secretary or clerk of said board a receipt therefor, which receipt shall specify the number of official envelopes and the number of unofficial envelopes delivered. The county board of elections, at a meeting or meetings to be held for that purpose not more than thirty days subsequent to the day of the primary or other election, proceed to open said envelopes and count the ballots in the manner now provided by law, and shall act as a canvassing board. After the outer envelopes have been removed, the plain envelopes therein contained shall be mixed together before the same are unsealed.

Canvass  
by county  
board.

Challengers.

11. The political committee of each political party in each county, or in case of municipal election, the municipal committee of each party shall each be permitted to have two challengers present at the meeting or meetings of the county board of elections at which such votes are counted and canvassed.

Board to  
ascertain  
that person is  
entitled to  
vote.

12. Before proceeding to open said outer envelopes, the county board of elections shall make such investigations as they may deem necessary to ascertain whether or not the persons whose names appear upon the outside of such outer envelopes were actually entitled to vote at such election, in the manner prescribed by this act. Said county board of elections shall make proper certification to the proper officers of the result of such election. All of the outer envelopes in which such ballots are received shall be retained by the county board of elections and filed in the same way as ballots are now required to be filed.

Certification.

Outer envel-  
opes pre-  
served.

Counting  
ballot not-  
withstanding  
informalities.

13. Any ballot received from any person in active service in the military forces of this State or of the United States, who is entitled to vote in the manner prescribed by this act shall be counted notwithstanding the fact that such person may not know, or may not have properly designated, the election district in which he is entitled to vote, and not



withstanding the fact that the ballot may be informally prepared or may be marked with a pencil or ink or some color other than black, or notwithstanding the fact that any paper may be used thereon, whether the same is printed in black or otherwise. No ballot shall be rejected for or on account of any informality in its preparation. Wherever the intent of the voter is apparent upon an examination of the ballot, the vote shall be counted in accordance with such intent, whether such intent is expressed in the manner now provided by law or otherwise.

Intent to  
be observed.

14. This act shall be liberally construed for the purpose of affording an opportunity to persons in active service in the military forces of this State or of the United States to vote at any primary, general or special election.

Act liberally  
construed.

15. This act shall take effect immediately.

Approved February 28, 1918.

## CHAPTER 151.

An Act to secure the tenure of office and employment of certain officers and employees of municipalities of this State upon entering the military and naval service of the United States.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. No officer or employee of any municipality of this State, holding his office or employment for no fixed term, shall be separated from such office or employment by reason of entering the military or naval service of the United States, but shall be granted leave of absence, until such time as he

Absence  
during  
military  
service not  
to forfeit  
position.

shall be honorably discharged from such service. Such leave of absence may be granted with or without pay, as is now provided by law. Upon receiving an honorable discharge from service, such officer or employee shall be entitled to resume the office or employment held by him at the time he entered such service at any time within three months after receiving such discharge, providing he is not incapacitated. Should any officer or employee be wounded or ill at the time of receiving such discharge, he shall be entitled to resume his office or employment at any time within three months after complete recovery from such wound or illness, providing that such recovery takes place within two years after such discharge.

**Resuming position.** Whenever any such officer or employee shall re-enter the service of the municipality, the services of the person filling his office or position shall cease; *provided, however*, that if any such officer or employee is one of a number of officers or employees of equal rank or like character, the person last appointed to fill such office or position shall be dismissed and placed upon a special eligible list, which list shall take precedence over all other lists, and shall be entitled to reinstatement at any time thereafter in the same office or position as soon as any vacancy shall occur.

**Temporary incumbent to cease.**

**Proviso.**

**Act construed.** 2. This act shall be construed to be retrospective as well as prospective, and shall take effect immediately.

Approved February 28, 1918.

## CHAPTER 152.

An Act to incorporate the borough of Ocean Gate,  
in the county of Ocean.

BE IT ENACTED *by the Senate and General  
Assembly of the State of New Jersey:*

1. The inhabitants of that portion of the township of Berkeley, in the county of Ocean, hereinafter mentioned and described, are hereby constituted and declared to be a body corporate in fact and in law by the name of "The Borough of Ocean Gate," and as such shall be governed by the general laws of this State relating to boroughs.

Corporate  
name.

2. The boundaries of said borough shall be as follows: Beginning at the mouth of a small creek between the lands of Spencer Webster and the Ocean Gate property as shown on a map called section No. 1, as revised and filed in the Ocean county clerk's office in May, 1914, thence (1) in a southerly direction by a creek the several courses and distances to the mouth of another small creek as shown on said plan above mentioned; thence (2) in a southwesterly direction along said small creek the several courses and distances thereof to a point north six degrees and fifteen minutes east two hundred and ninety-three and four hundredths feet from a stone monument where formerly stood a white oak tree; thence (3) south six degrees and fifteen minutes west six hundred and seventy-seven and thirty-hundredths feet to a point one hundred and thirty-eight one-hundredths feet south of the south side of Barnegat avenue; thence (4) parallel with Barnegat avenue and one hundred feet therefrom south seventy-eight degrees and forty-five minutes east one thousand eight

Boundaries of  
Ocean Gate.

hundred and ninety and nine-hundredths feet, more or less to a point one hundred feet east of block 191, as shown on a map of section No. 4, of parallel with said Ocean Gate avenue and one hundred feet easterly therefrom north eleven degrees and fifteen minutes east two hundred and fifty feet to a point, the southwest corner of lot No. 11, in block 191, as shown on a map of section No. 4 of Ocean Gate, as surveyed and planned by J. M. Abbott, C. E., and filed in the county clerk's office at Toms River, New Jersey, on August 3, 1912; thence (6) south seventy-eight degrees and forty-five minutes east three thousand nine hundred feet to a point, the southeast corner of lot No. 3301 and 100 feet east of the east side of Newport avenue, in section No. 2, as revised by William J. Kauffman, C.E., and filed in the Ocean county clerk's office at Toms River, New Jersey, on June 27, 1913; thence (7) parallel with said Newport avenue and one hundred feet easterly therefrom north eleven degrees and fifteen minutes east ninety-two and eighty-eight hundredths feet, more or less, to the north side of the right of way of the Pennsylvania railroad and the southeast corner of lot No. 3300, in block 69; thence (8) southeasterly along the north side of said railroad right of way six hundred and seventy-four and fifty-hundredths feet, more or less, to a point one hundred and three and forty-four hundredths feet easterly of the east line of Narragansett avenue; thence (9) parallel with and one hundred feet easterly from said Narragansett avenue north eleven degrees and fifteen minutes east two thousand and forty and twenty-five hundredths feet to a point on the north side of Chelsea avenue, said point being also the southeast corner of lot No. 4292, in block 85, as shown on said map; thence (10) in a north-westerly direction along the easterly line of lot No. 4292, one hundred and thirty-five feet, more or less, to the north side of the Riviera; thence

(11) still in the same direction northwesterly five hundred feet to a point in Toms River; thence (12) parallel with the south shore of Toms River and five hundred feet northerly therefrom to a point five hundred feet north from the place of beginning; thence (13) south five hundred feet to the place of beginning.

3. This act shall take effect immediately; *provided*, it shall not operate to effect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have been adopted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within thirty days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; such special election shall be held within said territory between the hours of six o'clock A. M. and seven o'clock P. M. of a day and at a place within the said territory to be fixed by the clerk of the township of Berkeley, in the county of Ocean, who shall cause public notice thereof to be given by advertisements signed by himself, set up in at least five public places within said described territory, and published once in one newspaper circulating therein at least ten days prior to the day so fixed for such election.

Referendum.

Special election.

When and where held.

Notice.

Election how conducted.

Registry.

4. Such special election shall be held at the time and place so appointed, and shall be conducted by the board of registry and election of the township of Berkeley which conducted the general election next preceding the holding of such election in said township, and shall be by ballot. The registry of voters used at the last general election in such district shall be used at said special election and the said board of registry and election shall meet one week next preceding the day fixed for said special election, at the place where the same is to be held, from one o'clock P. M. to nine o'clock

P. M., for the purpose of revising and correcting the registry lists in the manner provided under the general election laws of this State; *provided*, that said list, for the purpose of this election, shall be revised so as to include all and only such voters of said township who may then reside within the territory comprised within the limits of the borough created by this act. The clerk of the township of Berkeley shall give public notice of such meeting of said board of registry and election at the time and in the manner hereinbefore provided for the giving of the notice of the time and place of holding of said special election, and shall provide a suitable place for the holding of said special election and the necessary ballots for the electors voting thereat, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions in the following form:

“If you favor the proposition printed below make an X mark in the square to the left and opposite the word ‘Yes’; if you are opposed thereto make an X mark in the square to the left of and opposite the word ‘No.’”

Proviso.

Notice of meeting of board of election.

Ballots.

Form of ballot.

	Yes.	Shall an act entitled “An act to incorporate the borough of Ocean Gate, in the county of Ocean,” be adopted?
	No.	

“If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word ‘Yes,’ it shall be counted as a vote in favor of such proposition.”

“If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word ‘No,’ it shall be counted as a vote against such proposition, and in case no mark shall be made in the square to the left of and opposite

either the word 'Yes' or 'No,' it shall not be counted as a vote for or against such proposition."

5. The officers holding said election shall, within two days after such election, make a return in duplicate of the result of such election by statements in writing and under their hands, one of which certificates or returns shall be filed forthwith with the clerk of the township of Berkeley and entered in full upon the minutes of the township committee of the township of Berkeley, and one of which certificates or returns shall be filed forthwith with the clerk of the county of Ocean.

Result of  
election filed  
in duplicate.

Approved February 28, 1918.

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### CHAPTER 153.

An Act relating to the receipt and disbursement of State moneys.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All moneys of the State collected or received by any State institution, board, commission, department, committee, agent or servant, from any source whatsoever, shall be paid into the treasury of the State not later than the tenth day of the month following that during which the said moneys were collected or received, and shall not be disbursed therefrom unless specifically appropriated by the Legislature in any annual or supplemental appropriation act.

All moneys  
received  
paid into state  
treasury  
monthly.

2. Nothing in this act contained shall apply to or affect the State School Fund, or the income thereof, or the disbursement of the State school

Exceptions to  
act.

tax, of any moneys derived from the acts to tax real and personal property in the several municipalities in this State for State road purposes, of the United States appropriation to the Agricultural College, the United States appropriation for disabled soldiers, the United States appropriation for disabled soldiers, sailors, marines and their wives, the Agricultural College fund, of taxes for the use of taxing districts in this State, of moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, or of moneys received by Commissioners of the Palisades Interstate Park, of any moneys paid into the treasury of this State, which by direction of the executive or by statute is paid to any institution or department of the State, from the United States treasury by act of Congress, or which may be retained by any board or commission in accordance with the provisions of chapter 269, P. L. 1917; *provided, however*, that any moneys collected through the Board of Fish and Game Commissioners under any of the fish and game laws of the State shall be deposited in the State treasury as heretofore, and held there for the use and purposes of the Fish and Game Commissioner, but shall be included in the annual appropriation bill for disbursement under the supervision of the State's financial officers in the same manner as other appropriations; *provided, however*, that any moneys received pursuant to the laws relating to motor vehicles shall be deposited in the State treasury as heretofore and held there for the purposes to which the same are now devoted by law, but shall be included in the annual appropriation for disbursement under the supervision of the State financial officers in the same manner as other appropriations; *and provided further*, that the moneys collected for the support of the boarding halls attached to the nor-

Proviso.

Proviso.

Proviso.



mal schools of this State shall be included in the annual appropriation bill and disbursed in the same manner as other appropriations included therein.

Act effective.

3. This act shall take effect July first, one thousand nine hundred and eighteen.

4. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealer.

Approved March 1, 1918.

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### CHAPTER 154.

An Act to amend and supplement an act entitled "An act for the protection of deer," approved March twenty-seventh, one thousand nine hundred and twelve.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 1  
amended.

1. It shall be unlawful for any person to hunt for, pursue, shoot at, take, kill, wound, or attempt to take, kill or wound, any wild deer in this State except on the last three Wednesdays in October and the first Wednesday in November of each year, or to kill in any one year more than one deer. It shall be unlawful at all times hereafter for any person to hunt for, shoot at, take, kill or wound, or attempt to take, kill or wound, any doe or deer except a deer having horns visible above the hair; *provided*, that upon receipt of complaint at the office of the Board of Fish and Game Commissioners from the owner or lessee of any culti-

Season for  
wild deer.

Must be  
horned.

Proviso.

Killing deer damaging crops.	vated land that deer have damaged crops, one of the members of the board, the fish and game protector or assistant fish and game protector shall immediately make an investigation of said complaint, and if it is shown that deer have damaged crops, a permit may be issued to such owner or lessee to kill deer, and said permit shall designate the time and manner of killing, the land on which deer may be killed, and any other restriction which may be deemed proper. The carcass of any deer killed under such permit shall become the property of the Board of Fish and Game Commissioners and may be removed and disposed of in such manner as the said commission shall direct.
Disposition of carcass.	
Penalty.	Any person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars for each offense.
Report kill- ing deer.	1. •A. Any person who shall kill a deer in this State at anytime under any provisions of this act who shall fail to report the same within forty-eight hours to the Board of Fish and Game Commissioners, at Trenton, or the fish and game warden of the county in which such deer was killed, shall be liable to a penalty of one hundred dollars.
Penalty.	2. This act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 155.

An Act to authorize any municipality in this State to make annual appropriations for the purpose of conducting and maintaining dental clinics in any such municipality, for the free treatment of indigent persons of school age.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. It shall be lawful for any board or body having control of the finances of any municipality, annually to appropriate a sum, as it may deem advisable, to be used and applied only for the maintenance and equipment, in such municipality, of a dental clinic or clinics, for the free treatment of indigent persons of school age.

Free dental  
clinics for  
poor children  
in municipi-  
palities.

Approved March 1, 1918.

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CHAPTER 156.

A Supplement to an act entitled "An act for the establishment of farms for the propagation of game and fish," approved May first, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The Board of Fish and Game Commissioners is hereby authorized to purchase suitable lands and erect buildings thereon adjoining the Game

Addition to  
game farm.

Expenses.

Cost.

Farm, at Forked River, in the county of Ocean, within this State, for the purpose of propagating game birds and animals. The said lands to be in addition to the lands authorized by the act to which this act is a supplement. The cost of said land shall not exceed five thousand dollars. All expenses incurred in carrying out the provisions of this act shall be paid by the State Treasurer, on warrants of the Comptroller, on bills properly approved by said board, out of any receipts of said board received through said board.

2. This act shall take effect immediately.

Approved March 1, 1918.

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#### CHAPTER 157.

AN Act to amend an act entitled "An act concerning contagious and infectious diseases among cattle; regulating the importation of cattle into this State and providing measures to check the spread of diseases among cattle in this State; creating the Commission on Tuberculosis Among Animals, prescribing its powers and duties and fixing penalties for violations of this act," approved April twenty-fourth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Paragraph 5  
amended.

1. Paragraph five of section two of the act to which this act is amendatory is hereby amended so as to read as follows:

Examination  
and test for  
tuberculosis  
in animals.

5. (a) Whenever the secretary of the State Board of Health or the owner or owners of any dairy or breeding animals shall request the Depart-

ment of Agriculture to cause an inspection to be made of any of such animals as may be supposed to be diseased with tuberculosis, the Department of Agriculture may designate a veterinarian to make such inspection and if deemed advisable by the Department of Agriculture to conduct a tuberculin test of said animal or animals in accordance with the methods prescribed by the Department of Agriculture. If the owner or owners of such animal or animals shall agree to comply with and carry out the regulations of the Department of Agriculture relating to the removal from the herd and quarantine of condemned animals, the disinfection of the premises and the introduction into the herd of other animals, the expense of such inspection and tests shall be borne by the Department of Agriculture.

If owners consent to regulations, expenses met by department.

(b) Whenever such an inspection or test shall result in the condemnation of any animals examined or tested such animal or animals shall be held in quarantine by the owner or owners thereof until notified by the Department of Agriculture to slaughter said animal or animals and upon receipt of said notice said owner or owners shall immediately slaughter or cause such animal or animals to be slaughtered in the presence of a duly authorized Federal, State or municipal inspector. If the owner or owners of any animal or animals so condemned shall, before the slaughter of said animal or animals, agree to accept the net proceeds from the sale of the meat, hide and other marketable parts of said animal or animals, provided the same shall have passed inspection by a Federal, State or municipal health inspector, then said owner or owners shall have no further claim against the State on account of said slaughter, or the owner or owners of said animal or animals so condemned may agree that the value of said animal or animals be determined by appraisalment by the Department of Agriculture as hereinafter provided.

Slaughter of condemned animals.

Proceeds of sale of hide, etc.

Value of  
condemned  
animals.

Board of  
appraisers.

Basis of  
value.

Payment.

Proviso.

Proviso.

When owner  
compensated,  
proceeds of  
sale paid into  
treasury.

(c) The veterinarian making the examination or test, or any other duly authorized agent of the Department of Agriculture, is hereby authorized and empowered to make an agreement with the owner or owners as to the valuation of the animal or animals condemned. In all cases wherein no agreement can be reached said agent of the Department of Agriculture shall choose one disinterested freeholder, the owner or owners of said animal or animals shall choose another disinterested freeholder, and the two so chosen shall designate a third disinterested freeholder, and said three freeholders so chosen shall constitute the board of appraisers and shall ascertain and decide upon the market value of each animal condemned and shall sign a certificate of such value in the presence of a witness who shall test the same. Such valuation shall in each case be made upon the basis of the market value of said animal or animals on the day the appraisement is made. In all cases where the valuation of such animal or animals shall have been ascertained either by agreement or by a board of appraisers a sum equal to three-fourths of such valuation so ascertained shall be paid by the State Treasurer to the owner or owners of said animal or animals upon presentation of said certificate to the said State Treasurer with the approval of the chief of the Bureau of Animal Industry indorsed thereon; *provided*, that to and including the thirty-first day of October, nineteen hundred and nineteen, such appraisement shall not exceed fifty dollars for each animal condemned, and on and after the first day of November, nineteen hundred and nineteen, such appraisement shall not exceed one hundred dollars for each animal condemned; *and provided, further*, that no compensation shall be made for animals considered by the Department of Agriculture to be of no value.

(d) In those cases in which said owner or owners shall have been compensated by the State, if the

meat of such slaughtered animal or animals shall be passed for use as food by a Federal, State or municipal health inspector, the Department of Agriculture is hereby authorized to sell the same and the net proceeds from the sale of the meat, hide and other marketable products of the said animal shall be paid into the State treasury.

2. Paragraph eight of section three of the act to which this act is amendatory is hereby amended so as to read as follows:

Paragraph 8 amended.

8. (a) The importation of neat cattle, except those specified in paragraph nine (b) and (c), into this State is hereby prohibited unless such cattle shall have passed a tuberculin test within thirty days immediately prior to their importation and said cattle so imported shall be accompanied by the certificate prescribed in paragraph eleven, filled out by the shipper and in possession of the attendant or drover bringing such cattle into this State; or if such importation is by common carrier then said certificate shall be in the possession of the agent of the common carrier having charge of such importation.

Imported cattle certified.

(b) All such attendants, drovers or agents shall be required to show said certificate or certificates upon request of any official or agent of the Department of Agriculture and to satisfy said officer or agent of the Department of Agriculture that the provisions of this act are being complied with.

Certificate shown on request.

3. Paragraph nine of section three of the act to which this act is amendatory is hereby amended so as to read as follows:

Paragraph 9 amended.

9. (a) If, however, permission from the chief of the Bureau of Animal Industry is obtained in writing before such cattle are imported, then the shipper may import said cattle without a previous tuberculin test; subject to a test in this State by a veterinarian designated by the Department of Agriculture to make the same, which test shall be made not later than two weeks after said cattle

Animals may be tested after entry.

Animals  
quarantined  
until tested.

shall have entered this State. Until said cattle shall be tested they shall not be sold but shall be kept in quarantine at the point of destination in this State or at such point as may be defined in the written permission of the Department of Agriculture previously granted, and shall be kept from other cattle and stock.

If test un-  
favorable  
animal  
slaughtered.

Any animal or animals reacting in such a test so as to indicate the presence of tuberculosis shall be held in quarantine by the owner or owners until notified by the Department of Agriculture to slaughter said animal or animals, and upon receipt of said notice said owner or owners shall immediately slaughter or cause said animal or animals to be slaughtered in the presence of a duly authorized Federal, State or municipal inspector, and such animal or animals shall be slaughtered without remuneration to the owner by the State, but may be sold for beef if passed by a Federal, State or municipal health inspector.

Permission  
required to  
bring neat  
cattle into  
state for  
slaughter.

(b) The importation into this State of neat cattle for immediate slaughter, except when consigned to a public stockyard having State or Federal inspection, is hereby prohibited unless permission for such importation, in writing, is obtained from the chief of the Bureau of Animal Industry at the time shipment is made. When said cattle shall have reached their destination it shall be the duty of the owner or custodian thereof to immediately notify the chief, Bureau of Animal Industry, at the State House, Trenton, either by telegraph or telephone, of their arrival and to hold them in quarantine, separated from other cattle and stock, at said point of destination, until inspected and released by a member or agent of the Department of Agriculture.

Cattle held  
for inspection.

Tuberculin  
test necessary  
before im-  
portation.

(c) The importation of "feeders," "steers," "grassers," "stockers," and any neat cattle into this State for any other than exhibition, dairying or breeding purposes is hereby prohibited unless



such animal or animals have passed a tuberculin test within thirty days immediately prior to their importation and such animal or animals shall be accompanied by the certificate prescribed in paragraph eleven. If, however, permission in writing from the chief of the Bureau of Animal Industry is obtained before the said animals are imported, the shipper may import said cattle without subjecting them to a tuberculosis test by signing an agreement upon their arrival to maintain said cattle in quarantine and separated from other cattle and stock at their destination in this State, as defined in the written permission so granted, until slaughtered.

When test  
omitted.

(d) Any animals imported under the conditions herein above set forth and disposed of by the owner for any other purpose than immediate slaughter shall, before being removed from the premises where held in quarantine, be subject to a tuberculin test by a veterinarian designated for that purpose by the chief of the Bureau of Animal Industry. Such test shall be made at the owner's expense. Any animals reacting in such a test so as to indicate the presence of tuberculosis shall be held in quarantine by the owner or owners until notified by the Department of Agriculture to slaughter said animal or animals and upon receipt of said notice such owner or owners of any such animal or animals shall immediately slaughter or cause such animal or animals to be slaughtered in the presence of a duly authorized Federal, State or municipal inspector, and such animal or animals shall be slaughtered without remuneration to the owner or owners by the State, but may be sold for beef if passed by a Federal, State or municipal health inspector, and the owner may receive the net proceeds from the sale of such carcass and shall have no further claim against this State on account of such slaughter.

Test before  
removal.

Slaughter  
of animals  
found af-  
fected.

Proceeds if  
sold.

Paragraph 11  
amended.

4. Paragraph eleven of section three of the act of which this act is amendatory is hereby amended so as to read as follows:

Record of  
tests kept.

11. (g) 2d. A complete record of said tests made according to the method prescribed by the Department of Agriculture on blanks provided by said Department of Agriculture, showing the date of such test, the kind and amount of tuberculin injected, the kind of thermometer and the time when and place where such tuberculin and thermometers were obtained, and such other information as may be deemed advisable.

Paragraph 13  
amended.

5. Paragraph thirteen of section three of the act of which this act is amendatory is hereby amended to read as follows:

Identification  
tags.

13. All neat cattle, except those specified in amended paragraph nine (b) and (c), imported into this State, shall bear a tag number or other mark of identification, said tag or mark to be furnished or designated by the Department of Agriculture, and no two or more of such tags or marks used in the same shipment shall bear the same number. No railroad, steamboat or ferry company or other common carrier shall transport neat cattle from any point outside of the State of New Jersey to any point within the State of New Jersey unless such cattle are accompanied by a permit or certificate hereinabove prescribed, which certificate shall bear the signature of the agent of the common carrier, as provided in subdivision (f) of paragraph eleven. No bridge company shall permit any neat cattle to pass over any bridge owned, operated or controlled by it from any point without the State of New Jersey to any point within this State, unless such cattle are accompanied by such permit or certificate.

Shipping  
certificate.

Crossing  
bridges.

Paragraph 14  
amended.

6. Paragraph fourteen of section three of the act of which this act is amendatory is hereby amended so as to read as follows:

14. A copy of said certificate shall be mailed to the chief of the Bureau of Animal Industry on or before the date the cattle are started on their journey into this State. Said copy shall serve as a notice of the shipper's intention to bring such cattle into the State. Within three days immediately after the arrival of the cattle at their destination within the State, the owner or custodian shall notify the chief of the Bureau of Animal Industry, Department of Agriculture, Trenton, either by telegraph or telephone, of the arrival of said cattle and their location in this State. The Department of Agriculture shall have the right to refuse to accept any certificate which, in the judgment of the department, does not show a satisfactory test or which is not properly executed, and in case any such cattle are imported into this State without such satisfactory certificate, the Department of Agriculture may quarantine the cattle at the expense of the shipper until a satisfactory record of test can be made, and proceed against the shipper as violating the provisions of this act as hereinafter provided, or if the cattle have not entered the State, may refuse such cattle the right of entry.

Copy of  
certificate  
mailed.

If improper  
may be  
rejected  
and animals  
quarantined.

15. Cattle coming into the State shall not be sold or removed from their destination in the State until they have been inspected by a representative of the Department of Agriculture, who, if the provisions of this act have been complied with, shall sign the certificates, thus releasing said cattle. A definite charge shall be made on every shipment of cattle brought into the State without having been satisfactorily tested with tuberculin, to cover the cost of veterinarian test of the same, and shall be paid by the shipper before the cattle are tested by the inspector.

Animals  
must be  
inspected.

Charge for  
inspection.

7. Penalty: Any person or persons violating any of the provisions of this act shall be subject to a penalty of one hundred dollars for each offense, to

Penalty.

be recovered by the Department of Agriculture in an action of debt.

8. This act shall take effect immediately.

Approved March 1, 1918.

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## CHAPTER 158.

An Act to authorize companies operating street railways to carry freight and express matter thereon.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Trolley companies may carry freight and express matter.

Proviso.

Repealer.

1. It shall be lawful for any company operating any street railway in this State to receive and carry over such railway freight and express matter for hire, and to deliver the same to parties entitled thereto; *provided*, that the Board of Public Utility Commissioners may prescribe reasonable regulations for the use and operation of the cars employed in the carrying of such freight and express matter.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 159.

An Act to provide for municipal aid to home defense units.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In any municipality where there is, or may hereafter be, a regularly organized home defense unit, or organization, that such municipality may, at any time in its judgment or discretion, loan to such units or organization any equipment necessary or convenient to the objects and purposes of the said unit or organization, or may detail any police officer or officers for the purpose of drilling such unit or organization, and may further appropriate for the use of the said unit or organization any sum within the judgment or discretion of the proper officers of the municipality, not to exceed twenty thousand dollars in any one year.

Equipment.

Drill master.

Appropriation.

Approved March 1, 1918.

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CHAPTER 160.

An Act to amend an act entitled "An act providing for the licensing and bonding of all dealers in milk and cream who purchase from or contract with producers in this State or who receive milk or cream from such producers for shipment, sale or manufacture," approved March twentieth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Milk dealers  
licensed.

1. On or after July first, nineteen hundred and seventeen, no person, firm, association or corporation, unless exempted by the Secretary for Agriculture, as hereinafter provided, shall engage in or carry on the business of buying milk or cream in this State for the purpose of shipping or for sale, resale or manufacture, unless such business be regularly transacted or conducted at an office or station within the State and unless such person, firm, association or corporation be duly licensed as provided hereinafter. Every such person, firm, association or corporation before engaging in the business of buying milk or cream for the purposes aforesaid, shall, annually, on or before June first, file an application with the Secretary for Agriculture for a license to transact such business. The application shall state the nature of the business, as hereinabove set forth, the full name or names of the person or persons or corporation applying for the license, and, if the applicant be a firm or association, the full name of each member of such firm or association, the city, town or village and street number at which the business is to be conducted, and such other facts as the Secretary for Agriculture shall prescribe. The applicant shall further satisfy the Secretary for Agriculture of his or its character, financial responsibility and good faith in seeking to engage in such business. The Secretary for Agriculture shall thereupon issue such applicant, on payment of ten dollars, a license entitling the applicant to conduct the business of buying milk and cream from producers for the purpose aforesaid at an office or station at the place named in the application until the first day of July next following; *provided, however*, that if application be made subsequent to July first in any year, said license

Application  
for license.

Statement in  
application.

Responsibility  
of applicant.

License fee.

Proviso.

shall run until the first of July next following.

The Secretary for Agriculture may, at his discretion, exempt from the provisions of this act any dealers who do not make purchases from more than two producers, or those whose total monthly purchases of milk or cream do not exceed in value the sum of two hundred dollars. A license shall not be issued, however, to any applicant if, during the year preceding the application, a complaint from any producer and seller of milk and cream shall have been filed with the Secretary for Agriculture against such applicant for any grounds specified in section three hereof, and such complaint shall have been established as true and just to the satisfaction of the Secretary for Agriculture after such complaint shall have been investigated by the Secretary for Agriculture in the manner provided for in section two hereof. A license shall not be issued as provided in this section unless and until the applicant shall file with the Secretary for Agriculture as herein provided, a good and sufficient surety bond executed by a surety company duly authorized to transact business in this State, in a sum not less than one and one-half times the estimated maximum monthly indebtedness of the applicant to the parties or persons from whom he may purchase or receive, or may have purchased or received, milk or cream, or unless the applicant shall be relieved from such requirement as hereinafter provided. Such bond shall be approved as to its form and sufficiency by the Secretary for Agriculture.

Exceptions.

License refused on established complaint.

Surety bond.

Such applicant may in lieu of such bond deposit with the Secretary for Agriculture money or securities in which banks may invest the moneys deposited therein, as provided by law, in an amount equal to the sum secured by the bond required to be filed as herein provided.

Cash deposit instead of bond.

The bond required to be filed hereunder shall be given to the Secretary for Agriculture in his

Condition of bond.

official capacity and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the payment of all amounts due to persons who have sold milk or cream to such licensee, during the period that the license is in force. The money or securities deposited with the Secretary for Agriculture as above provided shall constitute a separate fund, and shall be held in trust for, and applied exclusively to, the payment of claims against the licensee making such deposit, arising from the sale of milk or cream to such licensee.

Use of  
deposit.

If licensee  
default,  
creditor may  
file claim.

Upon default by the licensee in the payment of any money due for the purchase of milk or cream, which payment is secured by a bond or the deposit of money or securities as hereinbefore provided for, the creditor may file with the Secretary for Agriculture, upon a form prescribed by him, a verified statement of his claim. If such creditor shall have reduced such claim to judgment, or shall thereafter and before the commencement of the action by the Secretary for Agriculture, as herein-after provided for, reduce such claim to judgment, a transcript of such judgment shall also be filed with the Secretary for Agriculture.

When state-  
ment filed.

Such statements may be filed at any time during the period of the license for purchases made during such period and within ninety days from the termination of such period.

Settlement of  
claim.

After the expiration of ninety days from the termination of any license period the Secretary for Agriculture shall, by proper action wherein all such creditors and any surety upon any bond given as hereinbefore provided for and the licensee shall be parties, proceed to determine the amount due each creditor, and the judgment rendered in such action shall be enforced ratably for such creditors against the surety on the bond, if one there be, or against the moneys or securities deposited as hereinbefore provided for. If any



creditor shall have reduced his claim to judgment such judgment shall be presumptive proof of the amount due such creditor in any action brought by the Secretary for Agriculture as hereinbefore provided for.

Every bond given pursuant to the provisions hereof shall be applicable, in the first instance, to the payment of all claims arising during the license period for which such bond shall continue, and filed either during such period or within ninety days after the expiration thereof. If all such claims shall be paid the balance available upon such bonds shall be devoted to the extinguishment ratably of claims arising during such license period, but for which statements shall not have been filed until after ninety days after the expiration of such period.

Application  
of bond.

All moneys and securities, deposited as herein provided for, shall be applicable, in the first instance, to the extinguishment of claims, properly filed, arising during the license period for which such moneys or securities were originally deposited, and if, after the extinguishment of such claims, there shall be a surplus remaining, such surplus shall be devoted to the extinguishment of claims arising during any preceding license period which were properly filed as hereinbefore provided, all claims for any one license period to be of a parity. Any surplus remaining after the extinguishment of such prior claims shall be added to the moneys or securities then on deposit with the Secretary for Agriculture, or, if there be at that time on file with the Secretary for Agriculture a bond given pursuant to this section, or if there be then on deposit with the Secretary for Agriculture additional moneys or securities deposited as herein provided for, and if such bonds or such moneys or securi-

Use of de-  
posits.

Surplus.

ties, as the case may be, shall, in the opinion of the Secretary for Agriculture, be sufficient, such surplus shall be returned to the licensee.

Statement on  
demand.

A person or corporation licensed hereunder shall make a verified statement of his or its disbursements during a period to be prescribed by the Secretary for Agriculture, containing the names of the persons from whom such products were purchased, and the amount due to the vendors thereof. Such statement shall be submitted to the Secretary for Agriculture when requested by him and shall be in form as prescribed by the Secretary for Agriculture if it appears from such statement or other facts ascertained by the Secretary for Agriculture, upon inspection or investigation of the books and papers of such licensee as authorized by section two of this act, that the security afforded to persons selling milk or cream to such licensee by the bond executed or deposit made by such licensee as herein provided does not adequately protect such vendors, the Secretary for Agriculture may require such licensee to give an additional bond or to deposit additional money or securities, to be executed or deposited as above provided, in a sum to be determined by the Secretary for Agriculture, but not exceeding by more than fifty per centum the maximum amount paid out by such licensee to sellers of milk in any one month; *provided, however,* that the maximum amount of the bond or deposit required from any applicant under the provision of this section shall be one hundred thousand dollars; and that any applicant filing a bond or depositing money or securities in such maximum amount may be exempted from filing either the statements of milk purchased, or the statements of disbursements in this section provided for.

Bond may be  
raised.

Proviso;  
maximum  
amount of  
bond.

Exceptions.

Certain appli-  
cants re-  
lieved from  
filing bond.

The Secretary for Agriculture may, notwithstanding the provisions of this section, if satisfied from an investigation of the financial condition of

any applicant for a license under this section, that such person or corporation is solvent and possessed of sufficient assets to reasonably assure compensation to probable creditors, by an order filed with the Department of Agriculture relieve such person or corporation from the provisions of this section requiring the filing of a bond.

The term "station" or "milk gathering station," as used in this and ensuing sections of this act shall include any established office where the business of buying milk or cream as herein provided for is carried on with or without a place or premises in connection therewith for the physical handling of milk or cream, provided that such station or office shall be a suitable place for keeping such records and accounts and for posting such notices and statements as are required or as may hereafter be ordered under the provisions of this act, and for keeping for inspection as hereinafter provided, a copy of the license under which the business of a licensee is conducted.

"Station"  
defined.

Provided.

2. This act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 161.

An Act to amend and supplement an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section ninety-two of the act to which this act is amendatory and supplemental be and the same hereby is amended so that it shall read as follows:

Section 92  
Amended.

Ballots partially void.

92. If, in canvassing and estimating the votes, any ballot or ballots shall be found to contain more names for any office than there are persons to be elected to fill such office, then in every such case the ballot or ballots shall be deemed and taken to be null and void and of no effect, so far as respects the office for which there are more names than there are persons to be elected to fill such office, and no further; but the said ballot shall not be null and void and of no effect if the canvassing board or officer is satisfied that the defect has been caused by a person other than the voter.

Validity of ballot as to marking.

2. No ballot hereafter cast at any primary election, or at any general or special election, whether for officers or upon a proposition submitted to the electors, shall be invalid by reason of the fact that such ballot is marked with a pencil or with ink of a color other than black, or by reason of the fact that such ballot contains any marks not contemplated by the act to which this act is a supplement, or by any act amendatory thereof or supplemental thereto, unless the board canvassing said ballots, or the board or officer conducting the recount thereof, shall be satisfied that the use of pencil or ink other than black or the placing of said mark upon the ballot was intended to identify or distinguish said ballot. Whenever the canvassing board or officer is satisfied that it was the intention of the voter casting any ballot to vote for a particular candidate, such ballot shall be counted for such candidate, notwithstanding the fact that the name of such candidate may be misprinted, or his Christian name or initials may be omitted, and notwithstanding the fact that the mark made by the voter opposite the name of such candidate may not be a plus or a cross mark, and may not be in the blank space prepared therefor on said ballot; *provided*, the canvassing board or officer shall be satisfied that the mistake was made in good faith, and not

Intention of voter recognized.

Proviso.

for the purpose of identifying or distinguishing the ballot.

3. This act shall take effect immediately.

Approved March 1, 1918.

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## CHAPTER 162.

A Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The county board of elections provided for by the act to which this act is a supplement shall consist of four persons, who shall be legal voters of the counties for which they are respectively appointed. Two members of such county board shall be members of the political party which at the last preceding general election cast the largest number of votes in this State for members of the General Assembly, and the remaining two members of such board shall be members of the political party which at said election cast the next largest number of votes in the State for members of the General Assembly. The members of such board shall hereafter be appointed in the following manner: The Supreme Court justice holding the circuit in the county in which such appointment is to be made and the judge or judges of the Court of Common Pleas in such county shall, on or before the first day of July, nineteen hundred and eighteen, certify to the Governor the names of four persons, qualified under this act to serve as members of the

County board  
of elections.

Members.

Appointed by  
Court.

Commissioned by Governor.	county board of elections of such county. On or before the first day of August, nineteen hundred and eighteen, the Governor shall commission the persons whose names are so certified as members of the county board of elections of such county;
Proviso.	<i>provided, however,</i> that the Governor may at any time before the twentieth day of said month of July
Governor may reject names.	reject the names so certified to him and require such justice of the Supreme Court and judge or judges of the Court of Common Pleas to certify other names. If such justice of the Supreme Court and such judge of the Court of Common Pleas shall fail to certify names satisfactory to the Governor on or before the first day of August, the Governor shall appoint four persons qualified under this act and commission them as members of the county board of elections. Two of the members first ap-
Terms of members of county board.	pointed under this act, not more than one of whom shall be members of the same political party, shall hold office for the term of one year from the first day of August next, and the remaining members shall hold office for the term of two years from the first day of August next, and thereafter two members of such board shall be certified annually to the Governor by the justice of the Supreme Court and the judge of the Court of Common Pleas at the times and in the manner above stated, and shall, unless rejected as aforesaid, be commissioned in like manner by the Governor, and shall continue in office for two years from the first day of August next after their appointment. The justice of the
Terms indi- cated.	Supreme Court and judge or judges of the Court of Common Pleas in certifying the names first certified under this act to the Governor, shall indicate the names of the persons who are to be appointed for one year, and the names of the persons who are to be appointed for two years, and such persons, if not rejected as aforesaid, shall be appointed accordingly. In case of a vacancy arising in any
Vacancy.	county board of elections from any cause other

than expiration of term, the justice of the Supreme Court and the judge of the Court of Common Pleas shall forthwith certify to the Governor the name of a person qualified to fill such vacancy, and the Governor shall commission such person for the unexpired term, unless within ten days after such certification he shall reject such person, and shall require such justice of the Supreme Court and judge or judges of the Court of Common Pleas to certify another name. If such justice of the Supreme Court and judge or judges of the Court of Common Pleas shall not certify the name of a person satisfactory to the Governor within five days after such notice of rejection, the Governor shall appoint a qualified person to fill such vacancy for the unexpired term, and shall commission him accordingly. The terms of all members of the county board of elections as now constituted shall cease and determine on the first day of August next.

When govern-  
or may ap-  
point.

Expiration of  
present  
boards.

2. The boards of registry and election in each election district of this State shall consist of four members, who shall be appointed by the county board of elections of the county in which such election district is located, in the manner hereinafter provided.

District  
boards of  
election.

3. Any legal voter may volunteer for service as a member of a district board of registry and election of the municipality in which he resides, and any person, whether male or female, who is a citizen of the United States over twenty-one years of age, and who shall have been regularly appointed as a teacher in any public school of any municipality in this State, which now has, or hereafter shall have, a population of over ten thousand, may volunteer for service as a member of a district board of registry and election of such municipality. Any such volunteer shall send his or her name and address to the county board of elections on a blank form to be prepared for that purpose by such

Any voter or  
teacher may  
volunteer to  
serve on dis-  
trict board.

Form to be  
used in ap-  
plying.

- board. On such form such person shall, if a legal voter, state the political party to which he belongs, and if not a legal voter, may state whether or not he or she has any preference for any political party, and, if so, for which party; *provided, however*, that said county board of elections shall not discriminate against any volunteer not a legal voter of the municipality for which such person volunteers because of any failure on the part of such person to state his or her preference for any political party.
4. The names of the persons so volunteering, as aforesaid, shall be placed by said county board of elections on the eligible list for members of district boards of registry and election in the municipalities for which they shall have respectively volunteered. The county board of elections of any county shall also select and place on said eligible list for each municipality in said county as many legal voters residing in said municipality as may in its discretion be advisable. For the purpose of selecting such persons the said county board of elections may have access to the grand jury list of said county. From the eligible list for each municipality in said county, prepared in the manner above stated, such county board of elections shall appoint the members of the district boards of registry and election; *provided, however*, that not more than two persons who are not legal voters of said municipality, not more than one of whom shall have stated in the manner above provided a preference for the same political party, shall be appointed as members of the same district board of registry and election; *provided, further*, that members of any district board of registry and election, who are legal voters of the municipality for which said board shall be appointed, shall be equally apportioned among each of the two political parties which at the last preceding general election cast the largest and next largest number of votes re-

Proviso.

Eligible list.

Members selected from list.

Proviso.

Proviso.



spectively in this State for members of the General Assembly.

5. The county board of elections shall, on or before the twentieth day of August in each year in which members of district boards of registry and elections are to be appointed, certify to the sheriff of the county in which such county board sit the names of the persons appointed to the district boards of registry and election in the election districts in said county, and such sheriff shall summon, on or before the first day of September, such persons for service as members of such district board of registry and election in the manner in which members of the grand jury of said county are or hereafter shall be required by law to be summoned. Any vacancy arising in any district board of registry and elections otherwise than by expiration of term, shall be filled for the unexpired term only, by the judge of the Court of Common Pleas of the county in which such district is situated. Such judge shall send the name and address of the person so appointed, and the name of the district in which such vacancy shall exist, to the sheriff, and the person so appointed shall be summoned for service in the manner above provided.

Appointees  
certified to  
sheriff.

Appointees  
summoned as  
election off-  
cers.

Vacancy.

6. Every person so summoned shall attend at the times and places now or hereafter fixed by law for the performance of any duty now or hereafter required of any member of a district board of registry and election. Said county board of elections shall certify to the sheriff of the district in which such member shall sit, and the summons served by the sheriff shall specify the district in which the person so summoned shall sit and the location of the polling place in which his duties are to be performed.

When and  
where to re-  
port.

7. Any person so summoned failing to appear and discharge any duties now or hereafter imposed by law on a member of the district board of registry and election of the district for which such per-

Penalty for  
not answer-  
ing summons.

son was appointed, at any time within the term of two years from the first day of September next succeeding the service of the summons, shall be liable to a penalty of one hundred dollars, to be sued for and recovered in the name of the county, by the prosecutor of the pleas of such county in any court of competent jurisdiction, unless such person, upon application to the judge of the Court of Common Pleas of such county, and upon good cause shown, shall be excused from service as a member of such district board of registry and election; *provided, however,* that any person other than a volunteer, who shall have been selected as a member of a district board of registry and election shall, upon making application to such Common Pleas judge, be entitled to be excused from service upon showing that he has served on any such board in such county within four years next preceding such application.

Proviso.

District  
boards ter-  
minated.

8. The terms of office of all members of district boards of registry and election, heretofore appointed, shall end on the first day of September, nineteen hundred and eighteen.

Assignment  
to any dis-  
trict.

9. Any person selected as a member of a district board of registry and election may be assigned by the county board of elections to any election district in the municipality for which such person was elected.

Polling places  
selected.

10. The county board of elections shall select the polling places in each election district in the county for which it was appointed and shall certify a list of the polling places so selected to the clerk of the municipality in which such polling places are located; *provided, however,* that it shall be the duty of the clerk of each municipality in said county to send to said county board of elections, before the first day of August in each year, a suggested list of polling places in said municipality, but said county board of elections shall not be obliged to select the polling places so selected.

Proviso.

Such county board of elections shall select the schoolhouse or schoolhouses as the polling places in any municipality in said county having a population of over ten thousand, whether or not such schoolhouses are located within the election district for which such polling place is established; and more than one polling place may be located in the same schoolhouse; *provided, however*, that the county board of election may in its discretion select a polling place other than a schoolhouse for any election district, when the location of such election district and of the schoolhouses in the municipality in which such election district is located is such that great inconvenience would be caused the voters of such election district by locating the polling place thereof in a schoolhouse.

School houses  
as polling  
places.

Proviso.

11. The polls shall be open on any primary election day from twelve-thirty P. M. until nine P. M., and on any registry day other than a primary election day from three P. M. until nine P. M. No school shall be held in any schoolhouse in which the district board of registry and election shall sit at any time during which such board shall be sitting in said schoolhouse for the performance of any duty under any of the election laws of this State. It shall be the duty of the official having charge of the printing of the sample ballots to be used in any municipality having a population of more than ten thousand at any election, primary, general or special, to have printed thereon, after the words which indicate the ward and election district for which the ballots are printed, the following words: "The voting place of said election district is School No. .... (inserting the school number or other words by which the school building in question is commonly known, or in case such voting place is not located in a schoolhouse, then stating the location of said voting place), on ..... street, near ..... street."

Polls open.

No session of  
school.

Location of  
voting place  
printed on  
ballots.

Police regula-  
tions.

12. It shall be the duty of the board or official having charge of the police department in each municipality having a population of more than ten thousand to assign at least one policeman to each board of registry and election to maintain order during the hours of registry and election, and to assist the members of said board in carrying the ballot box to the office of the municipal clerk after the ballots are counted.

Repealer.

13. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

Approved March 1, 1918.

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#### CHAPTER 163.

An Act to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Article X (1)  
amended.

1. Section one of Article X of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Ordinance  
and resolu-  
tion defined.

1. The term "ordinance" when used in this act means any act or regulation of the governing body of any municipality reduced to writing and required to be read at more than one meeting thereof, and published. The term "resolution" means any act or regulation of the governing body reduced to writing and which may be finally passed at the meeting at which it is introduced. No ordi-

nance shall be finally passed unless it has been read in substantially its final form at a meeting held at least one week prior to its final passage, and shall have been published in a newspaper circulating in the municipality at least two days prior to its final passage; *provided*, such publication shall not be necessary in case notice of intention has been published under the provisions of section nine of Article XX of this act. Such publication shall contain a notice stating the time and place when and where the governing body will consider the final passage thereof.

Passage of ordinance.

Proviso.

Before any ordinance shall take effect, such ordinance or its title shall be published at least once in a newspaper circulating in such municipality. It shall not be necessary to publish an ordinance otherwise than as required by this act.

Publication.

2. Article XI of the act to which this act is an amendment be and the same is hereby amended by adding thereto a new section to be known as section six, and which section shall read as follows:

Addition to Article XI.

6. No municipality shall enter into any contract whatsoever, the cost of which is to be met by funds other than those included in the budget of appropriations for the year, unless prior thereto there shall have been regularly adopted by the governing body of such municipality an ordinance authorizing an appropriation sufficient to meet the cost of carrying out the provisions of such contract; *provided*, this section shall not affect the use of funds of departments, such as water departments, for the operation of which budget appropriations are not made.

Contract beyond budget authorized by ordinance.

Proviso.

3. Section three of Article XIII of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Article XIII (3) amended.

3. In case the governing body of any municipality shall be required by petition, or shall deem it advisable to fix the salaries of its members or of any officer, or the salaries paid in any municipi-

Fixing salaries by referendum.

Ordinance.	pal department, in cases where under the provisions hereof it is necessary to have a referendum vote thereon, such governing body shall pass an ordinance definitely fixing such salary or salaries, with the date when the same shall commence. The clerk of the municipality shall forthwith forward a certified copy of such ordinance to the proper officer, notifying such officer that a vote is desired upon the question. Such officer shall, in the manner and form provided by law, place the same upon the ballots used at the next general election in such municipality in substantially the following form: "Shall the salary (or salaries) of the .....(Title of office, department or group) of.....(Name of municipality) be fixed as follows: ..... (Amount or amounts) per annum?" If a majority of the legal voters voting at such election shall vote "Yes," the salary or salaries so adopted shall be paid to the members of the said governing body, department or officer on and after the date specified and until the said salary or salaries shall be again changed by a referendum vote as aforesaid. In case a majority of the legal voters voting at such election shall vote "No," such salary or salaries shall continue as theretofore; <i>provided</i> , that the salary or salaries to be paid any officer or in any department shall not be voted upon more than once in three years.
Question on ballot.	
Result.	
Proviso.	
Addition to Article XIII.	4. Article XIII of the act to which this act is an amendment be and the same is hereby amended by adding thereto a new section to be known as section eight, and which section shall read as follows:
Submitting question of salaries at general election.	8. In case there shall be submitted to the governing body of any municipality a petition signed by twenty per centum of the legal voters of the municipality, requesting that there shall be submitted to the legal voters of such municipality the question of fixing the salary or salaries of any officer or officers or of the members of any department of the

municipality at the amount or amounts stated in such petition, such governing body shall cause such question to be submitted to the legal voters of such municipality at the next general election therein occurring more than thirty days after the receipt of such petition by said governing body.

5. Article XVI of the act to which this act is an amendment be and the same is hereby amended by adding thereto a new section to be known as section ten, and which section shall read as follows:

Addition to  
Article XVI.

10. In any police department of any municipality eight continuous hours of actual duty in each twenty-four hours shall be deemed a day's service, and no policeman shall be compelled to perform any police duty exceeding the time herein specified, except in cases of extreme urgency, such as strikes, riots, conflagrations or invasions; *provided*, that this section shall be inoperative in any municipality in this State until the same is accepted or adopted by the legal voters of such municipality. The governing body of any municipality may, in the manner and form provided by law, submit the question of the acceptance or adoption of this section to the legal voters of the municipality at any time it so desires. The question of the acceptance or adoption of this section shall be submitted to the legal voters of any municipality whenever there shall be submitted to the governing body of such municipality a petition signed by at least twenty per centum of the legal voters of the municipality requesting that the question of the acceptance or adoption of this section be submitted to such legal voters.

Day's service deemed  
8 hours.

Proviso.

Referendum.

Question  
submitted  
on petition.

6. Section four of Article XX of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Article XX (4)  
amended.

4. Whenever any municipality shall have determined to pave, repave, or otherwise improve any street, road, avenue, alley, or other public highway, or any portion thereof, it shall be lawful for

House connections before paving.

Time allowed to make connections.	<p>the governing body of such municipality, by separate ordinance, or in the ordinance providing for such improvement, to order and direct that in all streets, roads, avenues, alleys, or other public highways, or any portion thereof, where sewer, gas or water mains or conduits for wires are located, that in order to make private connection therewith, it will thereafter be necessary to excavate and tear up the proposed improved portion of said street, road, avenue, alley, or other public highway, or any portion thereof, the owner of any and all lands on the line of said proposed improvement to make necessary connections with the sewer, gas or water mains, or conduits for wires, in said street, road, avenue, alley or other public highway or any portion thereof, for all lands not already connected with said sewer, gas, water mains or conduits for wires, before the work upon such improvement shall be begun, and to prescribe the time, which shall not be less than thirty days after the passage of said ordinance, within which the said connections shall be made, and it shall thereupon be the duty of all owners of any land or lands on the line of said improvement, within the period prescribed in said ordinance, to make said connections.</p>
Width of lots.	<p>It shall also be lawful for said ordinance to provide the width of the lot or lots for which connections shall be made, according to the character of the locality, and, when so fixed, all connections shall be made in conformity with said ordinance.</p>
Notice to those affected.	<p>Notice shall be given to every known property owner affected, of the pendency of any such separate ordinance, in the same manner as notice is given of the consideration of ordinances concerning local improvemets.</p>
If owners fail to comply, connections made by authorities.	<p>In case the owner or owners of any lands for which said connections shall be ordered to be made shall not comply with the order or direction contained in said ordinance within the time therein specified, the board or body in charge of said work</p>



shall make or cause said connections to be made, and pay the expenses and costs thereof, which expenses and costs shall be assessed upon any lands benefited.

Costs assessed on lands.

7 Section six of Article XX of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Article XX (6) amended.

6. It shall be lawful for any two or more municipalities to unite in undertaking any one or more of the works mentioned in this article as a local or general improvement. One or more municipalities may unite with a county in the undertaking of any such improvement. Whenever such work is contemplated, a proposed agreement shall be prepared, setting forth the work or works to be undertaken, the plans and specifications therefor, and the proportion of the cost thereof to be borne by each, and any other provisions deemed necessary to be inserted therein.

Joint municipal improvements.

Agreement.

If any such work is to be undertaken as a local improvement, notice of the intention of any governing body of a municipality to consider any ordinance authorizing the execution of such contract and the doing of the work contemplated therein, and a hearing thereon shall be given in each municipality in the same manner as is provided by this act in cases where the improvement is undertaken by a single municipality.

Notice of intention.

If such contract is authorized and executed, the work shall proceed as provided therein. Upon the completion of any such work undertaken as a local improvement, the governing body of any municipality party to said agreement shall certify to the officer or board charged with the duty of making assessments in such municipality, the cost thereof to be borne by such municipality, and such board shall make an assessment on all lands and real estate in such municipality benefited by such improvement. Such officer or board shall give the same notice and accord the same hearing and pro-

Proportionate cost and assessment.

Assessments a lien.

ceed in the same manner, and such assessment shall be a lien and shall be enforced in the same manner as in making assessments where the improvement is made by a single municipality.

Article XX (9)  
amended.

8. Section nine of Article XX of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Notice given  
to those  
affected.

9 After the introduction of any ordinance authorizing any local improvement, public notice shall be given to all persons whose lands may be affected thereby or who may be interested therein, of the intention of the governing body to consider the undertaking of such improvement. Such notice shall state the time when and the place where such governing body shall consider the said ordinance, and shall briefly describe the proposed improvement. Such notice shall be published at least once in a newspaper circulating in the municipality, at least ten days prior to the date so fixed. At the time and place so specified in such notice, or at any time and place to which the meeting shall have adjourned, all persons whose lands may be affected by such improvements, or who may be interested therein, shall be given an opportunity to be heard concerning such improvement.

Hearing  
afforded.

Consideration  
by board.

After according persons in interest an opportunity to be heard, said board or body may proceed to consider and to pass or reject such ordinance. If the same is rejected, it shall not be reconsidered until notice of the intention to reconsider the same is given, in the same manner as the original notice of hearing. Where the notice is published as required by this section, the publication of the ordinance before its final passage shall be unnecessary.

Article XX  
(10) amended.

9. Section ten of Article XX of the act to which this act is an amendment be and the same is hereby amended to read as follows:

No improve-  
ment if two-  
thirds in  
value object.

10. No local improvement shall be undertaken by a municipality where objections thereto in writ-

ing are filed by the owners of two-thirds in value of the lands proposed to be assessed for benefits accruing from such improvement. Such objection shall be filed with the clerk of the governing body before the final passage of the ordinance providing for such improvement.

The question as to whether the necessary two-thirds have joined in such objections shall be determined by the governing body, which shall use for that purpose the last preceding valuation for the purpose of taxation; *provided, however*, that if the governing body shall determine that such local improvement is a public necessity, then such municipality may undertake such local improvement notwithstanding such objection. The person or persons filing such objections may, however, within ten days after passing of such ordinance, appeal from the determination of the governing body as to the public necessity of such improvement, to the judge of the Court of Common Pleas of the county wherein such municipality is located by a notice in writing filed with the clerk of such municipality, which appeal may be brought on by either party on five days' notice, and the determination of the judge of said Court of Common Pleas as to the public necessity of such improvement shall be final.

10. Section eighteen, Article XX, of the act to which this act is an amendment be and the same is hereby amended to read as follows:

18. In any municipality where no such board is provided for by law or by such ordinance, the governing body may, by resolution, upon the completion of any local improvement, appoint three discreet freeholders, who shall be residents of the municipality, and in no way interested in such improvement, in which instance the freeholders so appointed shall make the assessment for such particular improvement; *provided*, in case such improvement shall be of a general nature affecting the greater part of the properties in said municipi-

Valuation  
used.

Proviso.

Appeal  
may be  
taken.

Article XX  
(18) amended.

Residents  
appointed to  
make assess-  
ments.

Proviso.

pality, none of the commissioners shall be disqualified by reason of the fact that they or any of them may own a property or properties included in such assessment.

Addition to  
Article XX.

11. Article XX of the act to which this act is an amendment be and the same is hereby amended by adding thereto a new section to be known as section twenty-three-a, and which said section shall read as follows:

Method of  
taking appeal.

23-a. An appeal under sections twenty-two and twenty-three of this Article shall be taken by serving a notice thereof on the chief executive officer of the municipality, either personally or by leaving the same at his office or last known place of abode.

Notice.

Such notice shall state the award or part thereof from which the appeal is taken, the name and address of the person appealing, and proof of the service thereof shall be filed in the office of the clerk of the court to which the appeal is taken within seven days after such service. The judgment entered in any Circuit Court in such appeal shall fix the amount to be recovered by the appellant, and such judgment may be enforced in the same manner as are other judgments in said court.

Judgment.

Article XX  
(42) amended.

12. Section forty-two of Article XX of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Appeal from  
assessment.

42. Any owners of any property assessed under the provisions of this act may appeal from the said assessment to the Court of Common Pleas wherein such municipality is located, by serving written notice of such appeal upon the tax collector within thirty days after the confirmation of the assessment.

Notice served.

A copy of such notice, together with verification of the service thereof, shall be filed in the office of the clerk of said Court of Common Pleas within one week after service thereof, or such appeal shall be considered waived. Such notice shall show the address of the appellant, where notice of further proceedings may be served upon him.

The hearing on such appeal shall be brought on upon order of said court, at a day and place to be fixed by it, but all appeals from parts of the same assessment shall be heard at one time. Said court shall have power to prescribe rules to regulate the practice and procedure in the taking of and conduct of appeals. On such appeal said court shall determine whether or not the assessment upon any parcel of land or real estate is a just and fair assessment, and if not, shall make an order correcting the same, which shall be served upon the tax collector. In case the assessment is sustained, the court shall so order, but no more than one order shall be made in the case of an assessment for any one improvement. The tax collector shall note corrections in his books and report the same to the proper financial officer of the municipality.

Hearing.

Determina-  
tion by court.Books cor-  
rected.

13. Section one, subdivision (b), of Article XXII of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Article XXII  
1 (b)  
amended.

(b) To vacate any street, avenue, highway, lane or alley, or portion thereof. Any ordinance for this purpose shall only be passed after public notice of the intention of the governing body to consider the same has been published once at least ten days prior to the date of the passage of such ordinance in a newspaper circulating in the municipality, which said notice shall designate the time and place, when and where such governing body will consider the said ordinance. At the time and place so designated, or at any other time or place to which the meeting shall have adjourned, all persons whose lands may be affected by such ordinance, or who may be interested therein, shall be given an opportunity to be heard concerning the same.

To vacate  
streets, etc.Notice given  
of ordinance  
and its con-  
sideration.

Hearing.

14. Section one, subdivision (e), of Article XXII of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Article XXII  
1 (e)  
amended.

Guarding un-  
safe places.

(e) To cause the owners of property abutting on any street or highway to erect or construct fences, walls or other safeguards for the protection of persons from injury from unsafe places on said property adjacent to or near such street or highway; and for the erection or construction of the same by the municipality, at the expense of the owner or owners of such property.

Addition to  
Article XXV.

15. Article XXV of the act to which this act is an amendment be and the same is hereby amended by adding thereto a new section to be known as section 3-a, which shall read as follows:

Sidewalk  
improvements.

3-a. The governing body of a municipality may proceed to make any sidewalk improvement or to award a contract therefor, without giving the notice required by section three of this article; *provided*, that notice of the pendency of the ordinance providing for such improvement is given to the person owning lands affected thereby in the same manner provided in section three. A hearing on such ordinance shall be given by the governing body to all persons interested in said improvement at a time and place to be stated in such notice. Notices hereunder may be served or published ten days prior to the day fixed for such hearing.

Proviso.

Notice of,  
and hearing  
on proposed  
ordinance.

16. This act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 164.

An Act to provide for the maintenance of old and faithful servants of the several counties of the State of New Jersey.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any person who has been continuously in the employ of any county of the State of New Jersey for a period of twenty-five years, and having reached the age of seventy-nine years, may retire or be retired at any time thereafter. Retirement by service and age.

2. On or after such retirement the said employee may be paid by said county one-half of the amount he or she was receiving as salary from the county at the time of their retirement. Pension.

3. This act shall take effect immediately.

Approved March 1, 1918.

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CHAPTER 165.

An Act to amend an act entitled "An act to secure the purity and wholesomeness of shellfish," approved February twenty-ninth, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. That section two of the act of which this is amendatory be and the same hereby is amended so as to read as follows: Section 2 amended.

Beds dangerous to health condemned.

2. If the State Department of Health discovers that any oyster or clam bed, or other place from which oysters, clams or other shellfish are or may be taken is subject to pollution or to any other condition which may render the oysters, clams or other shellfish in such places, or which may be taken therefrom, dangerous to health, it shall be the duty of said board to immediately condemn such oyster or clam bed or other place, and to prohibit the taking of oysters, clams or other shellfish from such places, and also to prohibit the sale, distribution, offering for sale or having in possession any such oysters, clams or other shellfish, without a permit to so take, sell, distribute, offer to sell, or have in possession, first obtained from the State Department of Health, under such terms and regulations as they shall adopt.

Sale prohibited.

2. This act shall take effect immediately.

Approved March 1, 1918.

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#### CHAPTER 166.

An Act to amend an act entitled "An act to amend an act entitled 'An act relating to county detectives in counties of the first class,' approved April twenty-seventh, nineteen hundred and five," which amendatory act was approved March eighteenth, nineteen hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 3 amended.

1. Section three of the act to which this act is amendatory is hereby amended so as to read as follows:

Chief of detectives, and lieutenants.

3. The prosecutor may designate one of the persons so appointed as chief of the county detectives,



and three of such persons as lieutenants, the person designated as chief and the persons designated as lieutenants shall receive such annual salary, not less than fifteen hundred dollars, as the prosecutor shall fix, and all other persons so appointed shall receive such annual salary, not less than one thousand dollars, as the prosecutor shall fix; said salaries shall be payable semimonthly by the county collector, but the amount thereof, if more than the minimum herein prescribed, shall be subject to the approval of the justice of the Supreme Court holding the circuit in the respective counties of the first class. Salaries.

Approved March 1, 1918.

#### CHAPTER 167.

An Act to amend an act entitled "An act concerning local boards of health and employees thereof in cities in this State, and for the relief of such employees," approved April second, one thousand nine hundred and thirteen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Section two of the act to which this act is amendatory is hereby amended to read as follows:

Section 2  
amended.

2. For the purpose of forming such a corporation, the health officer or other chief officer or person in charge of such employees, shall notify each and every employee of such local board or department of health to attend a meeting to be held not less than five days after the giving of such notice, to consider the formation of a corporation in accordance with this act. Said notice shall be in

Meeting called to consider question of incorporating.

Formation of  
corporation.

Trustees.

Details of  
certificate to  
be filed in  
insurance  
department.

Section 3  
amended.

Management  
of fund.

Terms of  
trustees.

writing and shall specify the time and place of the meeting of such employees. If two-thirds of the employees present at such meeting shall vote in favor of forming such a corporation they shall adopt a resolution to that effect and shall choose a name for the corporation, and shall organize by electing three persons selected from the said employees of such board or department, who, together with the executive head of the board or department having charge or control of the public health in such city and the health officer or other chief officer or person in charge of said employees, the latter two being ex officio members, shall constitute a board of trustees. The first trustees created under this act shall prepare and sign a certificate reciting the adoption of the resolution by the employees as hereinbefore directed, the name adopted, the appointment of trustees, the organization and the names of officers and execution of the certificate, for the purpose of forming a corporation under this act, for the purposes herein set forth, which certificate shall be recorded in the office of the clerk of the county wherein such corporation shall be organized, and shall then be filed in the office of the Commissioner of Banking and Insurance, at Trenton, in this State, and thereupon such trustees, their associates and successors, shall be and become a body politic and corporation in law with all the powers incident thereto.

2. Section three of the act to which this act is amendatory is hereby amended to read as follows:

3. The pension fund to be formed as hereinafter provided for shall be under the control and management of said board of five trustees. The first board of trustees selected, as in section two of this act, shall serve until the month of January following the incorporation of such association, at which time three members of the association shall be elected as trustees in place of the three selected as provided in section two, by a majority vote of

the members of the association as follows: one for the term of one year, one for the term of two years, and one for the term of three years, who shall serve for the respective terms for which they each were chosen and thereafter annually, in the month of January in each year, a member of such board of trustees shall be chosen for a full term of three years to serve in the place and stead of the trustee whose term shall have then expired, so that the term of office of but one member shall expire in each year. Any vacancy occurring among the board of trustees or in the office of chairman, secretary, treasurer or other officers of such corporation by death, resignation, removal or otherwise, shall be filled in the manner provided for in the by-laws, and in the absence of such provision such vacancies shall be filled by the board of trustees.

Vacancy.

3. Section five of the act to which this act is amendatory is hereby amended to read as follows:

5. The said board of trustees shall at the first annual meeting thereof, and at each annual meeting thereafter, elect a chairman, secretary and treasurer and such other officers as they may deem necessary; the secretary may be one of their own members, or the clerk of such local board or department of health; the board of trustees shall fix the compensation of the secretary and treasurer; the chairman shall serve without compensation.

Section 5  
amended.

Organization.

4. Section eight of the act to which this act is amendatory is hereby amended to read as follows:

Section 8  
amended.

8. All pensions created under this act shall be exempt from execution, attachment or any other legal process whatever. Such pension fund shall be provided and sustained as follows:

Pensions  
exempted.

Sources of  
fund.

I. By paying into such pension fund moneys which shall have been received by any such board or department of health from fines and fees, and which may, from time to time, be designated for

From fines  
and fees.

such purpose by the local board or department of health of any such city, not to exceed, however, twenty-five hundred dollars in any one year.

Rewards,  
gifts, etc.

II. By all rewards, fees, gifts or emoluments paid or given for extraordinary services rendered by any such employee of such board or department, except when the same is allowed by such local board or department of health, or other duly authorized municipal authority having charge and control of such board or department, to be retained by such employee or member, or when the same is specially given to endow a medal or other competitive reward.

Appropriations,  
bequests, etc.

III. By all appropriations, donations, devises and bequests that may be made or given to such pension fund by any such municipality or other corporation or person, and any such municipality is hereby authorized to make appropriations to any pension fund created under this act.

Monthly deduction from  
salary.

IV. The board of trustees of any such corporation may assess and collect from each and every employee of such board or department who shall take advantage of this act, as hereinafter provided, a sum not exceeding two per centum of his annual salary; said sum shall be paid by each and every member monthly to the treasurer of such corporation, and such assessment and collection shall be in manner and form as may be provided in the by-laws of the corporation, and whenever any such employee who has taken advantage of the provisions of this act shall die, shall leave or be discharged from the employ of any such board or department, having served therein for a less term than twenty-five years, all payments made by such employee to such pension fund shall be forfeited by him and shall be added to and become a part of such pension fund. The board of trustees is hereby empowered, in its judgment, to make it a condition of membership in the pension association hereby authorized to be formed, that each member

Forfeiture  
of payments.

Order on city  
treasurer.

shall sign an order on the city treasurer, or other disbursing officer in any such city, directing the retention of the amount of the assessment levied upon members of the pension association, to be paid over directly to the association by retention from his salary or wages, and the city treasurer or other disbursing officer is hereby directed to make such retention and payments; *provided, however,* that such retention from salary or wages shall only become operative in the event of the same being incorporated as a part of the by-laws of any pension corporation formed under this act.

Proviso.

5. Section nine of the act to which this act is amendatory is hereby amended to read as follows:

Section 9  
amended.

9. Pensions shall be paid from such fund in the manner following:

Pensions  
paid.

1. In all cities of this State in which this act shall become operative, all employees of such local board or department who shall have honorably served therein for twenty-five years shall, upon application to the local board or department of health in such city, be retired by such board, and shall thereupon receive from such pension fund an amount, annually, equal to one-half of the salary received by such employee at the time of his retirement.

Twenty-five  
years of  
service.

Amount.

II. If any employee of such board or department shall hereafter become incapacitated, either mentally or physically, for the performance of his duties, whenever such incapacity is the result of injury received or illness incurred in the discharge of his duties as an employee of such department, he shall be retired by such local board or department of health, and shall thereupon be entitled to receive from such pension fund, during the term of such incapacity or injury, an amount equal to one-half of his salary received by him at the time of his retirement.

Incapacity—  
by service.

Amount.

III. Any employee of any such local board or department of health who shall have served therein

Otherwise  
incapacitated.

Amount.	for twenty-five years continuously, who shall become incapacitated, either mentally or physically, from illness or injury incurred in the performance of his duties as such employee, or who, by reason of advanced age, is found unfit for the performance of his duties, shall be retired by the local board or department of health of such city, and thereupon he shall receive from such pension fund an amount equal to one-half the salary received by him at the time of such retirement.
When first payment.	No pensions shall be paid out of any such fund until after the thirty-first day of December, in the year one thousand nine hundred and twenty.
Section 11 amended.	6. Section eleven of the act to which this act is amendatory is hereby amended to read as follows:
Taking advantage of act.	11. Persons employed by any such board or department of health at the time of the passage of this act shall not be permitted to take advantage of the provisions hereof after the expiration of two years from the date of the incorporation of such pension association; and all persons coming into the employ of any such board or department subsequent to the formation of any such pension association shall not be entitled to take advantage of the provisions hereof, unless he shall within two years after the date upon which he shall have been appointed, make application to the board of trustees for membership in such pension fund as hereinafter provided; and any such applicant shall be required to pay into such fund, together with such application, a sum of money equal to two per centum of the salary of such employee from the date of his appointment to the date of such application; and no such application shall be antedated.
Section 14 amended.	7. Section fourteen of the act to which this act is amendatory is hereby amended to read as follows:
Application for membership.	14. Any employee of any such board or department of health hereinbefore mentioned may avail himself of the benefits of such pension fund by

making application in writing for membership therein and paying into said fund monthly the assessments levied by the board of trustees; *provided, however*, that employees who desire to take advantage of this act after the formation of such corporation or the creation of such pension fund shall be required to conform with the provisions of section eleven of this act.

Proviso.

8. Section fifteen of the act to which this act is amendatory is hereby amended to read as follows:

Section 15 amended.

15. In the event of a change in the method of government heretofore or hereafter adopted in any city in this State in which a pension corporation or association has been incorporated in accordance with the provisions of this act, such association shall not thereby become inoperative, but shall extend to and continue in force and effect in so far as the provisions of this act may be consistent with such change and rearrangement of the duties and positions of the members of any such pension corporation or association, and the provisions hereof shall apply to any new board, body or authority which shall be charged with the supervision of the department or departments under which the members of any such pension corporation or association are employed.

Change in form of government not to affect association.

9. Section sixteen of the act to which this act is amendatory is hereby amended to read as follows:

Section 16 amended.

16. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 1, 1918.

## CHAPTER 168.

An Act to grant and release the title and interest of the people of the State of New Jersey in and to certain real estate of which John Meleveske died seized in the city of Newark, county of Essex and State of New Jersey.

Preamble.

WHEREAS, John Meleveske, late of the city of Newark, county of Essex and State of New Jersey, departed this life on the eighth day of December, one thousand eight hundred and ninety-seven, intestate, a widower, and leaving no issue or heirs at law, seized of the following described tract of land in the city of Newark, in the County of Essex and State of New Jersey: Beginning at a point in the northerly side of Neck Lane (now Evergreen avenue) twenty feet distant westerly from the northwesterly corner of the same and Railroad avenue; thence running northerly parallel with said Railroad avenue two hundred feet; thence westerly eighty feet; thence southerly parallel with Railroad avenue two hundred feet to the northerly side of Neck lane (now Evergreen avenue); thence easterly along Neck Lane eighty feet to the place of beginning;

Description  
of land.

Preamble.

AND WHEREAS, The said land was duly sold by the sheriff of Essex county to Charles A. Feick, now deceased, by virtue of a writ of fieri facias dated June fourth, one thousand eight hundred and ninety-eight, issuing out of the Court of Chancery of this State in a cause therein pending wherein Charles A. Feick was complainant and John Meleveske, his heirs, devisees or personal



representatives were defendants, brought to foreclose a mortgage made by the said John Meleveske and Johanna Meleveske, his wife, to the said Charles A. Feick, dated the sixteenth day of January, one thousand eight hundred and ninety-seven, and registered in Book C13 of Mortgages for Essex county page 570, covering said lands, which are more particularly described above, and a deed for said land was executed and delivered after confirmation of said sale to the said Charles A. Feick, dated the thirtieth day of July, one thousand eight hundred and ninety-eight, and recorded in Book T31 of Deeds for Essex county, page 507;

AND WHEREAS, The said Charles A. Feick, by deed of warranty dated the sixteenth of July, one thousand nine hundred and nine, and recorded in Book R45 of Deeds for Essex county, page 88, for a valuable consideration, conveyed said premises to one John Joyce; Preamble.

AND WHEREAS, The said John Joyce by deed of warranty dated the twenty-third day of July, one thousand nine hundred and nine, and recorded in Book L46 of Deeds for Essex county, page 268, for a valuable consideration, conveyed the said premises to the Gillette Safety Razor Company, a corporation; Preamble.

AND WHEREAS, The said John Meleveske left no person or persons capable of inheriting the said lands, tenements or hereditaments; Preamble.

AND WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Title vested  
in Gillette  
Safety Razor  
Company.

1. All the estate, right, title and interest of the State of New Jersey for the people of the said State in, to and upon the above described lot or tract of land and premises, whereof the said John Meleveske died seized with the appurtenances thereunto belonging or in anywise appertaining, be and the same is hereby granted and released unto the said Gillette Safety Razor Company, a corporation existing under the laws of the State of Massachusetts, its successors and assigns forever.

Private act.

2. This act shall be deemed a private act, and shall take effect immediately.

Approved March 1, 1918.

#### CHAPTER 169.

An Act creating a State Council of Defense and defining its powers and duties.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

State council  
of defense.

Membership.

Quorum.

Meetings.

Organization.

1. A State Council of Defense is hereby created. The chief executive officer of each municipality of this State, and the commissioners of each commission-governed municipality shall be ex officio members of such council of defense. Ten members of such council shall constitute a quorum for the transaction of business and a smaller number may adjourn any meeting from time to time until a quorum be present. Such council shall meet on the first day of March, one thousand nine hundred and eighteen, and shall elect a president for a term of one year, and an executive committee of seven members for a like term. Such council shall meet

at such other time and place as shall in their judgment be necessary or advisable.

2. The executive committee of such council shall have general control, subject to the direction of the council, of the work of said council. Such committee shall select a secretary and shall appoint such clerks and other assistants as shall in its judgment be necessary; and shall have the further power to appoint such associate members of said executive committee, whether members of said council of defense or not, as in its judgment may seem advisable, and shall have the further power to constitute and appoint such committees, whether composed of members of the council or others as in its judgment may seem necessary for the proper prosecution of its work. Such council shall co-operate with any department of the National Government or with any department of the government of this State or any subdivision thereof for the purpose of assisting in the furtherance of any war emergency activity. Such council shall be authorized to expend in the furtherance of its duties such portion of any sum that may be appropriated for that purpose as may be considered necessary by such executive committee.

Control by  
executive  
committee.

Secretary  
and assist-  
ants.

Associate  
members.

Committees.

Co-operation.

Expenditures.

3. This act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 170.

An Act to authorize pipe line companies, associations and corporations, not having power to take land or other property necessary for public use for right of way, to exercise such power.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Right of  
condemnation  
given.

1. Pipe line companies, associations and corporations, not having power to take land or other property necessary for public use for right of way, shall be and hereby are authorized to acquire land and other property necessary for public use for right of way, in the manner and under the terms, limitations and restrictions prescribed by an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of one thousand nine hundred)," and the amendments thereof and supplements thereto.

Act con-  
strued.

2. Nothing herein contained shall be construed to repeal, limit or affect an act entitled "An act to establish a State Water-Supply Commission, and to define its powers and duties, and the conditions under which waters of this State may be diverted," approved June seventeenth, one thousand nine hundred and seven, or any amendment thereof or supplement thereto, and this act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 171.

An Act to repeal section six of an act entitled "An act to establish in this State boards of health and a bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section six of "An act to establish in this State boards of health and a bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven, be and the same is hereby repealed. Section 6  
repealed.

2 This act shall take effect immediately.

Approved March 1, 1918.

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CHAPTER 172.

An Act to authorize the payment of damages sustained by sundry owners of timber land in Cumberland county by reason of fire communicated from the State Prison Farm, situate near Leesburg, in said county.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. There shall be appointed by the Governor of this State a commission to consist of three persons, who shall be citizens of this State, which commis- Commission  
to determine  
value of tim-  
ber lost by  
fire.

sioners shall have power, and it shall be their duty, to hear by petition or in any informal way, the claims of any person or persons or their assigns, owning timber lands in Cumberland county, in this State, who sustained loss or damage by reason of the communication of fire from the State Prison Farm near Leesburg, in said county, on or about November tenth, one thousand nine hundred and fifteen, whereby such timber lands and the timber growing thereon sustained damage and injury, and said commissioners shall also ascertain and determine what amount, if any, in their judgment, should be paid to such person or persons and make report thereon to the Comptroller of this State, upon whose warrant to the Treasurer of this State there shall be paid to such persons the amount so ascertained and reported as aforesaid; *provided*, the same shall first be appropriated in the annual appropriation bill; and *provided*, the findings of said commission shall have first been approved by the Governor, who may, in his discretion, reverse, alter or change the same, or refer the same back to the commission for further ascertainment and report; *and provided, further*, upon payment of the amount or amounts as aforesaid, the State be released from any further claims.

**Payment.**

**Proviso.**

**Proviso.**

**Proviso.**

2. This act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 173.

An Act authorizing the directors or trustees of any corporation of this State to contribute from surplus property or assets of such corporation for war relief purposes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The directors or trustees of any corporation organized under the laws of this State may appropriate and contribute to any corporation organized under the laws of the United States, or to a corporation organized under the laws of this or any other State, recognized by the government of the United States as assisting such government in connection with the existing war between the United States and the Imperial German Government and the Empire of Austria, such sum or sums of money out of the surplus property or assets of the corporation as such directors or trustees shall determine to be proper, to aid the government of the United States or to provide relief to those engaged in the war or their families during the existing emergency.

Corporations  
may use  
surplus to  
aid govern-  
ment or  
families  
during war.

2. This act shall take effect immediately.

Approved March 1, 1918.

## CHAPTER 174.

A Supplement to an act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in towns, townships, boroughs and other municipalities, except cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages and to enforce the payment thereof, and to provide for the sale of lands subject to future taxation and assessment," approved May eighteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Provisions  
of act  
extended.

1. The provisions of the act to which this act is a supplement and the various supplements thereto and amendments thereof be and the same are hereby extended to include all cases where any tax, assessment, water rate or water rent shall have been or shall hereafter be levied or imposed or attempted to be levied or imposed on any land in any town, township, borough or other municipality of this State, except cities, subsequent to the passage of the act to which this act is a supplement, and where such tax, assessment, water rate or water rent shall remain unpaid and in arrears for the period of one year.

Jurisdiction  
of commis-  
sioners.

2. Commissioners heretofore appointed, as well as those hereafter to be appointed under the provisions of the act to which this act is a supplement, be and they hereby are vested with jurisdiction in the cases included within this act, as well as the cases included within the act to which this act is a supplement.



3. No sale of any lands, tenements, hereditaments or real estate heretofore made under the provisions of the act to which this act is a supplement, and the various supplements thereto and amendments thereof, shall be invalid by reason of the inclusion by the commissioners in the adjustment of any taxes, assessments, water rate or water rent, which shall have remained unpaid and in arrears for the period of one year prior to the date of such adjustment.

Validity of  
sale.

4. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Repealer.

5. This act shall be deemed a public act and shall take effect immediately.

Approved March 4, 1918.

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## CHAPTER 175.

An Act to amend an act entitled "An act to provide for the taxation of real and personal property in this State for State road purposes," approved March thirteenth, nineteen hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section one of the act of which this act is amendatory be and the same hereby is amended to read as follows:

Section 1  
amended.

1. There shall be annually, for a period of five years from the date of the passage of this act, assessed, levied and collected in each of the municipalities of the counties of this State, a tax of one mill on each dollar of the value of all the real and

Annual  
state tax  
assessed and  
collected.

Procedure.

Duty of municipal and county collectors.

personal property in every such municipality upon which municipal taxes are or shall be assessed, levied and collected. Such tax shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are now assessed, levied and collected, and the county board of taxation shall compute the amount of such tax to be raised by each municipality in the county, according to the valuations shown in the revised and corrected tax lists and duplicates on file with said board, and shall add the amount of such tax to the other amounts to be raised. It shall be the duty of the collector or other officer having the custody of the collected taxes, on or before the fifteenth day of December in each year, out of the first moneys collected, to pay to the county collector of the county such State tax required to be assessed in his taxing district, and the county collector shall pay the said State tax, which he shall have so received from the taxing districts, to the Treasurer of the State on or before the twenty-sixth day of December, and the said State Treasurer shall place the same in the State road fund.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 176.

An Act to authorize the Board of Commerce and Navigation of this State to enlarge or reduce the area of lands and lands under water heretofore dedicated to public use by the State as a tide water basin, or to change the boundary lines thereof, and authorizing the reclamation thereof by abutting owners.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Whenever the State of New Jersey shall have heretofore dedicated any lands or lands under water to public use as a tide water basin, it shall be hereafter lawful for the Board of Commerce and Navigation of this State, on the application of the owners of all the lands abutting thereon, to either enlarge or reduce the area of said basin or change the boundary lines thereof, and said owners of lands adjoining and abutting upon said tide water basin are hereby authorized to fill up and reclaim the same to such extent as the Board of Commerce and Navigation may in writing confirm, and said Board of Commerce and Navigation is hereby authorized and empowered upon the payment of an adequate consideration therefor to grant or to lease in the manner provided by law to the owners of lands adjoining and abutting upon said tide water basin the State's rights in any portion of said tide water basin so filled up or reclaimed; *provided, however*, that no reclamation by any person of said lands and no grant or lease thereof by the Board of Commerce and Navigation shall be valid unless all of the owners of lands fronting or abutting on said basin shall consent in writing thereto.

Changes  
pertaining to  
tide water  
basins.

Proviso.

Limitations  
of act.

2. Nothing in this act contained shall authorize the entire closing of any such basin or its reduction in width to less than two hundred feet. Nor shall anything in this act apply to any lands of the Morris Canal and Banking Company or operate to relieve said company from any obligation now imposed upon it by law.

3. This act shall take effect immediately.

Approved March 4, 1918.

#### CHAPTER 177.

An Act to amend chapter 91, Laws of 1914, approved April first, one thousand nine hundred and fourteen, entitled "An act to further amend 'An act to enable counties which have no county hospital to assist in maintaining hospitals located in such county,' approved April twenty-sixth, one thousand eight hundred and eighty-six."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act to which this is an amendment shall be and the same is hereby amended to read as follows:

Appropri-  
ation to  
support  
patients in  
private hos-  
pitals.

1. It shall and may be lawful for the board of chosen freeholders of any county of this State which has no hospital located therein maintained by such county other than the hospital or sick ward of the county poor home, or other than a county tuberculosis hospital or sanatorium or other than a hospital for contagious or infectious diseases, to make an appropriation of a sum of money not exceeding seventy-five thousand dollars each year,

in the same manner that appropriations for other county purposes are made, which sum so appropriated shall be included in the annual tax levy of such county, and collected in the same manner and at the same time as other county taxes, and shall be applied to the purpose of supporting and maintaining such patients as may be sent to any hospital or hospitals supported by private charity and located in such county; *provided*, that the sum so appropriated be used and applied for the benefit, comfort and maintenance of such patients, inmates of such hospital, as are residents of said county at the time of being sent to said hospital.

Proviso.

2. This act shall take effect immediately.

Approved March 4, 1918.

#### CHAPTER 178.

A Supplement to an act entitled "An act regulating fraternal beneficiary societies, orders or associations," approved March eleventh, eighteen hundred and ninety-three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any fraternal benefit society now operating in this State, or that may hereafter seek admission to do business in this State, may issue benefit certificates to its members, in accordance with its laws providing for the establishment of its membership into divisions and classes of the same age of entry, and may provide in its laws and certificates for the payment of benefits from special funds created for such purpose to the oldest member of a division

Benefit  
certificates.

Payment of  
benefits

and class upon the death of a member in the same division and class.

Repealer.

2. All existing laws that conflict with the provisions of this act be and are hereby repealed.

3. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 179.

An Amendment to an act entitled "An amendment to an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," approved April eighth, one thousand nine hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 3 (4)  
amended.

1. Section three, subdivision four, of said act be amended so as to read as follows:

Schools,  
colleges,  
libraries,  
churches,  
etc., exempt.

4. All buildings actually used for colleges, schools, academies, seminaries, associations and corporations organized exclusively for the moral and mental improvement of men or women, or for religious, charitable, benevolent or hospital purposes, or for one or more such purposes, not conducted for profit; also all buildings actually and exclusively used for public libraries, religious worship, or for asylums or schools for feeble-minded or idiotic persons and children, and owned by corporations of this State authorized to carry on such charities; also all buildings used, or to be used when finished, for educational purposes, such as business, vocational, manual and other training of the young, whereby, after the expense of purchas-

ing the land and erecting the buildings thereon, furnishing and equipping the same, shall have been paid, any profits, and net receipts and net income arising from the conduct and management of such schools, shall be set aside as, and for, an endowment fund, out of which shall be paid the tuition of worthy young men and young women who may attend such school and are unable to pay the regular tuition fees; the land whereon the same are situated necessary to the fair use and enjoyment thereof, not exceeding five acres in extent for each; the furniture thereof and personal property used therein, and the endowment or fund held exclusively for the charitable, benevolent, educational or religious purposes of the corporation owning such buildings; the parsonage and land whereon the same stands to an amount not exceeding five thousand dollars owned by any religious corporation of this State while actually used by the officiating clergyman thereof; also all buildings used exclusively for purposes considered charitable under the common law, or belonging to any association or incorporated company formed for the purpose and actually engaged in the work of preventing cruelty to animals, with the land whereon the same are erected, and which may be necessary for the fair enjoyment thereof, and the furniture and personal property used therein; the funds of all charitable and benevolent institutions and associations collected and held exclusively for the sick and disabled members thereof, or for the widows of deceased members, or for the education, support or maintenance of the children of deceased members and all endowments and funds held and administered exclusively for charitable, benevolent, religious or hospital purposes within this State, however such endowments and funds may be invested; no buildings used for any such purposes which may be hired for rental, paid to a landlord, shall be exempt. The exemption described in this paragraph of buildings

Charitable  
institutions.

Funds, en-  
dowments,  
exempt.

Extent of  
exemption.

Proviso.

and lands used for charitable, benevolent, educational or religious purposes shall extend to cases where the said buildings and the charitable, benevolent, educational or religious work therein carried on is supported partly by fees and charges received from or on behalf of beneficiaries using or occupying the said buildings; *provided*, the buildings are wholly controlled and the entire income therefrom is used for said charitable, benevolent, educational or religious purposes.

2. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 180.

An Act to amend an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three, which amendatory act was approved May seventh, one thousand nine hundred and seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 215  
amended.

1. Section two hundred and fifteen of the act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three, which amendatory act was approved May seventh, one thousand nine hundred and seven,"



be and the same is hereby amended so as to read as follows:

215. The officers of the board of trustees of the Teachers' Retirement Fund shall be a president, a vice-president and a secretary. The president and vice-president shall be members of the board of trustees, shall be elected annually on the second Saturday in October, and shall hold office for one year and until their successors shall be elected; *provided*, that their terms as officers shall not extend beyond their respective terms as members of said board. The term of office of the secretary shall be fixed by said board. Said board shall administer the fund hereinafter mentioned, and order all payments therefrom in the manner provided by this article. Such portion of said fund as the board of trustees may from time to time determine may be invested in the following securities, being securities which are now authorized by law for savings banks:

I. In stocks or bonds, or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof.

II. In the interest-bearing bonds of this State, or in any bonds authorized by the laws of this State to be issued by any commission appointed by the Supreme Court of this State by virtue of any law of this State.

III. In the bonds of any State in the Union that has not, within ten years previous to making such investment, defaulted in the payment of any part of either principal or interest in any debt authorized to be contracted by any law of such State.

IV. In the bonds of any county, township, municipality or school district of this State issued pursuant to the authority of any law of this State; *provided*, such county, township, municipality or

Officers of  
fund.

Proviso.

Care of  
fund.

Investments.

U. S. secur-  
ities.

New Jersey  
bonds.

Bonds of  
other states.

Municipal  
or school  
bonds.

Proviso.

school district shall not, within the five years next preceding, have defaulted in the payment of any part of either principal or interest of any legal debt or obligations thereof; *and provided, further*, the total indebtedness of any borough and village does not exceed ten per centum of its assessed valuation, and such school district bonds are by law charged upon all the property of the inhabitants of such district; or in any interest-bearing obligation (other than obligations commonly known as improvement certificates) issued by the city, county, town, township, borough or village.

Other city  
or state  
bonds.

Proviso.

Proviso.

Bond and  
mortgage.

Committee  
report on  
Investments

V. In the bonds of any city or county, or any other State of the Union issued pursuant to the authority of any law of any such State; *provided*, such city or county has not, within ten years previous to making such investment, defaulted in the payment of any part of either principal or interest of any debt authorized to be contracted by any law of such State; *and provided, further*, the total indebtedness of any such city or county is limited by law to ten per centum of its assessed valuation.

VI. In bonds secured by mortgages, which shall be a first lien on real estate situate in this State, and worth at least double the amount loaned thereon, but not to exceed sixty per centum of the whole amount of the permanent principal of the fund, shall be so loaned or invested; but in case the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not be more than thirty per centum of its actual value; and no investment in any bond and mortgage shall be made except upon the report of a committee of at least three of the trustees, and two members of which committee shall certify in writing to the value of the premises mortgaged or to be mortgaged, according to their best judgment; such report shall be filed and preserved among the records of the trustees of the fund.

VII. In such real estate as shall have been purchased or acquired by the fund at the sales upon the foreclosure of mortgages owned by the fund, or upon judgments or decrees obtained or rendered for debts due to it, or in settlements effected to secure such debts or in satisfaction of such mortgages; and all such real estate shall be sold by said fund within five years after the same shall have been so purchased, unless, upon application to the Commissioner of Banking and Insurance, he shall extend the time within which such sale shall be made.

Investments  
in real  
estate.

All moneys so invested shall be deemed to be part of the permanent principal of said fund, and the income arising from said moneys so invested, together with all moneys received by donation, gift, legacy, bequest, devise or otherwise, and which shall not be specifically directed to be made a part of the permanent principal of said fund, shall be available for the payment of annuities under this article. All moneys received in payment of principal of bonds or other securities held by said fund shall be reinvested, and shall remain a part of said permanent principal.

Investments  
as principal.

Any moneys constituting, or which hereafter shall constitute said fund, and which are available for the payment of annuities, and which in the judgment of the board of trustees should not be invested so as to become part of the permanent principal of the fund, may be temporarily invested by the board of trustees in the securities provided in this article for the investment of the permanent principal of the fund.

Temporary  
investments.

The board of trustees may at any time constitute such temporary investments part of the permanent principal of the fund.

Change in  
investment.

Such temporary investments may be reduced to cash whenever in the judgment of the board of trustees the occasion may require such action, and

Investments  
cashed.

the principal and income thereon shall be available for the payment of annuities.

Fiscal year.

Annual report.

Expenses of fund met by state.

Repealer.

The fiscal year of said fund shall begin on the first day of July and end on the thirtieth day of June. Said board shall present, at each annual convention of the Teachers' Retirement Fund, a report of the condition of said fund for the last preceding fiscal year, showing the receipts and disbursements on account of the fund, together with a list of the beneficiaries thereof. A copy of said report shall be sent to the Governor, and a copy to the State Board of Education, which copy shall be included in the report of the said board to the Legislature. The necessary clerical and other expenses incurred by the board of trustees and by the State Treasurer in the administration of said fund shall be paid by the State Treasurer, on the warrant of the State Comptroller, upon orders signed by the president and secretary of said board.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 181.

An Act fixing the compensation to be paid to court criers of the Court of Common Pleas in counties of the third class

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Salary of court criers.

1. In all counties of the third class in this State the compensation to be paid to the court criers of

the Court of Common Pleas in counties, of the third class shall be the sum of four hundred dollars per annum. Said salary shall be in lieu of all fees, mileage or other allowances. This act shall be applicable to all present incumbents as well as to future appointees.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 182.

A Supplement to an act entitled "An act concerning marriages (Revision of 1912), approved March twenty-seventh, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. It shall be lawful for any duly commissioned chaplain of the United States army or navy, stationed at any military or naval post or cantonment of the United States within this State, to perform a marriage ceremony to which any person in the armed military or naval service of the United States, stationed at such post or cantonment, shall be a party, without the license required by the act to which this act is a supplement, or any of the supplements or amendments thereto; *provided, however,* that such chaplain shall, before performing such ceremony, cause the parties thereto to take and subscribe an affidavit, setting forth the facts now required to be proved before a marriage license can be obtained, which oath or affirmation such chaplain is hereby authorized to take; and any person falsely swearing to any of the facts set forth

Chaplains  
may perform  
marriages  
without  
license.

Proviso.

Certificate  
filed as re-  
quired by  
law.

in such affidavit shall be guilty of perjury. The said chaplain shall file a certificate of such marriage in the form now required by the act to which this act is a supplement, together with said affidavit, with the clerk of the municipality in which such post or cantonment is situated, within thirty days after performing such ceremony.

Act effective  
during war.

2. This act shall take effect immediately, but shall only remain in force until the termination of the present war between the United States of America and the German government.

Approved March 4, 1918.

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### CHAPTER 183.

An Act to authorize the counties of this State to construct, improve and complete the whole or any part of any State highway within any such county now or hereafter laid out by the State Highway Commission, and to issue and sell the bonds or other obligations of the county to provide funds for such purposes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Construction  
of state  
highway by  
county.

1. The board of chosen freeholders of any county in this State in which a State highway shall have been or may hereafter be laid out by the State Highway Commission may, with the consent of the State Highway Commission, construct and improve the whole or any part of said highway within such county. Such construction and improvement shall be in accordance with plans and specifications submitted by such board of chosen freeholders and

approved by the State Highway Commission, and shall be conducted by such board of chosen freeholders at all times subject to the inspection of said State Highway Commission. Any contract for the construction or improvement of any highway made by any county under this act shall not be effective until approved by the State Highway Commission both as to character and cost of work and materials, and shall provide that no payment shall be made thereunder to any contractor except on the certificate of the county engineer, countersigned by the State Highway Engineer, certifying that the work for which payment is claimed has been done in all respects in accordance with the contract and with the plans and specifications.

Approval of  
contract.

Payments on  
certificate of  
county engi-  
neer.

2. The board of chosen freeholders of any county may provide and raise moneys to be expended for the construction and improvement of highways, as provided by section one of this act, by issuing notes or bonds under the provisions of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and amendments thereof and supplements thereto, excepting, however, a deduction shall be made in the annual or supplemental debt statement called for in section twelve of said act for bonds issued under this act equal to one-half of one per centum of the average of the valuations of the three next preceding years, as called for in section twelve of said act. The obligations issued under the authority of this act and renewals thereof shall be made under the provisions and limitations of section thirteen of said act. If the State Highway Commission shall not take over such highway or highways in the manner as prescribed in section three of this act before six years after the authori-

Provision  
for funds.

Deduction in  
statement  
for bonds  
issued.

If highway  
not taken by  
state bond  
issue to re-  
fund indebt-  
edness.

zation of appropriation for such construction and improvement as called for in the above referred to act, the county shall refund the indebtedness incurred under the authority of this act by the issuance of bonds, which bonds shall be issued under the provisions of said act, but in no case shall the last maturity of the bonds so issued be longer than the period set forth in section four of said act, counting from the time of the authorization of the appropriation for such construction and improvement, but after their issue such bonds shall cease to be deducted in the annual or supplemental debt statement under section twelve of said act.

Taking high-  
way by  
state.

3. Whenever the State Highway Commission shall have approved any contract made in accordance with section one of this act and the payments thereunder, it shall within six years after the date of such approval, if funds be on hand available for such purpose, take over any highway constructed by any county under said contract in accordance with the terms of this act and pay to said county the actual cost of the construction thereof, without interest. When any such sum is paid to any county, the sum so paid, or such part thereof as may be necessary, shall be used for the purpose of retiring any bonds or other obligations issued for the purpose of raising funds for the construction of such road. No road constructed by any county under this act shall be taken over and paid for by the State Highway Commission unless the State Highway Engineer shall certify to such commission that such road has been constructed in all respects in accordance with the plans and specifications approved by said commission.

Road must  
be correctly  
built.

4. This act shall take effect immediately.

Approved March 4, 1918.



## CHAPTER 184.

A Further Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. No money, or other thing of value, shall be paid or promised, or expense authorized or incurred in behalf of any candidate for nomination or election to any office or party position, whether such payment is made or promised, or expense authorized or incurred by the candidate himself, or by any other person, committee or organization, in furtherance or in aid of his candidacy, under any circumstances whatsoever, in excess of the sums hereinafter provided; but said sums shall not include the traveling expenses of the candidate or of any person other than the candidate, if such traveling expenses are voluntarily paid by such person without any understanding or agreement with such candidate that such expenses shall be, directly or indirectly, repaid to him by such candidate. The time during which such expenditures may be made and for which accounting shall be required shall be the period of eight months next preceding the election at which such candidate is to be voted for, and no money, or other thing of value, shall be paid or promised, or expense authorized or incurred by or in behalf of any candidate in furtherance or in aid of his candidacy prior to the commencement of such time; *provided, however*, that any person who publicly announces his candidacy for nomination for or election to any public office or party

Expenditures  
allowed  
candidates.

Time for  
expenditures.

Proviso.

position prior to the commencement of such period of eight months before the election at which such person is to be voted for, and who appoints a campaign manager and selects a bank or trust company in the manner hereinafter provided, prior to the commencement of said period of eight months, may make expenditures authorized by this act, but such expenditures shall be made and accounted for in the manner provided by this act. For the purpose of this act, any person who becomes a candidate for nomination for or election to any public office or party position without having publicly announced his candidacy more than eight months prior to the election at which he is to be voted for, shall be conclusively presumed to have been such candidate for the period of eight months next preceding the holding of the election at which such candidate is to be voted for.

Presumption  
of candidacy.

Expenditures  
by candidate  
for governor;

2. The amount which may be spent in aid of the candidacy of any candidate for nomination for Governor at any primary election of a political party shall not exceed twenty-five thousand dollars. The amount which may be spent in aid of the candidacy of any candidate for election to the office of Governor at any general election shall not exceed twenty-five thousand dollars.

U. S. senator;

3. The amount which may be spent in aid of the candidacy of any candidate for nomination for United States Senator at any primary election of a political party shall not exceed twenty-five thousand dollars. The amount which may be spent in aid of the candidacy of any candidate for the office of United States Senator at any general or special election shall not exceed twenty-five thousand dollars.

Congress;

4. The amount which may be spent in aid of the candidacy of any candidate for nomination for member of Congress at any primary election of a political party shall not exceed thirty-five hundred dollars. The amount which may be spent in aid

of the candidacy of any candidate for election to the office of member of Congress at any general election shall not exceed thirty-five hundred dollars.

5. The amount which may be spent in aid of the candidacy of any candidate for nomination for State Senator at any primary election of a political party shall not exceed ten cents for each voter who voted in the county at the last preceding general election at which presidential electors were chosen. The amount to be spent in aid of the candidacy of any candidate for election for the office of State Senator at any general election shall not exceed ten cents for each voter who voted in the county at the last preceding general election at which presidential electors were chosen.

County  
Senator:

6. The amount which may be spent in aid of the candidacy of any candidate for nomination for member of General Assembly at any primary election of a political party shall not exceed five cents for each voter who voted in the county at the last preceding general election at which presidential electors were chosen. The amount which may be spent in aid of the candidacy of any candidate for election for the office of member of General Assembly at any general election shall not exceed five cents for each voter who voted in the county at the last preceding general election at which presidential electors were chosen; *provided, however*, that in case two or more candidates, either for nomination for or election as members of General Assembly, shall arrange for a joint campaign, either for nomination or election as aforesaid, as hereinafter provided, no sum shall be spent at either the primary or general election by such candidates in excess of two thousand dollars for each candidate engaged in such joint campaign; *provided further*, that in case two or more candidates for nomination to General Assembly shall cause their names to be bracketed in a group upon any primary ticket, no

General  
Assembly:

Proviso.

Proviso.

more than two thousand dollars shall be expended by each candidate in such group.

County  
offices with  
salary:

7. The amount which may be spent in aid of the candidacy of any candidate for nomination for any county office, having a fixed annual salary, at any primary election of a political party, shall not exceed one-half of the annual salary of said county office. The amount which may be spent in aid of the candidacy of any candidate for election to any county office, having a fixed annual salary, at any general election, shall not exceed one-half of the annual salary of said county office.

County  
offices with  
no fixed  
salary:

8. The amount which may be spent in aid of the candidacy of any candidate for nomination for any county office, having no fixed annual salary, at any primary election of a political party, shall not exceed ten cents for each voter who voted at the last preceding general election at which presidential electors were chosen in said county, or in the portion of said county in which such candidate is to be voted for. The amount which may be spent in aid of the candidacy of any candidate for election to any county office, having no fixed annual salary, at any election, shall not exceed ten cents for each voter who voted at the last preceding general election at which presidential electors were chosen in said county, or in the portion thereof in which such candidate is to be voted for.

Municipal  
candidates:

9. The amount which may be spent in aid of the candidacy of any candidate for nomination for any municipal office at any primary of a political party shall not exceed ten cents for each voter who voted at the last preceding general election at which presidential electors were chosen in said municipality, or in the portion thereof in which such candidate is to be voted for. The amount which may be spent in aid of the candidacy of any candidate for election to any municipal office at any general or charter election shall not exceed ten cents for each voter who voted at the last preceding gen-

eral election at which presidential electors were chosen in said municipality, or in the portion of such municipality in which such candidate is to be voted for.

10. The amount which may be spent in aid of the candidacy of any candidate for the party position of delegate at large to a national convention shall not exceed five thousand dollars, and the amount which may be spent in aid of the candidacy of any candidate for the position of delegate to a national convention from any district shall not exceed five thousand dollars.

Party dele-  
gates.

11. The amount which may be spent in aid of the candidacy of any candidate for the position of presidential elector in any presidential election shall not exceed five thousand dollars.

Presidential  
electors;

12. The amount which may be spent in aid of the candidacy of any candidate for the position of member of the State Committee shall not exceed five hundred dollars. The amount which may be spent in aid of the candidacy of any candidate for the position of member of any county committee, city or municipal committee of any political party shall not exceed ten dollars.

State com-  
mittee.

13. Every candidate for nomination for any public office or for election to any public office or party position shall, before receiving any contribution or expending any money in furtherance or in aid of his candidacy, appoint a campaign manager, and file a certificate of such appointment, signed by such candidate, with the cashier of a National or State bank authorized to transact a banking business in this State, or with the treasurer of a trust company organized and existing under the laws of this State, and also in the public office in which such campaign manager is required to file the statement of campaign expenses of such candidate, as hereinafter provided. Such candidate may remove any campaign manager so appointed, and in case of death, resignation or removal of such campaign

Campaign  
manager.

Depository  
designated.

Change of  
manager.

<p>Partial re- port.</p>	manager, shall forthwith appoint his successor and certify the appointment in the manner provided in case of an original appointment. Any campaign manager who shall be removed or who shall resign shall, unless physically unable so to do, file the report of receipts and expenditures, up to the date of such resignation or removal, stating and verifying the same as required by section twenty-three of this act; <i>provided, however</i> , that the failure of such campaign manager to file such report shall not affect the candidacy of such candidate unless such failure was counselled or caused by such candidate.
<p>Proviso.</p>	Any candidate may appoint himself as campaign manager, which appointment shall be certified in the same manner as the appointments above referred to. All money which may be spent by any such candidate in behalf of his candidacy, or by any other person, corporation or organization in furtherance or aid of the candidacy of any such candidate, shall be paid to the campaign manager so appointed as aforesaid, and shall, within twenty-four hours, excluding holidays and Sundays, after the same shall have been received by him, be deposited by such campaign manager in the bank or trust company in which the certificate of appointment of such manager has been filed, in a special account to be designated (Primary or Election, as the case may be), "Campaign fund of ..... (naming candidate)"; <i>provided, however</i> , that any candidate for nomination for or election to any township office, borough office or any office of any municipality other than a township, which is filled by the voters of a single ward in such municipality, or any office or party position who by this act is prohibited from expending more than fifty dollars in connection with any primary or other election, may disburse moneys for the purposes authorized by this act in furtherance or in aid of his candidacy without selecting a bank or trust company and depositing the funds so to be disbursed therein,
<p>Candidate as own manager.</p>	
<p>Receipt and deposit of funds.</p>	
<p>Proviso.</p>	

and without complying with the method outlined in this act for the deposit and disbursement of moneys expended in aid of his candidacy; *provided, further*, that in such case no moneys shall be spent in furtherance or in aid of the candidacy of such candidate except by such candidate as campaign manager. Such candidate shall be required to file the reports of expenditures required by this act and all other provisions of this act shall apply to such candidate and to the campaign conducted by him or in his behalf.

Proviso.

Reports  
filed.

14. All contributions in furtherance or in aid of the candidacy of a candidate for nomination for or election to any public office or party position shall be sent to the campaign manager of such candidate at least five days before the election at which such candidate is to be voted for. Any contribution received by such campaign manager less than five days before the election at which such candidate is to be voted for shall be returned by said campaign manager to the person sending the same, and shall not, under any circumstances, be used or expended in behalf of such candidate, or in furtherance or aid of his candidacy.

Contribu-  
tions made  
five days be-  
fore election.

15. No deposit shall be made or received to the credit of any such fund unless such deposit shall be accompanied by a deposit slip containing in detail the true name and post-office address of each person, association or corporation contributing any part of the money so deposited and the amount contributed by each such person, association or corporation. Such deposit slip shall be retained by such bank or trust company and disposed of as hereinafter directed.

Deposit slip  
to show  
name and  
address of  
contributors.

16. Two or more candidates for nomination for or election to any public office or party position may arrange to conduct a joint campaign, in which event they shall jointly appoint a campaign manager and select a bank or trust company. Any joint campaign manager may be removed by the

Joint cam-  
paign.

No individual  
promises or  
payments.

vote of a majority of those joined under this section. In case of such removal, or in case of the death or resignation of a joint campaign manager, a successor shall be chosen by the vote of a majority of the joint candidates. In case of a joint campaign, the account to the credit of which such funds shall be deposited shall be designated "Joint Campaign Fund of..... (naming all of the candidates joining in such campaign)." No candidate who has joined with another candidate for the conduct of a joint campaign shall pay or promise any money, or other thing of value, or authorize or incur any expense, nor shall any money, or other thing of value be paid or promised, or expense authorized or incurred in his behalf, or in furtherance or aid of his candidacy, unless such payment is made from such joint campaign account by the joint campaign manager, in the manner provided by this act.

As to ex-  
penses by  
candidates  
or others.

17. No expenses shall be incurred by any candidate or by any person, corporation or association whatsoever in behalf of such candidate, or in furtherance or aid of his candidacy unless prior to the incurring of such expense a written order shall be made in the form below set forth and signed by the campaign manager of such candidate, authorizing such expenditure, and no money shall be withdrawn or paid by any bank or trust company from any campaign fund account except upon the presentation of such written order, signed as aforesaid, accompanied by the affidavit of the person claiming such payment, which affidavit shall state that the amount named in the order, or such part thereof as may be claimed, naming the amount claimed, is justly due and owing to such claimant, and that the order truly states all of the purposes for which such indebtedness was incurred, and that no person other than the undersigned is interested, directly or indirectly, in the payment of such claim, and unless an order for payment in the form below



set forth, signed by the campaign manager, is presented to such bank or trust company. Such order authorizing the incurring of expense, affidavit and order for payment shall be on the same piece of paper and shall be in the following form:

Form of  
order.

Campaign Fund of.....

John Doe (name of candidate)

to

Richard Roe, Dr. (name of claimant)

(Here insert items for which expenditure is to be authorized or payment claimed, in detail.)

I hereby authorize the expenditure from the campaign fund of..... (name of candidate) of a sum not to exceed..... for the above purpose.

State of New Jersey }  
County of..... } ss.

..... being duly sworn according to law, on his oath says that the sum of..... is justly due and owing to him from the campaign fund of..... (naming candidate); that said indebtedness was incurred pursuant to and for the purpose named in the above order and for no other purpose; that no person other than the deponent has any interest whatsoever, direct or indirect, in the payment of the above claim.

Sworn and subscribed before me, }  
this..... day of..... }  
nineteen hundred and..... }

.....  
(signature of deponent)

Pay to the order of.....  
(name of claimant)..... dollars.

Campaign Fund of.....  
(name of candidate)

To..... Bank. ....

Campaign Manager.

No campaign manager shall authorize, in the manner provided by this act, or in any other manner, the incurring of any expense in behalf of the

No expenses  
incurred  
without  
funds on  
hand.

candidate whose campaign he is managing, or in furtherance or aid of his candidacy, unless there are moneys on deposit in the bank selected in accordance with the provisions of this act, to the credit of the account known as the campaign fund of such candidate sufficient to pay the amount of expenditure so authorized, together with all other expenditures previously authorized. Any contract made or liability incurred for any purpose or in any manner except as authorized by this act shall be absolutely void.

Receipt of  
contributions  
for nomi-  
nees at gen-  
eral election.

Allotment  
of funds.

Contribu-  
tions de-  
posited.

18. It shall be lawful, after any primary election, for the State, county or municipal committee or organization of any political party or group of petitioners, to solicit and receive contributions in aid of any or all of the candidates duly nominated at any party primary or by petition. All such contributions, when received in behalf of any particular candidate, shall be forwarded by the said committee to the campaign manager of such candidate, together with a statement of the amount of each contribution and the name and post-office address of the person making the same. If such committee receives contributions on behalf of all the candidates upon any party or group of petitioners' ticket, the chairman or presiding officer of such committee shall have the power to allot such contributions to the credit of any one of the candidates on said ticket or to apportion such contributions among said candidates, but all such contributions shall be forwarded to the campaign manager of each candidate to whom any allotment is made, with a statement of the names and addresses of contributors and the amount contributed by each, as hereinbefore provided. All such contributions so forwarded, if received within the time limited by this act, shall be deposited by such campaign manager in the bank or trust company selected by said candidate, as above provided, to the credit of the campaign fund of such candidate.

19. In case the State, county or municipal committee or organization of any political party, or any other committee, association, society or corporation, shall forward money to the campaign manager of any candidate, which money shall have been solicited and received by said committee, association, society or corporation as contributions to the campaign fund of such candidate, a statement of the amount of each contribution and the name and post-office address of the person making the same shall accompany said money, when forwarded to said campaign manager as aforesaid, and said manager shall copy said list on the deposit slip accompanying the deposit of said money in the campaign fund of said candidate.

Deposit of funds by manager—what to be shown.

20. It shall be unlawful for any State, county or city committee or organization of any political party in this State to expend any money in aid of the candidacy of any candidate for election as a delegate to any national convention, or election to any party position, or for nomination as a candidate of a political party for public office. It shall be unlawful for any such party committee or organization, or any committee of any group of petitioners, or any other person, to expend any money in aid of any candidate for public office, except as hereinafter provided. It shall be unlawful for any State, county or city committee or organization of any political party prior to any primary election to endorse the candidacy of any candidate for a party nomination or position.

Financial aid or endorsement by political organizations unlawful.

21. It shall be lawful for any State committee, county committee or city committee of any political party to receive and disburse moneys for the general purposes of maintaining such organization during the whole or any part of the year. The expenses for maintenance of organization shall be confined to the hiring of suitable rooms for meetings of the said committee, for stationery, for hiring of necessary clerks, for the expenses of notices

Party maintenance.

Expenses recognized.

Contribu-  
tions by  
candidates.

Purpose  
indicated.

Unlawful  
use of  
moneys.

Annual  
organization.

Report of  
contributions  
filed.

of the meetings of such committee, and other expenses incidental to the maintenance of said organization. It shall be lawful for any State committee, county committee or municipal committee of any political party, after the primary election but not before such election, to receive contributions from any candidate of any such party, such contributions to be spent in aid of the candidacy of the contributor or of the candidates of such party and may be expended for the following purposes only: expenses in connection with the conduct of public meetings, for advertising in newspapers or periodicals, and for the preparation and mailing of letters, and for the hire of watchers at the polls on any election day. Such contributions when made by such candidates shall be accompanied by a statement of the campaign manager of such candidate of the specific purpose for which such contribution is to be expended, and shall be paid to said committee by said campaign manager from the campaign fund of such candidate in the manner outlined in this act for the expenditure of money from such campaign fund, and such moneys shall be expended by said committee for no purpose other than that so named. Any person who shall expend or aid or assist in the expenditure of any such moneys for any purpose not authorized by this section, or for any purpose not named in the statement accompanying such contribution, shall be guilty of a misdemeanor and liable to the punishment provided by law for misdemeanors. Within ten days after the annual organization of such State, county or city committee, which shall not be in any event more than twenty days after the day of the general election in November, it shall be the duty of the person who has had the custody of the moneys contributed to or on account of any State, county or city committee during the previous year, to file with the Secretary of State in the case of the State committee, and with the county clerk

in the case of the county or city committee, a statement of the amount of money received by or on behalf of said committee during the previous year, together with the names and addresses of the persons from whom such money was received, and also a statement of the purposes for which said money was expended, itemized as to all items in excess of five dollars, and with a general statement as to the purposes for which the items less than five dollars were expended. The person making such statement shall make affidavit that the same is true.

Itemized  
statement.

22. All bills incurred in the candidacy of any person for any nomination for or election to any public office or party position shall be properly audited and paid within fifteen days after the primary or general or special election at which such person has been a candidate, and not after, except as herein-after provided. Any balance which may remain may be withdrawn by the campaign manager in the same manner as hereinabove provided for the withdrawal of funds from said account. The judge of the Court of Common Pleas in the county wherein the statement of expenses of a candidate is required to be filed, or in case the statement of expenses is required to be filed in the office of the Secretary of State, then any justice of the Supreme Court may, on the application of either the campaign manager or a creditor, allow any bill incurred in aid of the candidacy of any person to be paid after the time limited by this act, provided that the expenditure of such money has been duly authorized in the manner and form as required by this act, and a statement of any sum so paid, with the certificate of its allowance, shall forthwith after payment be filed by the campaign manager in the same office as the statement of campaign expenses of the candidate is required to be filed. The claims of one or more creditors may be united in one application, but the amount and specific character of each claim shall be separately stated. Any claim

Bills  
audited and  
paid.

Balance.

Payments.  
after time  
limit.

Claims met.

ordered to be paid by the Common Pleas judge as aforesaid, shall be paid from the account known as the campaign fund of the candidate, on deposit in the bank or trust company selected by the candidate in accordance with the provisions of this act, or if such account has been closed, then from any other funds in the hands of the candidate or his manager.

Statement  
in detail  
filed prior  
to election—  
what to  
show.

23. On the Friday or Saturday next preceding any primary or general or special election, the campaign manager of any candidate who is to be voted for at such election shall file, as hereinafter provided, an itemized statement, showing in detail all moneys, or other thing of value, contributed, donated, subscribed or in anywise furnished or received for the use of such candidate, or coming into his custody or under his control, directly or indirectly, as campaign manager for such candidate, together with the name and address of and the amount contributed, donated or subscribed by each contributor, donor or subscriber, to the date of such statement, together with a statement of the total amount expended, or liability incurred by or on behalf of such candidate, or in furtherance or in aid of such candidacy. Such statement shall be verified by the affidavit of the said campaign manager, which affidavit shall be substantially in the following form:

Affidavit of  
campaign  
manager.

State of New Jersey, County of....., ss.

I, ..... (name of campaign manager), being campaign manager of ..... (name of candidate), a candidate for nomination for (or election to, as the case may be) the office (or party position, as the case may be) of ..... (name of office or party position) at the ..... (primary or general, as the case may be) election, to be held on the ..... day of ....., in the ..... (county, district or other political division of) in the State of New Jersey, do solemnly swear (or affirm) that the foregoing state-

ment is a true and accurate statement in detail of all moneys contributed, donated, subscribed or in anywise furnished or received for the use of said candidate as aforesaid, or coming into my custody or under my control, directly or indirectly, as campaign manager for such candidate, together with the name and address of each contributor, donor or subscriber or furnisher, and the amount contributed, donated, subscribed or furnished by each; that all of said moneys were deposited by me within twenty-four hours after the same were received, in the ..... bank, to the credit of the account known as the Campaign Fund of....., with a true and accurate list of each contributor, or donor, or subscriber, or furnisher thereof, and the amount contributed, donated, subscribed, or furnished by each; that no money, or other thing of value, has been received by me, or in anywise come into my custody or under my control, except as above stated; that to the best of my knowledge, information and belief no money has been received by said candidate, or by anyone in his behalf, for use in aid of or in furtherance of his said candidacy, except as above stated; that the above statement of the total amount expended or liability incurred by or in behalf of the said candidate, or in aid of or in furtherance of his said candidacy, is a true and accurate statement; that no money has been expended, and no expenditure has been authorized by me, directly or indirectly, for any purpose or in any manner not permitted by law, and that to the best of my knowledge, information and belief no money has been expended by said candidate, or by anyone in his behalf, or in furtherance or aid of his candidacy for any purpose or in any manner not authorized by law; that no moneys were expended by me in furtherance of or in aid of said candidacy prior to the.....day of ..... (the date eight months prior to the primary, general or charter election at which said candidate

is to be voted for, or, in case said candidate has publicly announced his candidacy at an earlier date than eight months prior to the election at which such candidate is to be voted for, then the affidavit in lieu of the last clause shall contain the following:) that said ..... publicly announced his candidacy for nomination for (or election to, as the case may be) the office (or party position, as the case may be) of ..... on the ..... day of ..... and on the ..... day of ..... I was appointed campaign manager of said campaign; that no money was expended by me in furtherance of or in aid of such candidacy prior to the date of my said appointment, and that, as I am informed and believe, no money was expended by the said candidate, or by anyone in his behalf, or in furtherance of or in aid of his candidacy, prior to the date of my said appointment as campaign manager.

The said candidate shall also make and attach to said statement an affidavit substantially in the following form:

State of New Jersey, County of ....., ss.:

**Affidavit of  
candidate.**

I, ..... (give name), a candidate for ..... at the (primary, special, charter or general, as the case may be) election, to be held in the State of ..... (county of ....., district of ....., or other political division, as the case may be), on the ..... day of ....., do solemnly swear (or affirm) that I have not received or contributed any money, or other thing of value, for use in my said candidacy, or to be expended in furtherance of or in aid of said candidacy, except as appears in the above statement; that all money, or other thing of value, which has come into my hands for use in my said candidacy has been immediately turned over to ....., the above-named campaign manager; that the above statement of the total amount expended in my behalf,



or in furtherance of or in aid of my said candidacy, is true, to the best of my knowledge, information and belief; that I have not expended any money, or other thing of value, or incurred any liability, or authorized the expenditure of money, or other thing of value, or the incurrance of any liability for any purpose other than that permitted by law, or in any manner except through my said campaign manager, in the manner required by an act entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),' approved April fourth, one thousand eight hundred and ninety-eight," approved ..... (date of approval of this act); that to the best of my knowledge, information and belief no money has been expended by anyone in my behalf, or in furtherance of or in aid of my candidacy for any purpose nor in any manner not authorized by said act; that no money was expended by me, nor, to the best of my knowledge, information and belief, by anyone in my behalf, prior to the ..... day of ..... (eight months prior to the election day at which such candidate is to be voted for, or, if said candidate publicly announced his intention of becoming a candidate at an earlier date than eight months prior to said election day, then the affidavit in lieu of the last preceding sentence shall contain the following:) that I publicly announced my candidacy for nomination for (or election to, as the case may be) the office (or party position, as the case may be) of ..... on the ..... day of ....., and appointed ..... as my campaign manager on the ..... day of .....; that prior to the appointment of my said campaign manager no money, or other thing of value, was expended, or liability incurred, by me, nor was the expenditure of any money, or other thing of value, or the incurring of any liability in furtherance of or in aid of my said candidacy, by anyone whatsoever, authorized by me prior

to the ..... day of ....., the date of the appointment of my said campaign manager.

Statement  
filed after  
election.

24. Within twenty days after any primary, or general, or special election, the campaign manager of any candidate for nomination for or election to any public office or party position shall file, as hereinafter provided, a statement of the total amount expended, or liability incurred, by or in behalf of such candidate, or in furtherance of or in aid of such candidacy, which statement shall include the total amount named in the statement of expenses filed prior to such election, as well as the total amount of expenses incurred subsequent to the date of filing such last-mentioned statement. Such statement shall be verified by the affidavit of such campaign manager, which affidavit shall be in substantially the following form:

State of New Jersey, County of ....., ss.:

Affidavit of  
campaign  
manager.

I, ..... (name of campaign manager) campaign manager of ..... (name of candidate), a candidate for ..... at the ..... (primary, special, charter or general, as the case may be) election, held in the State of ..... (county of ....., district of ....., or other political division, as the case may be) on the ..... day of ....., do solemnly swear (or affirm) that no money has been received by me in behalf of such candidate, or come into my custody, or under my control, directly or indirectly, since the ..... day of ..... (five days previous to the election at which such candidate was voted for); that the foregoing statement is a true and accurate statement of the total amount expended or liability incurred by or in behalf of said candidate, or in furtherance of or in aid of his said candidacy; that no money has been expended and no expenditure has been authorized by me, directly or indirectly, for any purpose, or in any manner not permitted by law, and that to the best of my knowl-

edge, information and belief no money has been expended by said candidate, or by anyone in his behalf, or in furtherance or aid of his candidacy, for any purpose, or in any manner not authorized by law; that I have not authorized, directly or indirectly, the expenditure of any money, or other thing of value, or the incurring of any liability in furtherance or in aid of the candidacy of said ....., except from the campaign fund of said ....., duly deposited in the ..... bank (or trust company, as the case may be), and that every voucher upon which funds have been withdrawn from said account has truly stated the purpose for which such withdrawal was made.

Affidavit of  
candidate.

Such statement shall also be verified by the affidavit of the candidate, in substantially the following form:

State of New Jersey, County of ....., ss.:

I, ..... (give name), a candidate for ..... at the (primary, special, charter or general, as the case may be) election, to be held in the State of ..... (county of ....., district of ....., or other political division, as the case may be) on the ..... day of ....., do solemnly swear (or affirm) that I have not received or contributed any money, or other thing of value, for use in my said candidacy, or to be expended in furtherance or in aid of said candidacy, after the ..... day of ....., nineteen hundred and ..... (the date five days previous to the election at which such candidate was voted for); that the above statement of the total amount expended in my behalf, or in furtherance or aid of my said candidacy, is true, to the best of my knowledge, information and belief; that I have not expended any money, or other thing of value, or incurred any liability, or authorized the expenditure of any money, or other thing of value, or the incurring of any liability for any purpose other than that permitted by law, or in any

manner except through ..... (name of campaign manager), my campaign manager, in the manner required by an act entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),' approved April fourth, one thousand eight hundred and ninety-eight," approved (date of approval of this act); that to the best of my knowledge, information and belief no money has been expended by anyone in my behalf, or in furtherance or aid of my candidacy for any purpose or in any manner not authorized by said act.

Deposit slips  
and vouchers  
filed by  
bank of de-  
posit.

25. Within twenty days after any primary, or general, or special election, the cashier or treasurer of the bank or trust company selected by any candidate at said election, as above provided, shall file, as hereinafter provided, all of the deposit slips presented to said bank with any deposit of moneys to the account known as the campaign fund of such candidate, arranged in the order of their respective dates, and all of the vouchers presented to said bank upon which any funds were withdrawn from any such account, arranged in the order of their respective dates, together with an affidavit by such cashier or treasurer, or some employee of said bank or trust company, having knowledge of the facts, which affidavit shall be in substantially the following form:

Accompany-  
ing affidavit.

State of New Jersey, County of....., ss.:

....., being duly sworn according to law, on his oath says that he is the..... of the .....bank (or trust company, as the case may be); that annexed to this affidavit are the original deposit slips presented to said bank with any deposit of moneys to the account known as the Campaign Fund of .....; that said account was opened on the ..... day of .....; that no deposit has been received in said account unless accompanied by one of the deposit slips hereto annexed; that annexed to this affidavit are

all of the vouchers presented to said bank upon which any funds were withdrawn; that no funds have been withdrawn from said bank except upon one of the vouchers hereto annexed.

26. Any candidate for nomination for or election to any public office to be filled by the voters of the State, or any political division thereof greater than a county, or of any political division thereof including parts of two counties, shall cause to be filed the statements of their campaign managers in the office of the Secretary of State. Candidates for all other offices shall cause to be filed the statements of their campaign managers in the same office in which the petitions for nomination for such office are or hereafter shall be required by law to be filed. Any affidavits, statements or vouchers required by this act to be filed by the cashier or treasurer of any bank or trust company, relating to the candidacy of any candidate for nomination for or election to any public office or party position, shall be filed in the same office in which the above-mentioned statements of such candidate are by this act required to be filed. In case any statement required by this act to be filed by or on behalf of any candidate has not been filed within the time herein limited, or in case such statement, or the affidavit verifying the same, contains an error or false recital, such candidate or his campaign manager may apply to a justice of the Supreme Court, if such statement has been filed, or is required to be filed in the office of the Secretary of State, or to a judge of the Court of Common Pleas of the county in which such statement is filed, or required to be filed, if such statement is required to be filed with the county clerk of any county, or with any other public officer within any county. If it shall appear to such justice or judge that the failure to file such statement within such time, or the inaccuracy or false recital contained therein or in the affidavit thereto annexed was due to the illness of

Where  
statements  
filed.

If statement  
not filed or  
an error.

Court may  
permit  
statement  
filed.

such candidate or the absence, illness or death of his campaign manager, or was caused by the misconduct of any person other than the said candidate or his campaign manager, or by any other reasonable cause not involving gross negligence on the part of such candidate or his manager, or willful intention to violate any provision of this act, such justice or judge may make an order permitting such statement to be filed as of time, or permitting an amendment of such statement or affidavit.

Purposes for which a person may contribute toward candidate's election.

27. No person shall expend any money or other thing of value or incur any liability in aid or furtherance of his candidacy for nomination for or election to any public office or party position, or in aid or furtherance of the candidacy of any other person for nomination for or election to any public office or party position for any purpose whatsoever except the following: Advertising in newspapers and periodicals, holding political meetings, including expenses for music and other entertainment, exclusive of food and drink, at such meetings, and for advertising such meetings; the traveling expenses and compensation of agents actually employed in arranging for and conducting such meetings, paying for watchers at the polls, as in this act provided, making contributions to the State or county committee, as in this act provided, maintaining candidates or party headquarters, including the hire of rooms and the compensation of employees actually employed therein; salary or fees of stenographers, telegraph or telephone charges, postage, expressage, traveling expenses of candidates, and the preparation and printing of literature for distribution..

Prohibited expenditures.

28. No person shall expend any money or other thing of value or incur any liability in aid or furtherance of his candidacy for nomination for or election to any public office or party position, or in aid or furtherance of the candidacy of any

other person for nomination for or election to any public office or party position for any of the following purposes, but the specific prohibitions contained in this section, or in any other portion of this act, shall not operate to permit by implication or otherwise, the expenditure of any money or thing of value or the incurring of any liability for any purpose not specifically authorized by this act or to limit or in any way restrict the operation of the next preceding section of this act:

(a) For the printing or distribution of posters or for the posting of cards, advertisements or posters upon billboards, dead-walls, trees or posts, or the placing of the same in the windows of buildings;

Billboard,  
window, etc.,  
advertising.

(b) The hiring of any watchers, agents or challengers for any work on any primary day or other election day; *provided, however*, that any candidate for nomination or party position may hire one watcher for each election district in which he is to be voted for at any primary election; *provided, further*, that any group of candidates who shall have been bracketed on any primary ticket or who shall have united in a joint campaign shall not hire more than one watcher or challenger at each such polling place, which watcher or challenger shall represent all of such group; *provided, further*, that nothing in this act contained shall prohibit any candidates not bracketed or conducting a joint campaign from joining in the hire of watchers; *provided, further*, that each political party or organization may employ not exceeding two persons on election day to act as challengers or agents in each polling place as now provided by law. Every such challenger and agent shall on any primary, special or general election day, wear a badge, which shall show to any other person the political party or candidate or group of candidates for whom such challenger or agent is acting. Said badges shall be furnished by the county board of elections:

Watchers,  
challengers.

Proviso.

Proviso.

Proviso.

Proviso.

Badge  
worn.

Transportation.  
Proviso.

(c) The hiring of any vehicle for the transportation of voters to or from the polls; *provided, however,* that nothing in this act contained shall be construed to in any way limit the right of any volunteer acting without compensation to transport any voters, properly registered, to and from any polling place where he may be legally entitled to cast his vote;

Creating public sentiment.

(d) To pay any compensation of any kind or character to any person on account of services rendered or to be rendered in seeking to create a public sentiment in favor of, or against any candidate by any means or method, except those for which expenditure of money is above specifically authorized;

Personal services

(e) To pay any compensation of any kind or character to any person for any personal services rendered, except clerical services the services of watchers at the polls on any election day as authorized by this act in furtherance or in aid of the candidacy of any candidate for nomination for election to any public office or party position, unless within twenty-four hours after said person shall have been employed by said candidate or the campaign manager of such candidate, or shall have commenced to render the services for which compensation is to be paid, a notice shall be filed in the office where such candidate is required to file his statement of expenses, stating that such person has been employed by such candidate or his manager for compensation, and stating the nature of the services to be rendered by such person. Such notice shall be signed by the candidate or his campaign manager. All of such notices shall be kept by the officer with whom the same are filed and so classified and arranged that ready reference may be had thereto, and shall be open to the inspection of the public.

Notice thereof filed.

Notices kept.

Forbidden actions.

29. No person shall pay, lend or contribute, or offer or agree to pay, lend or contribute, any



money or other valuable consideration to or for any person, either for

(1) The doing or procuring to be done of any act forbidden to be done by the laws of this State relating to primary or general elections; or,

Acts contrary to election laws.

(2) The commission of any crime or offense against the elective franchise, or the encouragement or assistance of a person in the commission of a crime or offense against the elective franchise, or aiding or assisting any person charged with the commission of a crime against the elective franchise to evade arrest or to escape conviction and punishment for such crime or offense; or,

Crime against elective franchise.

(3) Providing, wholly or in part, directly or indirectly, for the expense of boarding, lodging or maintaining a person in any place or domicile in any election precinct, or ward, or district, with the purpose of securing the vote of such person, or of inducing such person to vote for himself, or any other person at an election held within the State; or,

Colonizing.

(4) The hiring or employment of a person to take or maintain a place in, or to otherwise obstruct or hinder, or to prevent the forming of the line of voters awaiting their opportunity or time to enter the polling place or election booth of an election precinct; or,

Hindering voters.

(5) In consideration of any person withdrawing as a candidate for public office or presidential elector, at any election held within this State; or,

Withdrawal of candidate.

(6) To pay any person for loss or damage due to attendance at the polls at any primary or general or charter election, or any registry therefor, or for the purpose of such registration.

Damage due to being at polls.

(7) For any purpose in contravention of the provisions of this act; or,

Against this act.

(8) Making any payment except in the manner provided by this act.

Unlawful payment.

(9) To pay for the printing or publishing of any pamphlet, statement, advertisement or other

Printing, advertisements, etc.

printed matter of any kind or character having reference to an election or to any candidate at any election, unless such pamphlet, statement, advertisement or printed matter shall bear upon the face thereof the name and address of the candidate or campaign manager of the candidate causing the same to be published, and furnishing, or agreeing to furnish, payment for such printing and publication.

Unlawful  
contribu-  
tions.

It shall be unlawful for any person, directly or indirectly, by himself or through any other person—

To cause  
voters to  
vote or re-  
frain from  
voting.

30. (1) To pay, lend or contribute, or offer or promise to pay, lend or contribute, any money or other valuable consideration to or for any voter, or to or for any other person, to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election for any particular person or persons, or to induce such voter to come to the polls or remain away from the polls at such election, or on account of such voter having voted or refrained from voting or having voted or refrained from voting for any particular person, or having come to the polls or remained away from the polls at such election.

To promise  
employment.

(2) To give, offer or promise any office, place or employment, or to promise to procure or endeavor to procure any office, place or employment to or for any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election for any particular person or persons.

To make  
gifts, etc.

(3) To make any gift, loan, promise, offer, procurement or agreement, as aforesaid, to, for or with any person, in order to induce such person to procure, or endeavor to procure, the election of any person, or the vote of any voter at any election.

(4) To procure, or engage, promise or endeavor to procure, in consequence of any such gift, loan, offer, promise, procurement or agreement, the election of any person, or the vote of any voter at such election.

To procure votes by gifts, etc.

(5) To advance or pay, or cause to be paid, any money or other valuable thing, to or for the use of any other person, with the intent that the same, or any part thereof, shall be used in bribery at any election, or to knowingly pay, or cause to be paid, any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part, expended in bribery at any election.

To furnish funds for bribery.

(6) To advance or pay, or cause to be paid, any money or other valuable thing, to or for the use of any other person, with the intent that the same, or any part thereof, shall be used to aid or assist any person to evade arrest who is charged with the commission of a crime against the elective franchise.

To assist in evading arrest.

(7) To advance or pay, or cause to be paid, any money or other valuable thing, to or for the use of any other person, in consideration of being selected or endorsed as the candidate of any convention, organized assemblage of delegates, or other body, representing, or claiming to represent, a political party or principle, or any club, society or association, for a public office, or in consideration of the selection or endorsement of any other person as a candidate for a public office, or in consideration of any member of a convention, club, society or association, having voted to select or endorse any person as a candidate for a public office.

To pay for endorsement by delegates, associations, etc.

(8) To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, in consideration of a person withdrawing as a candidate for a public office.

To secure withdrawals.

Unlawful  
acts.

31. It shall be unlawful for any person, directly or indirectly, by himself or through any other person:

To receive  
money, po-  
sition, etc.

(1) To receive, agree or contract for, before or during an election, any money, gift, loan or other valuable consideration, office, place or employment, for himself or any other person, for voting or agreeing to vote, or for coming or agreeing to come to the polls, or for refraining or agreeing to refrain from voting, or for voting or agreeing to vote, or refraining or agreeing to refrain from voting for any particular person or persons at any election.

To vote or  
refrain  
from voting  
for consid-  
eration.

(2) To receive any money or other valuable thing during or after an election, on account of himself, or any other person, having voted or refrained from voting for any particular person or persons at such election, or on account of himself, or any other person, having come to the polls or remained away from the polls at such election, or on account of having induced any other person to vote or refrain from voting, or to vote or refrain from voting for any particular person or persons, or to come to or remain away from the polls at such election.

To receive  
consideration  
to secure  
delegates or  
endorse-  
ment.

(3) To receive any money or other valuable thing before, during or after election, on account of himself, or any other person having voted to secure the election or endorsement of any other person as the nominee or candidate of any convention, organized assemblage of delegates or other body, representing, or claiming to represent, a political party or principle, or any club, society or association, or on account of himself or any other person having aided in securing the selection or endorsement of any other person as a nominee or candidate as aforesaid.

May petition  
court for  
transporta-  
tion of  
voters.

32. The chairman of the county committee or other organization of any political party which has nominated candidates to be voted for at any

general election, or any person endorsed as a candidate for the nomination of any political party or group of petitioners to public office in any county may petition the judge of the Court of Common Pleas of said county at least fourteen days prior to the day of the general election, setting forth that certain voters described in said petition reside at a distance of at least two miles from the polling place at which, under the law, they are entitled to vote on election day, or are aged or infirm, and that the said voters do not, nor does any of them possess any vehicle or other means of transportation from their places of residence to the said polling place, and no trolley line is available as hereinafter stated, and requesting that the said judge shall order the expense of the said transportation of the said voters on election day from their homes to their polling places and return, to be paid by the board of freeholders of said county upon vouchers, as hereinafter provided.

33. If the said judge shall be satisfied that the public interests require the transportation of the said voters, he may make an order, authorizing the petitioner to employ such number of conveyances, at rates of compensation to be fixed in said order, and the amount so authorized shall be paid by the county board of freeholders upon vouchers as hereinafter provided. Each person who shall furnish a vehicle or conveyance under the order of the said judge, shall file with the said judge, within four days after the day of election, a voucher or bill, setting forth the number of voters transported in his vehicle, and the time consumed in such transportation. The owner or operator of such vehicle or conveyance shall make oath or affirmation to the truth of the facts set forth in said voucher. Annexed to said voucher or bill shall be the affidavit of each person claimed to have been transported by the person presenting the said voucher or bill. Said affidavit shall state the place of residence of

Court may  
order trans-  
portation  
furnished.

Presentation  
of bills with  
vouchers and  
affidavits at-  
tached.

said voter, and shall set forth that the place of said residence is more than two miles from the polling place at which said voter voted, and that said voter did not own any horse and wagon or motor vehicle on said day of election, and that there was no trolley line running within half a mile of the residence of the said voter upon which he could be transported to within half a mile of the said polling place, or that said voter is aged and infirm. If the said judge of said court shall approve the said voucher, the same shall be paid by the county board of freeholders.

Payments,  
etc., made  
in true  
name.

34. No person shall make any payment of his own money, or of the money of any other person, in connection with any nomination or election in any other name than that of the person who really supplies such money, nor shall any person knowingly receive such money, or thing of value, and enter it into his accounts or deposit it in any bank or trust company, in any other name than the name of the person who really supplies the same.

Contribu-  
tions by  
officials.

35. No holder of any public office or position not filled by election by the voters shall contribute to the nomination or the election of any person to public office or party position; *provided*, that this prohibition shall not apply to any person holding an appointive office or position the term of which is fixed by law. No person shall invite, demand or accept payment or contribution from such persons for campaign purposes.

Proviso.

Soliciting  
for churches,  
etc., forbid-  
den.

36. No person shall demand, solicit, ask or invite any payment or contribution for any religious, charitable or other cause or organization supposed to be primarily for the public good, from any candidate for nomination or election.

Subscrip-  
tions, support  
of clubs, etc.,  
forbidden.

37. No person shall demand, solicit, ask or invite any candidate for nomination for election to public office or party position to subscribe for the support of any club or organization, or to buy tickets to any entertainment or ball, or to pay for space in

any book, program, periodical or publication. This shall not apply to the solicitation of any business advertising in periodicals in which the candidate was a regular advertiser prior to his candidacy, nor to ordinary business advertising, nor to the regular payments to any organization, religious, charitable or otherwise, of which he was a member, or to which he was a contributor for more than six months before his candidacy, nor to any ordinary contributions at church services.

Usual business and church contributions not meant.

38. No corporation carrying on the business of a bank, savings bank, co-operative bank, trust, trustee, savings indemnity, safe deposit, insurance, railroad, street railway, telephone, telegraph, gas, electric light, heat, power, canal or aqueduct company, or having the right to condemn land, or to exercise franchises in public ways granted by the State, county, city or town, and no corporation, person, trustee or trustees, owning or holding the majority of stock of any such corporation, shall pay or contribute any money or thing of value in order to aid or promote the nomination or election of any person, or in order to aid or promote the interests, success or defeat of any political party.

Contributions by corporations forbidden.

39. No person shall sell, give or provide any political badge, button or other insignia to be worn at or about the polls on any primary, general or special election day, except the badge furnished by the county board of elections as herein provided.

Badges, etc., at polls.

40. No person shall willfully cause, procure or allow himself to be registered in any registration list, knowing himself not to be entitled to such registration. No person shall willfully cause, procure or allow any other person to be registered in any registration list knowing such person not to be entitled to such registration.

False registration.

41. Every person not entitled to vote, who fraudulently votes, and every person who votes more than once at any one election; or knowingly hands in two or more tickets folded together; or changes

Fraudulent voting, stuffing ballot box, destroying records, etc., a misdemeanor.

any ballot after the same has been deposited in the ballot box; or adds, or attempts to add, any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted; or adds to or mixes with, or attempts to add to or mix with, the ballots lawfully polled, other ballots while the same are being counted or canvassed, or at any other time, with intent to change the result of such election; or carries away or destroys, or attempts to carry away or destroy, any poll list, or ballots, or ballot box, for the purpose of breaking up or invalidating such election; or wilfully detains, mutilates or destroys any election returns; or in any manner so interferes with the officers holding such election, or conducting such canvass, or with the voters lawfully exercising their rights of voting at such election, as to prevent such election or canvass from being fairly had and lawfully conducted, shall be guilty of a misdemeanor.

Illegal voting.

Impersonating.

Improper action by election officers.

Betting.

42. Every person not entitled to vote, who fraudulently attempts to vote, or who, being entitled to vote, attempts to vote more than once at any election, or who personates or attempts to personate, a person legally entitled to vote, shall be guilty of a misdemeanor.

43. Every person charged with the performance of any duty under the provisions of any law of this State relating to elections, who wilfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be guilty of a misdemeanor.

44. It shall be unlawful for any candidate for public office, before or during an election, to make any bet or wager with a voter, or take a share or interest in, or in any manner become a party to such bet or wager, or provide or agree to provide any money to be used by another in making such



bet or wager, upon any event or contingency whatever. Nor shall it be lawful for any person, directly or indirectly, to make a bet or wager with a voter, depending upon the result of any election, with the intent thereby to procure the challenge of such voter, or to prevent him from voting at such election.

45. It shall be unlawful for any person, directly or indirectly, by himself or any other person in his behalf, to make use of, or threaten to make use of, any force, violence or restraint, or to inflict or threaten the infliction, by himself or through any other person, of any injury, damage, harm or loss, or in any manner to practice intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election, or to vote or refrain from voting for any particular person or persons at any election, or on account of such person or persons at any election, or on account of such person having voted or refrained from voting at any election. And it shall be unlawful for any person, by abduction, duress, or any forcible or fraudulent device or contrivance whatever, to impede, prevent or otherwise interfere with the free exercise of the elective franchise by any voter; or to compel, induce or prevail upon any voter either to give or refrain from giving his vote at any election, or to give or refrain from giving his vote for any particular person or persons at any election. It shall not be lawful for any employer, in paying his employees the salary or wages due them, to enclose their pay in "pay envelopes" upon which there is written or printed the name of any candidate or any political mottoes, devices or arguments containing threats, express or implied, intended or calculated to influence the political opinions or actions of such employees. Nor shall it be lawful for any employer, within ninety days of an election, to put up or otherwise exhibit in his factory, workshop, or other establishment or

Threats.

Abduction,  
interference,  
etc.

Pay envel-  
opes not to  
bear politi-  
cal ex-  
pressions.

Posting po-  
litical hand-  
bills contain-  
ing threats  
in factories.

place where his workmen or employees may be working, any handbill or placard containing any threat, notice or information that in case any particular ticket of a political party, or organization, or candidate shall be elected, work in his place or establishment will cease, in whole or in part, or his place or establishment be closed up, or the salaries or wages of his workmen or employees be reduced, or other threats, express or implied, intended or calculated to influence the political opinions or actions of his workmen or employees. This section shall apply to corporations as well as individuals, and any person or corporation violating the provisions of this section is guilty of a misdemeanor, and any corporation violating this section shall forfeit its charter.

Act applies  
to corpora-  
tions.

Penalty for  
election of-  
ficers to seek  
or disclose  
voter's bal-  
lot.

46. Every inspector, judge or clerk of an election, who, previous to putting the ballot of an elector in the ballot box, attempts to find out any name on such ballot, or who opens or suffers the the folded ballot of any elector which has been handed in to be opened or examined previous to putting the same in the ballot box, or who makes or places any mark or device on any folded ballot with the view to ascertain the name of any person for whom the elector has voted, or who, without the consent of the elector, discloses the name of any person which such inspector, judge or clerk has fraudulently or illegally discovered to have been voted for by such elector, shall be guilty of a misdemeanor.

Perjury.

47. Any person who shall willfully swear falsely to an affidavit required by this act shall be guilty of perjury and punishable accordingly. Any person, whether a candidate, the campaign manager of a candidate, an officer or employee of a bank or trust company, or not, who shall violate any of the provisions of this act, or fail to duly perform any duty imposed by this act, shall be guilty of a misdemeanor. Any candidate who procures, aids,

Misde-  
meanors.

assists, counsels, advises or knowingly permits any person to violate this act shall be guilty of a misdemeanor.

48. If any money, or other thing of value, shall be paid, promised or expended, or any liability incurred in excess of the amount permitted by this act, or for any purpose, or in any manner not authorized by this act, by or on behalf of any candidate for nomination for or election to any office or party position, or in furtherance or in aid of his candidacy, whether such money or other thing of value was paid, promised or expended, or such liability incurred by the candidate or his campaign manager, or by any other person, corporation, association or committee whatsoever, the nomination or election of any such candidate at such primary or other election in connection with which such illegal expenditure was made or liability incurred, shall be null and void; *provided, however,* that any candidate, or the campaign manager of any candidate, may disavow any expenditure made or liability incurred in behalf of such candidate and without his authorization or the authorization of his manager by filing in the public office in which the statement of moneys expended by or on behalf of such candidate is required to be filed, within five days after his first knowledge of such expenditure or of the incurring of such liability, a statement signed by such candidate, or by his campaign manager, disavowing such expenditure. When any such statement is filed, as aforesaid, the amount of such expenditure shall not be counted for the purposes of this act as a part of the money expended in aid of the candidacy of such candidate, unless such disavowal was not made in good faith. If no such disavowal is filed within the time aforesaid, it shall be conclusively presumed that such moneys were expended with the knowledge and consent of such candidate or his campaign manager if it ap-

Liabilities  
in excess of  
amounts  
authorized  
to forfeit  
election.

Proviso.

Disavowal.

Failure to  
file state-  
ments re-  
quired to  
forfeit office.

pear that either said candidate or his campaign manager had knowledge of such expenditures or by reasonable diligence could have obtained such knowledge. If any candidate for nomination for or election to any public office or party position, or the campaign manager of any such candidate, shall fail to file any statement required by this act to be filed, at the time, place and in the manner required by this act, and duly verified as herein required, or shall file any false statement, the nomination or election of such candidate, if nominated or elected at the primary or other election concerning which such statement shall have been filed, shall be null and void.

Court to  
consider  
mitigating  
circum-  
stances.

49. When upon the trial of any action or proceedings instituted under this act for the purpose of securing a determination that any nomination for or election to any public office or party position is null and void, it shall appear from the evidence that the offense complained of was not committed by the candidate, or with his knowledge or consent, and that all reasonable means were taken by or on behalf of the candidate to prevent the commission of any such offense, or that the offenses complained of were trivial or unimportant in character, and that in all respects his candidacy and election were free from all offensive or illegal acts, or that any act or omission of any candidate complained of arose from accidental miscalculation or from some other reasonable cause of like nature, and in any case did not arise from any want of good faith, and under the circumstances it seems to the court or Supreme Court justice to be unjust that the candidate shall forfeit his nomination, position or office, then the nomination or election of such candidate shall not by reason of such offense complained of be void.

If nomina-  
tion void,  
next highest  
candidate at  
primary to  
have name  
on ballot.

50. In case it shall be determined in the manner hereinafter provided, that the nomination for any office of any successful candidate at any primary

election is null and void under section forty-eight of this act, then in case such determination shall have been made ten days before the election at which the candidates nominated at said primary election are to be voted for, an order shall be made by the court or judge making such determination prohibiting the printing of the name of such candidate on the ballot to be used at such election, and the name of the candidate for nomination or party position at such primary election receiving the next highest number of votes shall thereupon be printed upon said ballot as the nominee for said office. In case such determination shall not have been made ten days prior to the election at which the candidates at such primary election are to be voted for, and in case the said candidate shall be elected at such election to the office for which he claimed nomination under such void primary, as aforesaid, then no certificate of election shall be delivered to such candidate, and the election for the office for which such person was a candidate shall be null and void, and if such determination shall have been made after the delivery of the certificate of election to such candidate, then such certificate of election shall be null and void, and the said candidate shall not be inducted into the office for which such certificate of election was issued. In case such determination shall not have been made until after said candidate has been inducted into office, then upon a certified copy of the record of such determination being sent to the Attorney-General, it shall be the duty of the Attorney-General to institute quo warranto proceedings for the vacation of such office; *provided, however*, that in case the said record relates to the election of any candidate for the office of United States Senator, Member of Congress, State Senator, or Member of the House of Assembly, the Attorney-General, instead of instituting quo warranto proceedings for the vacation of said

When election void.

Office vacated by quo warranto proceedings.

Proviso.

office, shall send such certified copy, within five days after the same is received by him, to the United States Senate, the House of Representatives, the State Senate, or the House of Assembly, as the case may be, if such United States Senate, House of Representatives, State Senate or House of Assembly is then in session, and if not then in session, then on the first day of such session.

If election  
void, certifi-  
cate with-  
held.

51. In case it shall be determined in the manner hereinafter provided, that the election to any office of any candidate at any election other than a primary election, is null and void, under the provisions of section forty-eight of this act, then no certificate of election shall be delivered to the candidate whose election shall have been determined to be null and void, as aforesaid, and if such determination shall have been made after the delivery of the certificate of election to such candidate, then such certificate of election shall be null and void, and the said candidate shall not be inducted into the office for which such certificate of election was issued. In case such determination shall not have been made until after such candidate shall have been inducted into office, then upon a certified copy of the record of such determination being sent to the Attorney-General, it shall be the duty of the Attorney-General to institute quo warranto proceedings for the vacation of such office; *provided, however*, that in case the said record relates to the election of any candidate to the office of United States Senator, Member of Congress, State Senator, or Member of the House of Assembly, the Attorney-General, instead of instituting quo warranto proceedings for the vacation of such office, shall send such certified copy, within five days after the same is received by him, to the United States Senate, the House of Representatives, State Senate, or the House of Assembly, as the case may be, if such United States Senate, House of Representatives, State Senate, or

Quo war-  
ranto pro-  
ceedings to  
vacate of-  
fice.

Proviso.

House of Assembly is then in session, and if not then in session, then on the first day of such session.

52. In case it shall be determined, in the manner hereinafter provided, that the election of any person to any party position is null and void under the provisions of section forty-eight of this act, then no certificate of election shall be delivered to the candidate whose election shall have been determined to be null and void, as aforesaid, and if such determination shall have been made after the delivery of the certificate of election to such candidate, then such certificate of election shall be null and void, and whether such determination shall have been made before or after the delivery of a certificate of election, a certificate of election shall be delivered to the candidate having the next highest number of votes. Any person chosen as member of the State committee, county committee, or any city or municipal committee of any political party who shall sit or perform any duty, or exercise any functions as a member of such committee after his election thereto shall have been declared null and void, shall be guilty of a misdemeanor, and each member of any such committee who shall vote to recognize any such member after such election shall have been declared null and void, shall likewise be guilty of a misdemeanor. In case of any delegate at large or district delegate to any national convention, whose election shall have been declared null and void under this act, after a certificate of election has been issued to him, it shall be the duty of the Attorney-General to transmit to the said convention a certified copy of the judgment and determination of the Supreme Court justice declaring said election void, to the end that the certificate of election issued to the person having the next highest number of votes for said party position may be honored by said convention. Any delegate at large or district dele-

Action when party positions are void.

Certificate given next highest.

Misdemeanor to act after election declared void.

Delegates to national conventions.

Misdemeanor to use certificate declared void.

gate to any national convention to whom a certificate of election shall have been delivered, which certificate shall have been declared null and void after such delivery, shall, upon the service upon him of a certified copy of the determination of the Supreme Court justice declaring such certificate null and void, forthwith surrender such certificate to the Clerk of the Supreme Court. Any delegate at large or district delegate to any national convention who shall fail to surrender such certificate of election forthwith, after the same has been declared null and void, as aforesaid, or who shall use such certificate of election, or who shall present such certificate of election as a credential at any such convention, or to any committee on credentials at such convention, or who shall leave the limits of this State with such certificate in his possession with intent to use the same as a credential for admission to any political convention shall be guilty of a misdemeanor.

Contested  
elections.

53. Any twenty-five voters of the State, or of any political division thereof, may file a petition in the Circuit Court, stating that the nomination or election, as the case may be, of any candidate for nomination for or election to any public office or party position, is void because of the reasons named in section forty-eight of this act, setting forth the particular reasons. Any defeated candidate for said nomination, position or office may file any such petition, and thereafter the contest shall be carried on in accordance with the provisions of sections one hundred and sixty-two to one hundred and seventy-seven of the act to which this act is a supplement, relating to contested elections for county, township, city or other municipal offices, except as herein otherwise provided. Such petition shall be verified by oath of at least two of said petitioners, or by the candidate filing the same, as the case may be, which verification may be made on information and belief. When the

Petition  
filed.



candidate whose election or nomination is contested is a candidate for office other than a county, township, city or municipal office, or for the party position of delegate at large or district delegate to a national convention, such petition shall be filed in the office of the Clerk of the Supreme Court, and shall be heard by the Chief Justice or by a justice of the Supreme Court assigned for that purpose by the Chief Justice. The procedure in such cases shall conform to the procedure above referred to in the act to which this act is a supplement, except as herein otherwise provided. Any such petition contesting any nomination or election to any party position shall not be filed more than ten days after the primary election, or in case of a petition contesting an election other than a primary election, not more than thirty days after such election, unless the ground of action is discovered from the statements, deposit slips or vouchers filed under this act, subsequent to such primary or other election, in which event such petition may be filed ten or thirty days respectively after such statements, deposit slips or vouchers are filed. When the election of any candidate to any public office other than that of United States Senator, Member of Congress, State Senator, Member of the House of Assembly, shall have been declared null and void before such candidate has taken office, then on the expiration of the term of office of the then incumbent, the vacancy shall be filled in the manner now provided by law in case of a vacancy occurring other than by expiration of term. In case the election of any candidate for any public office shall have been declared null and void after such candidate shall have been inducted into office, and such candidate shall have been removed from office in quo warranto proceedings, the vacancy in such office shall be filled in the manner provided by law in case of a vacancy in

Where petition filed.

Procedure.

Time for beginning contests.

Filling vacancy.

such office arising from any cause other than expiration of term.

Findings of  
court ad-  
missible in  
evidence.

54. In any quo warranto proceedings instituted for the purpose of vacating any office in accordance with the directions contained in this act, the finding of the Circuit Court or Supreme Court justice that the nomination for or election to such office is null and void, shall be admissible in evidence on the part of the relator and shall be prima facie evidence in any such proceedings of the invalidity of such nomination or election.

Right to  
seek recovery  
of office.

Nothing in this act contained shall abridge any right which any claimant to any office might otherwise have to institute proceedings for the recovery of such office, notwithstanding the fact that his nomination for or election to such office may have been declared null and void in the summary proceedings above referred to, but in any such action instituted by any such claimant, the determination of the Circuit Court or justice of the Supreme Court shall be admissible in evidence and shall be prima facie evidence of the facts therein recited and of the invalidity of such nomination or election.

Proceedings  
instituted by  
attorney-  
general.

55. It shall be lawful for the Attorney-General to institute quo warranto proceedings to remove from office any person whose nomination or election shall be void under the provisions of this act, whether or not such nomination or election shall have been determined to be void in the manner specially provided by this act.

Competency  
of witnesses.

56. A person offending against any provision of this act shall be a competent witness against another person so offending, and may be compelled to attend and testify upon any trial, hearing, proceeding or lawful investigation or judicial proceeding, in the same manner as any other person. But the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying. A person so testifying

shall not thereafter be liable to indictment or presentment by information, nor to prosecution or punishment for the offense with reference to which his testimony was given, and may plead or prove the giving of testimony accordingly in bar of such indictment, information or prosecution.

57. If the prosecutor of the pleas of the county shall be notified by any officer or other person of any violation of any of the provisions of this act, it shall be his duty forthwith to diligently inquire into the facts of such violation, and if there is reasonable ground for instituting a prosecution, it shall be the duty of such prosecutor of the pleas to present the said charge, with all the evidence which he can procure, to the grand jury of such county. If any prosecutor of the pleas shall fail or refuse to faithfully perform any duty imposed upon him by this act, he shall be deemed guilty of a misdemeanor. It shall be the duty of the prosecutor of the pleas to prosecute any and all persons guilty of any violation of the provisions of this act. Any citizen may employ an attorney to assist the prosecutor of the pleas to perform his duties under this act, and such attorney shall be recognized by the prosecutor of the pleas and the court as associate counsel in the proceeding; and no prosecution, action or proceeding shall be dismissed without notice to, or against the objection of, such associate counsel until the reasons of the prosecutor of the pleas for such dismissal, together with the objections thereto of said associate counsel, shall have been filed in writing, argued by counsel, and fully considered by the court with such limitation as to the time of filing such reasons and objections as the court may impose.

58. A candidate nominated for or elected to an office, and whose nomination or election has been annulled and set aside for any reason mentioned in this act, shall not, during the period fixed by law as the term of such office, be appointed to fill any

Duty of  
prosecutor of  
pleas to pre-  
sent matter  
to grand  
jury.

Prosecutions.

Assistant to  
prosecutor.

As to dis-  
missal of  
proceedings.

Candidates  
set aside not  
to fill  
vacancies.

Proviso.

vacancy which may occur in such office; *provided*, that this provision shall not apply to appointments to any office the qualifications for which are prescribed by the constitution of this State or of the United States. A candidate or other person who is removed from or deprived of his office for any offense mentioned in this act shall not, during the period remaining as the unexpired term of such office, or during the period fixed by law as the next ensuing term of such office, be appointed to fill any vacancy which may occur in such office; *providea*, that this provision shall not apply to appointments to any office the qualifications for which are prescribed by the constitution of this State or of the United States. Any appointment to an office made in violation of or contrary to the provision of this section shall be void.

Sum available  
for use by  
attorney-  
general.

59. The Attorney-General of the State is hereby authorized to expend annually, under the direction and with the approval of the Governor, a sum not exceeding twenty-five thousand dollars, for the purpose of securing evidence of violations of this act and assisting in the prosecution of such violations; *provided*, such sum shall be regularly appropriated in any annual or supplemental appropriation bill.

Proviso.

As to prior  
expenditures.

Any expenditure made by or on behalf of any candidate, or in furtherance or aid of his candidacy, prior to the date on which this act became effective, which such expenditure was lawful when made, shall not affect the validity of any nomination or election under the provisions of this act, though such expenditure may have been made for a purpose or in a manner not permitted by this act, unless such expenditure when added to the total amount otherwise expended in furtherance or in aid of such candidacy exceeds the total amount of expenditure authorized by this act. A statement of such expenditure, so far as it is possible to state the same, shall be included in the statements required by this act to be filed.

60. In the event of any part or parts of this act being declared unconstitutional, the remainder of the act shall not be invalidated thereby.

As to constitutionality of act.

61. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 4, 1918.

## CHAPTER 185.

### An Act concerning counties.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The corporate title of the several counties of this State shall hereafter be "County of..... (name of county)," as the case may be, instead of "The Board of Chosen Freeholders of the County of..... (name of county)" as heretofore. The inhabitants of each of the several counties are hereby declared to be a body politic and corporate in law, and shall be known by the name aforesaid. The boundaries of the several counties shall be and remain as heretofore established by law.

Corporate title of counties.

Boundaries.

2. Every county, by its corporate name, shall succeed to and become vested with all property, real and personal, now held by such county or its board of chosen freeholders under the corporate name as heretofore existing, and no suit, proceeding, instrument or liability shall abate or in anywise be affected by any such change of corporate name.

Succession.

Proceedings not affected.

**Rights, &c.**

3. Every corporation shall have perpetual succession, may sue and be sued, have a common seal, and purchase, acquire, lease, hold, let and convey real and personal property for the use and benefit of the county.

## ARTICLE I.

### BOARDS OF CHOSEN FREEHOLDERS.

**Management  
vested in  
board of  
chosen  
freeholders.**

101. The property, finances and affairs of every such corporation shall be managed, controlled and governed by a board elected in such county, to be known as "The Board of Chosen Freeholders of the County of..... (specifying name of county)," except where by statute any such powers or duties are imposed upon or vested in some other board, committee or department of such county.

**Annual  
meetings.**

102. All stated annual meetings of the board of chosen freeholders shall be held at the place of holding the Court of Common Pleas in and for the respective counties at the hour of twelve o'clock noon on the first day of January, annually (unless said first day of January shall fall upon a Sunday, in which event said meeting shall be held on the following Monday).

**Regular and  
special  
meetings.**

103. Regular meetings of the several boards of chosen freeholders shall be held at such times and places as each of said boards shall, by resolution, determine. Special meetings shall be held on the written or printed order of the director, or of any three members of a board, specifying the business, object and purpose thereof, and the place where the same shall be held. It shall be the duty of the clerk of a board of chosen freeholders to call any such special meeting when directed as aforesaid, by written notice and directed to the respective members thereof, and left at their respective places of abode, or mailed to the post office nearest therto, respectively, at least five days before the day of

**Notice of  
meetings.**

meeting so specified, and stating in such notices the business, object and purpose of such meeting and the place where the same is to be held. If any such clerk shall, on such order as aforesaid, refuse or neglect to call or convene any special meeting of the board, he shall forfeit twenty-five dollars, to be recovered, with costs, in an action in any court of competent jurisdiction, in the name and for the use of the county.

Penalty for clerk not calling meeting.

104. In case a sufficient number of the members of a board of chosen freeholders to constitute a quorum shall not attend at the time and place of the annual or any other meeting of the board, it shall be lawful for the attending members to adjourn the meeting of the board to such time and place as they shall think proper.

Adjournments.

## ARTICLE II.

### OFFICERS, COMMITTEES, ET CETERA.

201. Every board of chosen freeholders shall have power, by resolution, to designate any and all committees thereof, and to define their duties and determine the number of members of which any committee shall be composed, and it shall have power at any time to abolish any committee created by it.

Committees.

202. Every board of chosen freeholders shall, at each annual meeting, elect one of its members to preside at its meetings, who shall be called the director of the board, and in the case of his absence or temporary disability such board shall select another of its members to preside at any meeting.

Director.

203. Said director, when elected as aforesaid, shall have the right to name the members of all committees of the said board, except where otherwise provided by statute. Said director shall have the power, by and with the consent of a majority

Naming committees.

of the members of such board, but not otherwise, to discharge any member or members of any committee from further service thereon.

Clerk of  
board.  
Duties.

204. Every board of chosen freeholders shall elect, for the term of three years, some fit person clerk of the board, whose duty it shall be to keep the minutes and enter the orders and proceedings of the board in a book to be kept for the purpose, and who shall have the custody of the common seal of the county, and the papers, deeds, writings, documents and books relating to the property and business of the county, and to perform such other services as such board of chosen freeholders shall from time to time direct.

County  
collector.  
Duties.

205. Every board of chosen freeholders shall elect, for the term of three years, some fit person to be county collector. He shall collect and receive from all persons, copartnerships and corporations, public and private, all moneys due the county. He shall be the custodian of all county funds (except where otherwise provided by statute), disbursing and paying out the same only on the order of the board of chosen freeholders. He shall render the said board monthly, and at such other times as such board shall require, a true and detailed account of all moneys and other property in his hands as such officer, showing, also, all receipts and disbursements made by him. Said county collector shall perform such other duties as may be assigned to him from time to time by said board of chosen freeholders.

County  
auditor.

206. Every board of chosen freeholders may, if deemed advisable, elect, for the term of three years, some fit person to be county auditor for the purpose of exercising supervision over the expenditure and receipt of moneys of the county.

Purchasing  
agent.

Duties.

207. Every board of chosen freeholders may, if deemed advisable, elect, for the term of three years, some fit person to be purchasing agent. He shall classify and standardize, under direction of the board of freeholders, all materials and supplies to be purchased for all institutions, depart-



ments, boards and commissions of the county. He shall purchase all supplies and materials for the use of all institutions, departments, boards and commissions of the county. He shall act, and execute all contracts, in the name of the county, and perform such other services as such board of chosen freeholders shall from time to time direct.

208. Every board of chosen freeholders may elect, if deemed advisable, for the term of three years, some fit person to be general storekeeper, who shall keep in good condition, safely, all materials and supplies delivered to him for the use of all institutions, departments, boards and commissions of the county. He shall furnish and deliver such materials and supplies on proper requisition, and perform such other services as such board of chosen freeholders shall from time to time direct.

General  
storekeeper.

Duties.

209. Every board of chosen freeholders shall have power to appoint or provide for the appointment of such other officers, agents and employees as may be required for the execution of the powers conferred upon said board or any board or officer within the county, and to fix their compensation and term of service, except as otherwise provided by law.

Other officers  
and  
employees.

210. Whenever any officer elected or appointed by any board of chosen freeholders shall cease to be a bona fide resident in the county, or whenever the resignation of any such officer shall have been accepted by the proper authority, a vacancy in the office held by any such person shall immediately exist, and such person shall not exercise any of the duties of the office theretofore held by him. Any vacancy shall be filled by such board in the manner of the making of the original selection or appointment.

Vacancies.

211. Whenever duties are imposed by law upon any officer or employee of a county, and no person is authorized by law to perform such duties when such officer or employee is temporarily absent or

Temporary  
appointments.

disabled, it shall be lawful for the board of chosen freeholders to designate some person to act in the place and stead of any such officer or employee during his temporary absence or disability. The acts of any such person so designated shall in all cases be legal and binding as if done and performed by the officer or employee in whose place such designated person is acting.

Official fees  
fixed.

212. Every board of chosen freeholders may fix the fees to be paid to any officer, clerk or employee of the county for any service rendered to any person or persons in connection with his office or position, for which no specific fee or compensation is provided by statute. Such fees, in the case of salaried officers, shall be paid into the funds of the county.

Women  
eligible.

213. A woman may be appointed to any office or position, or be employed in any department of any county.

Removal  
from office.

214. Every board of chosen freeholders shall have the power, by a majority vote of all the members of such board, to remove from office any person who holds office in subordination to or by appointment from such board, in all cases where the term of such office is not fixed by any statute.

May abolish  
office.

215. Any board of chosen freeholders shall have the power, by a majority vote of all the members of such board, to abolish any office heretofore created by such board.

Eligibility of  
members to  
office.

216. No member of any board of chosen freeholders shall, during the term for which he shall have been elected, be eligible for election or appointment to any office or position required to be filled by any such board unless he shall resign and cease to be a member of such board for a period of three months prior to his election or appointment; *provided, however*, that this restriction shall not apply to any office or position required by law to be filled by a member of such board of chosen freeholders.

Proviso.

217. Upon the death or expiration of the term of office of any member of any board of chosen freeholders or of any officer elected or appointed by such board, all the minutes, papers, deeds, writings, documents, books, money or property of any kind which may have been in his possession or belonging to the county, shall, on demand, be delivered to such person as the board of chosen freeholders may direct, or to said board, if no person is designated, by such officer or member, or in case of death by his executor or administrator. Any person who shall fail to comply herewith shall forfeit and pay the sum of one hundred dollars. to be recovered by the county in any court of competent jurisdiction.

Disposition of  
records at  
death or end  
of term.

### ARTICLE III.

#### OATHS AND BONDS OF OFFICERS AND EMPLOYEES.

301. Every person (including members of the board of chosen freeholders) hereafter elected or appointed to any county office shall, before assuming said office, take and subscribe an oath of affirmation that he will faithfully and impartially discharge the duties of his office to the best of his ability, skill and understanding. Said oaths and affirmations shall be filed with the clerk of the county, who shall preserve the same.

Oath.

302. Every officer or employee of any county who, by virtue of his office or position may be entrusted with the receipt, custody or expenditure of any money or funds whatsoever, and any other officer, member of committee or employee as may be required so to do by the board of chosen freeholders, shall, before entering upon the duties of his office, make and execute and deliver his bond for the true and faithful performance of his duties; said bonds shall be made to the county in its corporate name, and shall be in such form and for

Bond.

such sum and with such surety as the board of chosen freeholders shall, by resolution, direct and require.

Preservation  
of bonds.

303. All such bonds shall be filed with the clerk of the board of chosen freeholders, except the bond, if any, of such clerk, which bond shall be filed with the county collector. Said bonds shall be preserved for and be the property of said county.

Bonds re-  
corded.

304. When so required by the board of chosen freeholders, said bonds, or any of them, shall be recorded in the office of the clerk of the county.

Certified  
copies in  
evidence.

A copy of any such bond, certified by any such county clerk, shall be received in evidence in all courts of this State, and be as good and available in law as if the original bond were produced and proved.

Condition of  
bond broken.

305. Upon application made in writing to the judge of the Court of Common Pleas of any county by any citizen and taxpayer thereof, alleging that the condition of the bond of any officer, member of committee or employee of such county has been broken, said judge shall make such investigation touching the truth of such allegation as he shall think proper, and, in his discretion, may order suit to be brought upon said bond, in the name of the county or otherwise, for the benefit of such county.

#### ARTICLE IV.

##### SALARIES.

Contract with  
officers as to  
salaries.

401. It shall be lawful for the board of chosen freeholders of any county to enter into and make a contract with any officer to perform the duties of his office at a salary less than that fixed by law, and when such contract shall have been entered into, as aforesaid, such officer shall not be entitled to receive or recover from such county any other compensation than that fixed by such contract.

402. It shall be lawful for the board of chosen freeholders of any county to provide, by resolution, for the manner in which and the times at which salaries wages and compensation for services shall be paid, and to prescribe the form and manner in which the warrants upon the treasury of such county shall be drawn and signed for the purpose aforesaid, and all payments and disbursements made, and all warrants drawn in accordance with the terms of a resolution duly passed for that purpose by the said board of chosen freeholders of any county, shall be deemed and taken to be in all respects regular and lawful.

Payment of  
salaries.

403. Nothing in this article contained shall in anywise affect or modify the provisions of the act entitled "An act to amend an act entitled 'An act respecting the fees of surrogates, county clerks and county registers of deeds and mortgages in counties of the first class, and providing salaries for such officers,' approved April second, one thousand eight hundred and ninety-eight," which amendatory act was approved March twenty-ninth, one thousand nine hundred and seventeen.

Act not  
affected.

#### ARTICLE V.

##### CONTRACTS.

501. No officer, board, commission, committee or department, or other branch of any county government, shall enter into any contract for the doing of any work or for the furnishing of any materials, supplies or labor, the hiring of teams or vehicles, where the sum to be expended exceeds the sum of five hundred dollars, unless the said officer, board, commission, committee or department, or other branch of the county government, shall first publicly advertise for bids therefor, and shall award the contract for the same to the lowest responsible bidder; *provided*, this section shall

Expenditures  
over \$500  
advertised.

Proviso.

not prevent the hiring of teams or doing of work by employees of any county or any department thereof; *and provided, further*, that in any county where a department or purchasing agent shall have been established, said public advertising shall be prepared and bids received, and said awards be made by the purchasing agent, subject to the approval of the board of chosen freeholders of said county; *and provided, further*, if the exigency of any public service will not admit of such advertisement, said work may be done or said materials may be purchased forthwith, provided the board charged with doing or purchasing the same shall first, by a four-fifths vote of all its members, pass a resolution declaring such exigency to exist, and that the immediate performance of the work and furnishing of any materials will not admit of the ordinary delay in advertising for proposals.

502. Each officer, board, commission, committee or department, or other branch of any county government, shall, at intervals to be fixed by the board of chosen freeholders, solicit proposals by public advertisements for the furnishing of all materials or supplies usually required by it or any department under its control, and shall award a contract therefor to the lowest responsible bidder; *provided, however*, no advertisement shall be necessary in cases where the materials or supplies to be purchased will cost less than five hundred dollars.

503. All advertisements for bids by any officer, board, commission, committee or department, or other branch of any county government, shall be published at least once ten days prior to the date fixed for receiving such bids in a newspaper circulating in the county. Said advertisement shall designate the time and place of the meeting at which said bids shall be received. At such time and place the said officer, board, commission, committee or department, or any other branch of the county government, having authority so to do, shall receive

such bids, and thereupon immediately proceed to unseal the same and publicly announce the contents in the presence of the parties bidding, or their agents, providing said parties or agents choose then and there to be present, and also make proper record of the prices and terms upon the minutes of the body. No bids shall be received previous to the hour designated in the advertisement, and none shall be received thereafter.

504. Every contract entered into by any officer, board, commission, committee or department, or other branch of any county government, for any work requiring inspection shall contain a provision for deduction from the contract price of wages to be paid by said county to any inspector or inspectors necessarily employed on such work by the said county, for any number of days in excess of the number stated in the specifications as the number of working days to be allowed for the completion of such work. All specifications for any such work shall fix the date before which the same shall be completed, or the number of working days to be allowed for the completion thereof.

Terms of  
contract.

505. Any officer, board, commission, committee or department, or other branch of any county government, may require from any person bidding on any public contract work, advertised in accordance with this act, that such bid be accompanied by a certified check or cash in a sum not to exceed ten per centum (10%) of the bid so submitted on any work.

Cash or  
certified  
check to  
accompany  
bid.

506. Any officer, board, commission, committee or department, or other branch of any county government, may require from any bidder submitting a bid on public work, duly advertised in accordance with this act, a certificate showing that he owns or controls all the necessary equipment required by the plans, specifications and advertisement under which bids are asked for. In the event of such bidder not being in actual ownership of the equip-

Certificate  
of bidder  
as to ability  
to perform  
contract.

ment required, such certificate shall state the source from which such equipment will be obtained and shall be accompanied by a certificate from the owner of such equipment, and such certificate from such owner shall definitely grant to the bidder the control of the equipment required during such time as same may be necessary for the completion of such contract.

Guarantee  
of surety  
company.

507. Any officer, board, commission, committee or department, or other branch of any county government, shall require from any bidder submitting a bid in accordance with plans, specifications and advertisement, as provided for in this act, a certificate from a surety company stating that such surety company will provide the contractor with a bond in such sum as is required in the advertisement or in the specifications, provided that a surety company bond be required in the advertisement or specifications. Such consent shall be obtained both

Consent.

for a bond for the faithful performance of all provisions of the specifications, or for all matters which may be contained in the notice to bidders, relating to the construction of the work; and if any be required, for a guarantee bond for the faithful performance of the contract provisions relating to the repairing and maintaining of such work and its appurtenances and keeping same in good and serviceable condition during the term of such bond as provided for in the notice to bidders or in the specifications; or in such other form as may be provided in the notice to bidders or in the specifications;

Proviso.

*provided*, in case a bidder desires to offer the bond of an individual instead of that of a surety company as above provided, he shall submit with his bid a statement or statements and consent signed by such individual similar to that required of a surety company as above. The officer, board, commission, committee, or department, or other branch of any county government, may reject any such bid

Right to  
reject bid.



if it is not satisfied with the sufficiency of the individual surety so offered.

## ARTICLE VI.

### COUNTY SEAT.

601. The county seat of any county may be changed from one municipality to another municipality therein.

County seat  
may be  
changed.

602. In order to effect such change, the board of chosen freeholders of said county shall adopt a resolution that the county seat shall be changed to a municipality other than that in which the county seat is then located, designating such municipality by name. Such resolution shall not become effective until a majority of the legal voters of such county shall vote in the manner hereinafter provided, for the changing of the county seat.

Method to  
effect  
change.

603. Any board of chosen freeholders may pass such resolution upon its own initiative. In case a petition signed by at least twenty per centum of the legal voters of such county shall be presented to such board, requesting a change of the county seat from one municipality to another therein named, it shall be the duty of such board to pass a resolution providing therefor.

Change  
asked either  
by board or  
by petition.

604. Upon the passage of any such resolution, the clerk of the said board of chosen freeholders shall forthwith transmit a certified copy thereof to the proper officer, notifying him that a vote is desired upon the question. Such officer shall, in the manner and form provided by law, place the same upon the ballots used at the next general election in such county occurring at least thirty days after the passage of such resolution in substantially the following form: "Shall the county seat of ..... county be changed from ..... to ..... (specify names of municipalities)?"

Referendum.

Question on  
ballot.

Question  
voted on at  
general  
election.

605. The question shall be voted upon at said next general election, and the votes taken thereon shall be canvassed, and the result determined and announced in the manner provided by law.

If adopted,  
provision for  
accommoda-  
tions.

606. In case a majority of the legal voters voting at such election shall vote "Yes," the board of chosen freeholders shall thereupon provide suitable lands and buildings necessary for the accommodation of the courts and officers, and for the transaction of the business of the county in the municipality to which such change shall be made, and shall suitably furnish and equip said buildings.

Courts and  
county offi-  
cers estab-  
lished in  
new county  
seat.

607. After the acquisition and furnishing of such buildings, the courts of the county and all the county offices shall be established therein, and all writs and process, recognizances and other proceedings of said courts, which are by law required to be returned at any term of such court, shall be returnable at and in conformity to the place so selected under the provisions of this article.

How often  
vote taken.

608. A vote upon such question shall not be taken more often than once in five years in any county.

## ARTICLE VII.

### PUBLIC LANDS AND BUILDINGS.

Court house  
and other  
county  
buildings.

701. Every board of chosen freeholders shall have power to purchase, erect or otherwise acquire and maintain such building or buildings as may be necessary and suitable for the accommodation of the courts required to be held in any such county, for the transaction of public business, the location of public offices; for the use of any department or departments, officer or officers of such county; for jails, workhouses, penitentiaries, houses of detention, poorhouses, lunatic asylums, county hospitals, or for any public use or purpose whatsoever; and, from time to time, as may be necessary, to repair, alter, enlarge or rebuild any such building or build-

Alterations,  
repairs,  
equipment.

ings, and to furnish and equip the same with the necessary furniture and equipment for the proper use thereof, and to repair and replace such furniture and equipment, from time to time, as may be necessary.

702. Every board of chosen freeholders may grant to any organization composed of veterans of any war of the United States, the use of any room or rooms in any building owned by such county.

Rooms reserved for war veterans.

703. In case any portion of any building owned by any county is not presently needed for the use of the county, the board of chosen freeholders may rent such portion for private purposes to the person or persons who will pay the highest rent therefor, for any use not detrimental to such building or to the use of the remainder thereof by the public or said county.

Portion of building may be rented.

704. Every board of chosen freeholders shall have power to acquire by purchase, gift or condemnation any lands, easements, waters, water rights or property, or any real estate or interest therein within the county limits, which it may deem necessary or useful for the proper exercise of any power expressly or impliedly conferred upon it; *provided*, this section shall not repeal any provision requiring the consent of any municipal corporation or any State authority for the acquirement of any such lands, easements, waters, water rights or property or real estate or interest therein.

Acquisition of land, waters, etc.

Proviso.

The board of chosen freeholders proposing to acquire any lands, easements, waters or water rights or property or interest therein, may enter upon such lands or waters and make such examinations, explorations and measurements as may be necessary and proper, doing thereby as little damage as possible, and being responsible to the owner or owners thereof for any such damage.

Right of entry after acquisition.

705. Every board of chosen freeholders may sell or dispose of any lands or buildings or any right

Disposition of property not needed.

or interest therein not needed for public use. Any lands owned by a county and which are or shall become unsuited or inconvenient for the use for which they were acquired, may be devoted to any other public use, except as may now be prohibited by statute.

May acquire certain rights.

706. Any board of chosen freeholders in possession of any land, may acquire by purchase, gift or condemnation any outstanding right, title or interest or easement therein.

Sale of property.

707. No land, or right or interest therein, shall be sold by any county, except at public sale and to the highest bidder, after public advertisement at least once a week for four weeks prior to such sale, in a newspaper circulating in the county.

Municipal use of county buildings.

708. Any board of chosen freeholders may permit any municipality of the county to use, for municipal purposes, any portion of any county building. The terms upon which any such municipality may use such building shall be agreed upon by the said board of chosen freeholders and the governing body of the municipality.

Joint purchase and erection of buildings by county and municipality.

709. Any board of chosen freeholders and the governing body of any municipality may contract for the purpose of acquiring land and for the erection thereon of a building or buildings for joint county and municipal use, and to agree as to the proper division of the expense thereof. The title to such land may be taken in the joint names of the county and the municipality, each holding such undivided part of the title to such land and building or buildings as may be agreed upon.

May lease property.

710. Where any board of chosen freeholders is empowered to acquire lands or real estate, or to erect or construct any building for any purpose, such board shall have power to lease or hire any lands or real estate, building or buildings, suitable for such purpose.

## ARTICLE VIII.

## POORHOUSES.

801. It shall and may be lawful for the board of chosen freeholders of any county, if said board shall deem it necessary or expedient, to establish and maintain a poorhouse at such place in the county as the said board shall select.

County poor-house.

802. Any such poorhouse shall be under the direction, superintendence and government of the said board of chosen freeholders, which board is hereby authorized to appoint such officers, committees or boards as may be necessary for the management thereof, and to make such rules and regulations and by-laws respecting the same, as they shall, from time to time, deem proper.

Control. Officers, etc.

803. The poor of the county shall be sent to and kept in such poorhouse at the charge and expense of the county; and such board of chosen freeholders is hereby empowered to procure such lands and real estate, articles, materials and things for the employment of such poor, and to put them to such work, as said board of chosen freeholders shall, from time to time, direct.

Use.

Employment of inmates.

804. Any two or more counties are hereby authorized to join in building or purchasing a poorhouse in common for the said counties, at such place as may be agreed upon by the boards of chosen freeholders of said counties, and which, when built or purchased, shall be under the joint direction, superintendence and government of the said boards, which boards are hereby authorized to appoint such officers, committees or boards, and employ such persons as they shall deem necessary for the management and maintenance thereof, and shall make such rules, regulations and by-laws respecting said poorhouse as they shall, from time to time, deem proper.

Counties may join in poor-house.

Control.

Officers', employees', regulations.

Employment  
of inmates.

805. When any two or more counties unite in building or purchasing a poorhouse, the poor of said counties shall be sent to and kept in such poorhouse at the charge and expense of the county from which sent; and said boards of chosen freeholders are hereby empowered to purchase such lands and real estate, articles, materials and things for the employment of the poor as may be sent to and kept therein, and to put them to such work and service as the said boards shall think proper.

All expendi-  
tures propor-  
tioned  
between  
respective  
counties.

806. The money necessary to be expended for building, purchasing or repairing any joint poorhouse, maintaining the poor therein, procuring articles, materials and things for their employment, compensating the employees at said poorhouse, and for other incidental expenses, shall be adjusted and apportioned by the boards of chosen freeholders between their respective counties, in such proportion as the said boards shall deem just and proper; and the sum so ascertained and agreed upon to be paid by each county shall be granted and raised by the order of the board of chosen freeholders thereof in the same manner as money for other county purposes is directed to be granted, assessed, collected and raised.

Provision  
for funds.

Purchase of  
municipal  
poorhouses  
by county.

807. Whenever any board of chosen freeholders of any county wherein no county poorhouse now exists shall determine to purchase or build a county poorhouse, and there shall then be in said county one or more poorhouses owned or maintained by any municipality or municipalities therein, said county shall purchase from such municipality or municipalities such poorhouse or poorhouses and its or their equipment at a price to be agreed upon by said board of chosen freeholders and the governing body or bodies of such municipality or municipalities, if they can agree thereupon. If said board and said governing body or bodies cannot agree upon the price to be paid for any poorhouse and its equipment, then the price

Price.

Price fixed  
by appraisers.

shall be fixed by three appraisers, one to be appointed by said board of freeholders, one by the municipality or municipalities owning or maintaining such poorhouse, and a third to be selected by said two appraisers; the price fixed by all or any two of said appraisers in writing, signed by them, shall be the price to be paid for such poorhouse and its equipment. Upon the payment of said price agreed upon, or the price affixed by said appraisers, by said board of chosen freeholders to the board or body owning or maintaining said poorhouse and equipment, said board or body shall convey and transfer the same to said county.

Transfer

808. Any municipality or municipalities, instead of transferring any such poorhouse and equipment to any counties under the provisions of the preceding section, may retain same for any municipal use or purpose, and in such case the county shall be relieved of the necessity of purchasing such poorhouse and equipment.

Municipality  
may retain  
poorhouse.

## ARTICLE IX.

### LIGHTING PLANTS.

901. Every board of chosen freeholders shall have power and authority to erect, equip and maintain a plant or plants for the purpose of lighting county roads, and for supplying light, heat and general power for buildings and institutions owned or controlled by the county.

Light roads  
and build-  
ings.

902. Such plant or plants shall be operated and maintained at the expense of the county, and shall be supervised by a committee consisting of members of the board of chosen freeholders.

Operation  
and super-  
vision.

903. In case any board of chosen freeholders shall deem it more advantageous to the county, it may enter into contract with any individual or individuals, corporation or corporations, for the lighting of any roads owned or controlled by the

May contract  
for light.

county, or any of the public places of the county, or for supplying light, heat or power for buildings or institutions owned or controlled by the county, for any term not exceeding five years.

## ARTICLE X.

### INSURANCE.

#### Insurance.

1001. It shall be lawful for the board of chosen freeholders of any county to insure, or cause to be insured, the property of such county, and any property owned by or under the control of any department, board or commission connected with the county government, against damage or loss by fire, or otherwise.

#### May establish insurance fund.

1002. Every board of chosen freeholders may establish an insurance fund for the purpose of meeting any loss to said property and may appropriate thereto any amount of money under their control not raised for or appropriated to any other purpose, and may add to such fund yearly in the same manner, or by raising such an amount in the tax levy as they may yearly decide and fix upon.

#### Maximum and minimum amount of fund.

1003. The said board of chosen freeholders shall have full power and authority to designate, by resolution, a maximum and minimum amount of any such fund, and from time to time provide for the disposition or use of any amount over and above the maximum amount so fixed, or of the interest or proceeds arising from such fund, when the said fund shall have reached the amount fixed as the maximum limit thereof.

#### Insurance fund commissioners.

1004. The director of the board of chosen freeholders may appoint three members of such board of chosen freeholders as commissioners, to be known as the insurance fund commissioners, who shall hold office without compensation for a term of two years and until their successors are appointed and qualified, whose duty it shall be to

#### Duties.



invest such fund, and all additions and accretions thereto, subject to the qualification above set forth, in such manner as they shall deem best suited for such purpose, and who shall have the power to adopt rules and regulations to govern themselves in the investment and control of such fund. They shall at all times keep on hand such sum of money as they may deem sufficient, or have the same invested in such securities as can be immediately sold for cash, for the purpose of paying any loss by fire or otherwise which may occur to any of the buildings or property so insured; *provided, however*, that whenever the said insurance fund commissioners shall deem it advisable so to do, they may place insurance upon county property with insurance companies authorized to do business in this State, and the premiums for such insurance shall be paid by said insurance fund commissioners.

Money  
readily  
available.

Proviso.

1005. Investments of any insurance fund moneys shall be limited to bonds of the United States Government, or bonds of the State of New Jersey, or the bonds of any county, school district or municipality of this State, or the negotiable notes or certificates of any county, municipality or school district of this State.

Investment  
of fund.

## ARTICLE XI.

### ROADS.

1101. Every board of chosen freeholders shall have power and authority:

Powers of  
freeholders:

(a) To lay out and open such free public roads in the county as the board may deem useful for the accommodation of travel between two or more communities.

to lay out  
roads;

(b) To acquire roads and highways, or portions thereof, within the limits of said county.

to acquire  
roads;

(c) To widen, alter, straighten, change the grade or location of, any road or highway under its control, or any part thereof.

to alter or  
grade roads;

to pave, im-  
prove, etc.;

(d) To improve, pave, repave, surface, resurface, repair and maintain any road or highway under its control, either in whole or in part.

to drain, etc.;

(e) To protect any road or highway under its control, or any part thereof, by the construction of sewers, drains, culverts, receiving basins, jetties, bulkheads, seawalls, or other means and devices, either in or on said road or highway or on land adjacent thereto.

to light or  
beautify;

(f) To light, beautify and ornament any road or highway under its control, or any part thereof.

to vacate  
roads.

(g) To vacate any road or highway under its control, or any portion thereof, that may be unnecessary for public travel.

Acquire  
roads.

1102. Any board of chosen freeholders may acquire by purchase, gift or condemnation, any public road, toll road, private road or byroad, or any portion thereof, or any land or real estate, or interest therein, for any of the purposes set forth in section eleven hundred and one hereof. Action in respect thereto shall be by resolution designating the road or roads, land or real estate, or interest therein, to be acquired, naming the municipality or municipalities in which the same shall be situate or through which the same shall extend. To such resolution shall be attached a map or maps showing such road or roads, land or real estate, to be acquired, and the lines, location, width and length thereof. A copy of said resolution, together with the map or maps attached, certified by the clerk of said board of chosen freeholders, shall, within thirty days after the adoption of such resolution, be filed in the office of the county clerk for public inspection.

Notice of  
proposed  
road adver-  
tised.

1103. After such resolution and map or maps shall have been filed with the clerk of the county, the said board shall give public notice in two or more newspapers published and circulating in the county, one of which shall be in a newspaper circulating in the municipality or municipalities where

the proposed road is to be located, of the filing of such resolution and map or maps for public inspection, which notice shall state the time and place, when and where, the said board shall meet to consider the proposed improvement. Said notice shall be published at least two weeks prior to the time fixed for said meeting. At the time and place designated in said notice, such board shall meet for the purpose of hearing and considering any objection to the proposed improvement which may be presented by any person or persons interested therein.

Hearing.

1104. Said board, after hearing and considering any objections which may be presented, shall have power to adopt said map or maps, or to alter, revise, or correct or change the same, or may abandon the improvement.

Adopt maps.

In case said board shall alter, revise, correct or change said map or maps, the said board shall file an altered, revised or corrected map or maps in the office of the clerk of the county, and the map or maps originally filed shall be marked "void" by the county clerk.

Revise maps.

1105. If said board cannot acquire any land or real estate, or interest therein, necessary for the making of such improvement by agreement with the owner or owners thereof, the compensation to be paid therefor shall be ascertained and paid in the manner hereinafter set forth.

If no agreement.

1106. The said board of chosen freeholders shall, by a petition in writing signed by the director and clerk of said board, make application to a justice of the Supreme Court for the appointment of three commissioners, and upon such application, when so presented, said justice shall make an order fixing a time and place when said commissioners will be appointed, which time shall be not less than fifteen days from the making of such application. Such order shall be published in at least one news

Application to appoint commissioners.

paper published and circulating in said county, and in such other manner as said justice may direct.

Commis-  
sioners ap-  
pointed by  
justice of  
supreme  
court.

1107. At the time and place so fixed, upon satisfactory proof of the publication of such order as aforesaid, said justice shall appoint, under his hand, three discreet and impartial freeholders, residents in said county, commissioners to examine and appraise the land or real estate, or interest therein, to be taken for the purposes set forth in the petition, of this article, and the damage sustained by the owner or owners thereof, by reason of taking the same. Notice shall be given to the persons interested as shall be directed by the justice making the appointment, either personally or by publication, or otherwise.

Oath, duties,  
examination,  
appraisal.

1108. It shall be the duty of the said commissioners, having first taken and subscribed an oath or affirmation faithfully and impartially to discharge the duties by virtue of their appointment, which oath or affirmation shall be filed in the office of the clerk of said county, to meet at the time and place fixed in said notice, and proceed to view and examine the said land or real estate, and make a just and equitable estimate and appraisement of the benefits conferred and damages sustained by each owner of the same by reason of such taking, considering in such appraisal the condition in which each parcel will be left, and the benefits that will result from such improvement to the owner or owners of such land and real estate, and when the estates in any of said lands and real estate are not known they shall fix the compensation to be made for and damages to be done to the fee. Separate appraisals shall be made for each separate tract.

Report of  
commis-  
sioners.

1109. Said commissioners, or any two of them, shall, within three months from the date of this appointment, make their report in writing, which shall contain a description of each separate tract of land and real estate taken, and they shall file

the same within ten days after the date of signing the same in the clerk's office of such county, to remain on record therein, together with their appointments and proofs of notice aforesaid.

1110. On the payment or tender of payment of the amount awarded, as hereinafter provided, the said board of chosen freeholders is hereby empowered to enter upon and take possession of said lands or real estate; and the said report, or a copy thereof certified by the clerk of the county, and proof of payment or tender of the amount awarded, shall at all times be construed as evidence of the right of said board of chosen freeholders to have, hold, use, occupy, possess and enjoy the said lands or real estate, or interest therein, for the purposes of said improvement.

Right of  
entry on  
lands.

1111. Said justice of the Supreme Court shall, upon application of any party, and upon reasonable notice to the other, tax and allow such costs, fees and expenses to the commissioners, county clerk and others performing any of the duties prescribed herein as he shall deem equitable and right, which shall be paid by the county collector upon certificate of said justice.

Allowances  
for services.

1112. If any or all of said commissioners shall die, or for any other reason be unable to make such report, then the said justice, or any justice of the Supreme Court, upon like notice, may appoint other freeholders, qualified as aforesaid, in place or stead of the commissioner or commissioners so dying or otherwise unable to act, who, after taking oath or affirmation as aforesaid, shall proceed as if originally appointed.

Vacancy.

1113. Should any board of chosen freeholders acting hereunder, or the owner of any land or real estate, feel aggrieved by the decision of the commissioners aforesaid as set forth in their report, he, she or they may appeal to the Circuit Court of said county at any time within thirty days after the filing of the said report by the said commissioners.

Appeal may  
be taken to  
circuit  
court.

Every appeal shall be made in writing in the form of a petition to the said court, and shall be filed with the clerk of said Circuit Court; the filing of said petition shall vest in the Circuit Court full right and power to hear and adjudge the matter, and to direct a proper issue for the trial of said controversy to be formed between the said parties, and to order a jury to be struck and a view of the premises to be had. The said issue may be tried in the same manner as other issues in said court are tried.

Struck jury  
called.

Judgment  
and costs.

1114. If the jury shall find a greater sum than the said commissioners shall have awarded in favor of the said owner or owners, then judgment thereon, with costs, shall be entered against the county; but if the said jury shall find a less sum than the said commissioner shall have awarded, judgment may be entered for such lesser sum, but the costs shall then be paid by said applicant or applicants, and either deducted out of said sum found by the said jury, or execution may be awarded therefor, as the said court shall direct; but such appeal shall not prevent the said board of chosen freeholders from taking the said land and real estate upon the filing of the report as aforesaid; *provided*, that in no case whatever shall said board of chosen freeholders enter upon or take possession of any land or real estate of any person or persons, except to make survey and maps as aforesaid, until they have paid or tendered to the party or parties entitled to receive the same, the amount awarded by the commissioners therefor.

Proviso.

When award  
paid into  
court of  
chancery;  
distribution.

1115. If any party or parties entitled to the payment of any amount so as aforesaid awarded, shall refuse to receive the same, or be out of the State, or under any legal disability, or such land or real estate be encumbered by any judgment, mortgage or other lien, then the amount awarded as aforesaid shall be paid into the Court of Chancery of this State, and shall there be distributed according

to law; such payment into court shall be taken and deemed a valid and legal payment.

1116. Any road, or portion thereof, owned or controlled by one or more municipalities, may be taken over by a board of chosen freeholders of the county in which the same is located. Upon the filing in the office of the clerk of the county of a resolution of the board of chosen freeholders providing for the taking over of any such road, or portion thereof, accompanied by a resolution of the board or body having charge of the roads and highways in each of such municipalities consenting to the taking over of such road or highway, or portion thereof, located in the respective municipalities, such road or highway, or portion thereof, as designated in such resolution, shall become and be a county road. Any such resolution may provide for the taking over by the board of chosen freeholders of several roads, or portions thereof.

Municipal  
roads may be  
taken by  
county.

1117. The duty of maintaining and keeping in repair every such road so laid out and opened, taken over, or acquired, shall devolve exclusively upon the board of chosen freeholders, and all other duties and all powers respecting such road shall be imposed upon and be vested in said board; *provided, however*, that when any road is acquired in accordance with section eleven hundred and sixteen hereof, nothing herein contained shall divest any municipality in which said road or any portion thereof may be, or through which it may extend, of its authority to light such road, or of its power to construct, grade, curb, pave or repair the sidewalks and curbs along said road; nor shall this power of said municipalities divest the board of chosen freeholders of its right to construct across or under the sidewalks of such road the necessary culverts or other structures for the proper drainage, protection and maintenance of such road; *and provided, further*, that the board of chosen freeholders shall not grant any easement, right of way, or use in,

Maintenance  
of roads.

Proviso.

Proviso.

under or over, any portion of any county road in any municipality, unless the governing body of such municipality, or the board of public utility commissioners, shall consent thereto; and where, in connection with any such grant, the consent of property owners is required under any law of this State, the same shall be obtained before such grant of any such easement, right of way or use.

Full width  
of road  
maintained.

1118. It shall be the duty of every board of chosen freeholders to maintain every road between the curb lines heretofore or hereafter laid out, opened, taken over, or acquired by it, and to keep the same in repair, and safe and convenient for travel during all seasons of the year.

Warning and  
protection of  
dangerous  
places.

1119. Whenever and wherever any dangerous places exist in or near any county road, it shall be the duty of every board of chosen freeholders to erect and maintain, in or near such road, proper fences, warning signs, and other safeguards for the protection of travelers using such road.

Signboards.

1120. Every board of chosen freeholders shall place, or cause to be placed, along and at the intersection of all public roads, suitable signboards with proper inscriptions thereon for the convenience and information of travelers.

Survey of  
road previous  
to improve-  
ment or re-  
pairs.

1121. Before any board of chosen freeholders shall commence the improvement or repair of any road, the said board shall cause a survey of said road to be made, and plans and specifications of the work to be done on the same shall be prepared. This section shall not apply where ordinary or minor repairs are to be made.

Proposals to  
improve  
roads, to  
designate  
materials,  
etc.

1122. The board of chosen freeholders of any county contemplating the improvement of a road shall designate the kind of material to be used, adopt plans and specifications therefor, advertise for proposals for doing the work of making such improvement under the plans and specifications adopted and with the material so designated.



The board of chosen freeholders may solicit bids for any such work before the passage of a resolution providing for the improvement, and announce the bids at the meeting of the board at which such resolution is considered, and may, further, award a contract under such bids at the meeting at which the resolution providing for the improvement is adopted, or at such other regular, special or adjourned meeting, which may be held or called according to the provisions of this act.

May solicit bids before resolution passed.

1123. Every board of chosen freeholders shall have power to ascertain and establish the location and boundaries of all roads under its control, and to prevent and remove obstructions and encroachments thereon.

Location of roads and boundaries.

1124. Every board of chosen freeholders shall establish and determine the width of the roadway of all roads under its control.

Width fixed.

1125. Every board of chosen freeholders shall have power and authority to employ all necessary engineers, surveyors and workmen to carry out the provisions hereof, and all such persons shall have full power and authority, at all times, to enter upon lands for any of the purposes contemplated by this article.

Engineers and assistants.

1126. Every board of chosen freeholders shall have power by resolution to regulate the tearing up or excavating in any road under its control, for any purpose; to prevent the disturbing or tearing up of any such road by the locking of wheels of any vehicle or attaching a drag to such vehicle; to prevent the filling up of gutters along any such road, and to prevent obstruction and damage to any such road by spilling or throwing stones, dirt or other materials on such road; and to make such other regulations with regard thereto as such board may deem proper.

Care of roads as to openings, etc.

1127. The vacation of any road, or portion thereof, owned by any county or under the control of any board of chosen freeholders, may be effected

Vacating roads.

Proviso.	by resolution of such board; <i>provided, however,</i> that no road or portion thereof, shall be vacated without the consent of the governing body of the municipality in which the same is located.
Notice of intention.	Notice of the intention of the board to consider any resolution for this purpose, shall be published at least once in a newspaper circulating in the county at least ten days prior to the consideration of such resolution, which notice shall designate the time and place and when and where such board will consider the same.
Hearing.	At the time and place so designated, or at any other time and place to which the meeting shall have adjourned, all persons interested in said resolution shall be given opportunity to be heard concerning the same. Every resolution providing for the vacation of a road, or portion thereof, shall be filed in the office of the clerk of the county within ten days after its passage.
May direct improvement of roads in municipalities.	1128. Every board of chosen freeholders may, by resolution, direct that any public road, or portion thereof located within any municipality within the county, or lying between and being the boundary line of any two municipalities within said county, said road being an extension of or connecting with some improved county road, or State road, be improved in such manner as the said board by resolution shall direct; <i>provided, however,</i> the governing body of the municipality, or where said road shall be a boundary line as above stated, the governing bodies of the two municipalities shall make application to the said board for an improvement to be made under this section, and shall undertake, as a condition of the improvement, that the municipality or municipalities will pay such portion of the cost of the improvement as may be agreed upon.
Proviso.	The amount or amounts so agreed upon shall be paid to the collector of the county and be disbursed at the direction of said board, and the work of the improvement shall be done under the direction and supervision of said board. Any road, or portion
Municipality may agree to pay county to do work.	

thereof, so improved shall remain a road of the municipality or municipalities and shall be maintained and repaired by such municipality or municipalities.

1129. Any municipality may widen or straighten any county road, or any portion thereof, within the corporate limits of such municipality; *provided, however*, that no such change shall be made in said road without the consent of the board of chosen freeholders.

Widen or  
straighten  
road.

Proviso.

1130. The governing body of any municipality may improve any portion of any county road within the boundaries of said municipality by grading or changing the grade of such road, or by regulating or changing the width of the sidewalks thereof, or by setting or resetting curb, or by paving or repaving the roadway from curb to curb, or any part thereof, with any form or kind of street improvement, if the board of chosen freeholders shall by resolution consent thereto. In such case it shall be lawful for said governing body and said board of chosen freeholders to enter into an agreement to determine what part or portion of the expense of making any such improvement shall be paid by each of the parties to such agreement. After the execution of such agreement, it shall be lawful for such municipality to proceed to make such improvement in compliance with the laws under which similar works are undertaken, contracted for and executed in such municipality, and the board of chosen freeholders shall pay its portion of the expense assigned to it, according to the terms of such agreement. Assessments for benefits to lands peculiarly benefited by any such improvement may be imposed on such lands in the manner and under the laws providing therefor, applicable in the municipality making such improvement.

Municipality  
may improve  
county road.

Agreement  
as to ex-  
penses.

Assessments  
for benefits.

1131. It shall be lawful for the governing body of any municipality by resolution to take over the care and control of any county road, or portion

Municipality  
may care for  
road.

Proviso.

thereof within such municipality; *provided*, said resolution shall not become effective until consented to by the board of chosen freeholders. The resolution expressing such consent shall be filed in the office of the clerk of the county.

County may contribute to maintenance of road in in municipality.

1132. It shall be lawful for the board of chosen freeholders and the governing body of any municipality located in the county, to enter into an agreement whereby the board shall agree to pay to the municipality such sum towards the upkeep and maintenance of streets or highways of such municipality, forming links connecting county roads, as may fairly represent the increased cost of repair, resurfacing and maintenance thereof due to through traffic. Such agreement shall in every case provide what work shall be done, and in what condition the road shall be kept. Any dispute concerning any such agreement shall be referred to and be decided by the State Highway Commission, whose decision shall be binding on both parties.

Joint county roads.

1133. Whenever the boards of chosen freeholders of two or more counties desire to lay out and open a free public road between such counties or extending into such counties, or where two or more counties shall be in possession or control of any road lying wholly in one or partly in one and partly in the other or others of such counties, it shall be lawful for such boards of chosen freeholders to lay out, open, build, construct, reconstruct, change the grade of, improve and widen such road; to acquire land or real estate, or any interest therein, for such purpose or purposes, by purchase, gift or condemnation; and to agree as to the proportion of the total expense thereof to be borne by each county.

Joint committee.

1134. For the doing of any such joint work, each of such boards shall appoint three of its members, who together shall constitute a joint committee.

Plans and specifications.

Such joint committee shall cause plans and specifications to be prepared for the proposed work, and

shall refer same to their respective boards. If said boards shall approve such plans and specifications and determine to proceed with such work, they shall enter into an agreement which shall specify the share or proportion of the cost thereof to be borne and paid by each county, and any other matters deemed advisable.

After such contract is entered into, the said joint committee shall advertise for bids in the same manner as a single county advertises for bids for similar work. Said joint committee shall receive and open such bids, in open meeting, at the time and place specified in the advertisement, and shall publicly announce the items comprising each bid. The joint committees shall forthwith report the bids to the several boards, with such recommendations as they may deem advisable. If all of said boards of chosen freeholders shall approve the recommendations of said joint committee for the award of a contract to one of the bidders, the said joint committee shall, in the names of the several counties, enter into a contract with such bidder for the doing of said work, and said joint committee shall supervise the performance of the same. Said contract shall specify the share or proportion of the cost thereof to be borne and paid by each county, and each county shall be severally liable only for such share. Said joint committee shall have power to employ all necessary engineers, surveyors, servants, workmen and other persons, and to incur any reasonable expense in the performance of its duties, which employees and expenses shall be paid by the several boards of chosen freeholders as agreed upon.

1135. Whenever the boards of chosen freeholders, or any joint committee composed of members of such boards, which are or shall hereafter be engaged in rebuilding any road or making any other improvement, shall fail to agree as to the character of pavement to be laid, or as to any other matter connected with or concerning such improve-

Bids to do  
work invited.

Contract.

Engineers,  
etc., em-  
ployed.

In case of  
disagree-  
ment.

ment, said disagreement shall, within ten days, be reported to the State Highway Commission. A report from any party to said dispute shall be deemed sufficient notice of such disagreement.

State highway commission to determine.

It shall be the duty of said State Highway Commission, on receiving any such report, to consider the matter or matters in dispute, and to render a decision concerning the same, and its decision shall be final and binding upon all parties to said dispute. Said boards of chosen freeholders, or said joint committee, shall, upon receiving notice of said decision, immediately proceed with the improvement according to the terms of said decision.

Public utility companies to share expense.

1136. It shall be lawful for any board of chosen freeholders, or for any two or more boards of chosen freeholders, or any joint committees thereof, to agree with any street railway company or other public utility using any part of any county road or joint county road, as to the share of the expense of any improvement of any such road to be borne by such street railway company or other public utility.

Damages for altering grade.

1137. An action shall lie in behalf of any owner of any land or real estate situate along any road owned by or under the control of a board of chosen freeholders, the grade whereof shall be or shall have been altered, to recover all damages which such owner shall suffer or shall have suffered by reason of the altering of such grade; *provided*; that no such action shall be brought after the expiration of twelve months from the altering of any such grade.

Proviso.

Snow removal.

1138. In case any road owned by or under the control of any board of chosen freeholders shall become blockaded with snow, so as to become impassable, said board may, if it deems advisable, remove the snow, or cause the same to be removed, as soon as practicable, so as to make said road passable.

1139. The board of chosen freeholders, or any county board or commission, owning or having control of any road, parkway or other highway, shall have power and authority to grant permission to any municipality to lay water mains, sewers and proper house connections in such road, parkway or other highway, upon application being made to such board or body for that purpose by any municipality in which said road, parkway or other highway is situate. Such permission shall not be granted until the municipality applying therefor shall enter into a written agreement with the said board or body regarding inspection and the restoration of the surface of the said road, parkway or other highway to the same condition in which it shall be before being opened for such purpose. Every such agreement shall provide that on failure of the municipality to so restore the surface for a period of ninety days after notice from the said board or body requiring such restoration, such board or body may itself undertake the work and recover the expense of such restoration from the municipality by an action at law in any court of competent jurisdiction.

Water pipes,  
sewers, and  
house con-  
nections in  
roads.

Permission.

Restoration  
of surface.

1140. Whenever proceedings are taken for the laying out, opening, altering or vacating any road, and such road shall consist of several parts or pieces which, although not directly connecting one with another, shall yet have the same general direction, or a general bearing or relation to each other, or where such road shall consist of several parts or branches which do connect, it shall be lawful to lay out, open, alter or vacate such several parts or pieces or branches in one and the same set of papers or proceedings.

Parts of  
roads in  
same pro-  
ceedings.

1141. Whenever any county road in this state is in need of extraordinary repair, construction or reconstruction, the public body of the county charged with its care shall prepare specifications and any plans and cross sections necessary to ex-

Extraordi-  
nary repairs.

Amount set  
aside certi-  
fied.

plain and describe the extraordinary repair, construction or reconstruction, contemplated, and forward the same to the State Highway Commission. Said specifications, plans and cross sections may include and provide for a paved surface of a type different from the existing road, either in materials or method of construction, or in width, and may also include and provide for guttering, curbing, the substantial reduction of grades or other matter incidental or appurtenant to said paved surface. The said commission is authorized, in its discretion, to approve of such specifications, plans and cross sections, and to certify what amount of State moneys it will set aside for the repair of such roads. On its approval and issue of certificate, as provided in an act entitled "An act to provide for the construction, permanent improvement and maintenance of public roads in this State" (Revision of 1912), approved April fifteenth, one thousand nine hundred and twelve, said public body shall advertise for bids and otherwise proceed as the act above referred to directs.

If State  
highway  
commission  
fail to set  
apart money,  
work to pro-  
ceed.

In case the State Highway Commission shall fail for thirty days after the receipts by it of such specifications, plans and cross sections to certify and set apart any State moneys, for such extraordinary repair, construction or reconstruction, or shall within said thirty days, notify such public body of its refusal or inability to make such appropriation, it shall thereupon be lawful for such public body forthwith to proceed to make such extraordinary repair, construction or reconstruction to such road, in accordance with the specifications, plans and cross sections so submitted, and to award a contract for the doing of the work, after having first advertised for bids therefor as provided in this act; and said extraordinary repair shall be made or said road shall be reconstructed, or said construction undertaken under the supervision of the engineer of such county.



If such county shall not have sufficient funds wherewith to pay for the cost of such extraordinary repair, construction or reconstruction, or its share thereof, then it shall be lawful for said public body of such county to issue certificates of indebtedness and bonds in the manner provided by law in a sum not exceeding the amount of the cost of such extraordinary repair, construction or reconstruction or its share thereof.

Bonds to meet deficiency.

1142. All resolutions or proceedings affecting the opening or change in location of any road, or the widening or vacating of any road, shall be filed in the office of the clerk of the county and shall be recorded in the road book.

Resolutions and proceedings filed and recorded.

1143. Nothing in this act contained shall be held or construed to repeal, either expressly or by implication, any existing statutes or any section thereof providing for the improvement of roads by any county with State aid, or any statute or any section thereof providing for a State Highway Commission, or a State highway system; *provided, however*, that where a county, with or without State aid is charged with the drafting of specifications and the letting of such contract, the provisions of this act shall govern.

Act construed.

Proviso.

## ARTICLE XII.

### SPEEDWAYS.

1201. Every board of chosen freeholders is hereby authorized to lay out, construct and maintain roads or ways, to be called speedways, and to that end every such board is authorized to acquire lands by purchase, gift or condemnation, or otherwise. In case any such board shall determine to acquire lands by condemnation, the proceedings shall be had under the general law applicable thereto.

Speedways.

1202. After the location of any such speedway shall have been determined upon, no public street

Location.

or highway shall be laid across or intersect the same at grade, without the consent of the board of chosen freeholders of the county.

Regulations.

1203. Every board of chosen freeholders, or a committee thereof appointed for the purpose, is authorized to make rules and regulations for the government of any such speedway, and may prescribe the manner in which the same shall be used, and the kinds of vehicles that may be used thereon.

Maintenance.

1204. After the completion of any such speedway, the board of chosen freeholders shall maintain the same; *provided, however*, the said board may in its discretion, by resolution, transfer the title to said speedway to the park commission of the county in which such speedway is located, in which event such park commission shall maintain such speedway and prescribe the manner in which the same shall be used and maintained, or may use the same for a parkway.

Proviso.

### ARTICLE XIII.

#### BRIDGES AND VIADUCTS.

Bridges and viaducts.

1301. Every board of chosen freeholders shall have power to build and construct, or acquire by gift, purchase or condemnation, and to maintain and operate, and widen when necessary, viaducts and bridges (including drawbridges) in their respective counties, when and where the public convenience requires; and also to keep all viaducts and bridges wholly within their respective counties in repair and in safe condition for public travel. Boards of chosen freeholders of counties adjoining each other, separated, in whole or in part, by any ravine, marsh, river or stream, shall have power to jointly build and construct, or acquire by gift, purchase or condemnation, and to maintain and operate, and widen when necessary, viaducts and bridges (including drawbridges) at the joint

Joint construction by adjoining counties.

expense of said counties, over any such ravine, marsh, river or stream, when and where the public convenience requires; and also to keep all such viaducts and bridges in repair and in safe condition for public travel.

1302. If twenty per centum of the legal voters in any county believe that the public convenience requires that a viaduct or bridge should be built, constructed and maintained in such county, and the board of chosen freeholders of such county has failed or neglected to build and construct such viaduct or bridge, such voters may present to such board their petition in writing setting forth the necessity for such viaduct or bridge, the location of the same, and other particulars in regard thereto. Upon the filing of such petition with the clerk of said board, duly signed by such voters (with their residences set forth opposite their signatures), and requesting a referendum vote on the question of building and construction of such viaduct or bridge, said board of chosen freeholders shall forthwith adopt a resolution that a vote is required upon the question; or said board of chosen freeholders may proceed at once with the building and construction of such viaduct or bridge, or cause the same to be built and constructed, after the adopting a resolution providing therefor.

In case said board of chosen freeholders adopts a resolution that a vote is required upon the question, a certified copy of said resolution shall be at once filed with the clerk of such county, and he shall, in the manner and form provided by law, place the question upon all the ballots used at the next general election in such county, in substantially of the following form: "Shall the board of chosen freeholders build, construct and maintain a (viaduct or) bridge at ..... (set forth location and particulars)." If a majority of the legal voters of such county, voting at such election, shall vote "Yes," said board of chosen freeholders

Petition for  
bridge or  
viaduct.

Referendum  
or resolution  
of free-  
holders.

Vote at gen-  
eral election.

Question on  
ballot.

Result of  
election.

shall forthwith proceed to build and construct such viaduct or bridge, or cause the same to be built and constructed; and after such viaduct or bridge shall be completed, said board shall maintain and operate the same.

Petition for  
bridge or  
viaduct in  
adjoining  
counties.

1303. If twenty per centum of the legal voters in each of any adjoining counties believe that the public convenience requires that a viaduct or bridge be built, constructed and maintained over any ravine, marsh, river or stream separating such counties, or part thereof, and the boards of chosen freeholders of such counties have failed and neglected to build and construct such viaduct or bridge, such voters in each of such counties may present to the board of chosen freeholders of their respective counties their petition in writing, setting forth the necessity for such viaduct or bridge, the location of the same, and other particulars in regard thereto. Upon the filing of such petitions with the clerks of the said respective boards, duly signed by such voters (with their residences set forth opposite their signatures), and requesting a referendum vote on the question of the building and construction of such viaduct or bridge, said boards of chosen freeholders shall forthwith adopt resolutions that a vote is required upon the question; or said boards of freeholders may proceed at once with the building and construction of such viaduct or bridge, or cause the same to be built and constructed, after adopting resolutions providing therefor.

Action by  
referendum  
or resolution.

Procedure  
by resolution.

In case said boards of chosen freeholders adopt resolutions that a vote is required upon the question, a certified copy of said resolutions shall be forthwith filed with the clerk of each of said counties; and each of said county clerks shall, in the manner and form provided by law, place the question upon all the ballots used at the next general election in his county, in substantially the following forms: "Shall the board of chosen freeholders of

Question on  
ballot.

..... county, and the board of chosen freeholders of.....county build, construct and maintain a (viaduct or) bridge at (set forth location and particulars)?” If a majority of the legal voters of each of such counties, voting at such election, shall vote “Yes,” said boards of chosen freeholders shall forthwith proceed to build and construct such viaduct or bridge, or cause the same to be built and constructed; and after such viaduct or bridge shall be completed, said boards shall maintain and operate the same.

Result of  
election.

1304. Whenever any board of chosen freeholders of any county has determined or shall determine to build and construct any viaduct or bridge in such county, or to widen any existing viaduct or bridge, or whenever any boards of chosen freeholders of adjoining counties, separated by any ravine, marsh, river or stream have determined or shall determine to jointly build and construct a viaduct or bridge over such ravine, marsh, river or stream, or to widen any such existing viaduct or bridge, or whenever it shall have been decided by referendum vote to build and construct any such viaduct or bridge, it shall be lawful for such board or boards to acquire by gift, purchase or condemnation any lands, lands under water, riparian rights, or any other property, rights, privileges or franchises, required for the building and construction of such viaduct or bridge and its approaches, or any part thereof, and to pay for the same, and the expenses of acquiring the same, out of any moneys, applicable to the building and construction of said viaduct or bridge.

Acquisition  
of land and  
and rights.

1305. All viaducts and bridges, with their approaches, shall connect at each end with a public road or street; and where necessary to make such connection, said viaduct or bridge, or its approaches, shall be carried over any ravines, marshes, pits, railroad cuts, embankments, tide-washed lands or other obstructions.

Bridges and  
viaducts to  
connect  
highways.

Commis-  
sion to deter-  
mine dis-  
putes as to  
bridges by  
joint coun-  
ties.

Report.

Expenses.

Title of  
commission.

Joint munici-  
pal bridges.

1306. Whenever it shall have been determined that the public convenience requires that a viaduct or bridge be built and constructed at the joint expense of adjoining counties, or that a viaduct or bridge being maintained at such joint expense should be repaired or rebuilt, and the boards of chosen freeholders of such counties shall be unable to agree as to the location or character of such new viaduct or bridge, or as to the materials of which the same shall be constructed, or as to the character of any new viaduct or bridge, or if said boards shall be unable to agree as to whether a viaduct or bridge already erected and out of repair shall be repaired or shall be rebuilt, either of said boards may apply to a justice of the Supreme Court, who shall appoint three commissioners who shall meet forthwith and summarily inquire into the matter or matters in dispute. To that end said commissioners shall have power to employ one or more civil engineers and other persons. Within thirty days after their first meeting said commissioners, or a majority of them, shall make and sign a report, under their hands, determining the matter or matters in dispute, and cause a duplicate original of said report to be filed with the clerk of each of said boards aforesaid; and such report, with its determination, shall be binding upon said boards. Any expense incurred by said commissioners shall, upon certification by them, be paid in equal proportions by the county collectors of each of said counties. Said commissioners shall serve as such and render their services without compensation. Said commissioners shall be known as "Joint Bridge Commissioners for ..... ..(name counties) Counties."

1307. Whenever it shall be deemed necessary by the governing body of any municipality, to have erected, widened, rebuilt or repaired any viaduct or bridge in such municipality, or between any two municipalities in the same county, it shall be the

duty of the clerk of the municipality, or, in case of a viaduct or bridge between two municipalities, it shall be the duty of the clerk of each of said municipalities, to give notice thereof in writing to the board of chosen freeholders of the county, and said board shall, at its next meeting after the receipt of such notice or notices, consider and decide upon the utility and necessity of erecting, widening, rebuilding or repairing such viaduct or bridge. If said board, by a majority vote, shall determine that such viaduct or bridge should be erected, widened, rebuilt or repaired, said board shall order said work to be done or shall enter into contract for the doing thereof.

1308. If any viaduct or bridge in any municipality, or between any two municipalities in the same county, or any viaduct or bridge over any ravine, marsh, river or stream dividing any counties in whole or in part, connecting two municipalities, shall at any time become or be rendered dangerous or unsafe for public travel, the governing body of any such or both of said municipalities shall close such viaduct or bridge and its approaches until the same shall be repaired or rendered safe for public travel. Any such governing body or bodies may repair such viaduct or bridge, or cause the same to be repaired, provided the cost thereof shall not exceed one hundred dollars; and after such repairs shall have been completed the cost thereof shall be paid by the county collector, after claim therefor shall have been filed with the clerk of the board of chosen freeholders of such county.

Closing unsafe bridges.

Repairs.

Upon the closing of any such viaduct or bridge the clerk or clerks of the municipality or municipalities closing the same shall immediately notify the board or boards of chosen freeholders thereof.

Freeholders notified of closing.

1309. In all cases where the board of chosen freeholders of a county, or boards of chosen freeholders of two or more counties, are chargeable by law with the construction, erection, rebuilding or repair of

Bringing action for damages.

any viaduct or bridge, and the said board or boards shall wrongfully neglect to perform their duty in that behalf, by reason whereof any person or persons shall receive injury or damage in his, her or their persons or property, such person or persons may bring an action at law against said county or counties and recover judgment to the extent of all such damage sustained as aforesaid. If, however, it shall be necessary to close any viaduct or bridge and stop travel over the same on account of necessary repairs, or on account of the same being unsafe for public travel, there shall be no liability on the part of any county or counties for damages by reason of the closing of such viaduct or bridge.

Acquiring  
existing  
bridge.

1310. Whenever any toll bridge or toll viaduct has been constructed and now exists, forming a part of a free public road, or connecting free public roads, it shall and may be lawful for the board of chosen freeholders of the county in which such toll bridge or toll viaduct and road or roads may be situate, to acquire by gift, purchase or condemnation such toll bridge or toll viaduct, with all the franchises, privileges and rights of the owner or owners thereof. When such bridge or viaduct shall have been so acquired it shall be forever thereafter free for public travel, and shall be maintained, widened, repaired or rebuilt the same as other bridges and viaducts in said county. If any such toll bridge or toll viaduct connects two or more counties, it shall be lawful for the boards of freeholders of said counties to jointly acquire by gift, purchase or condemnation such bridge or viaduct, with all the franchises, privileges and rights of the owner or owners thereof, and the same shall be maintained, widened, repaired or rebuilt the same as other viaducts or bridges connecting two or more counties.

Free bridge.

Agreement  
relative to  
joint  
bridges.

1311. Whenever two or more counties contemplate the joint acquisition by gift, purchase or condemnation, or the building and construction of any



viaduct or bridge over any ravine, marsh, river or stream forming in whole or in part the boundary between such counties, a proposed agreement shall be prepared setting forth the viaduct or bridge to be acquired, or the work to be undertaken, and the plans and specifications therefor, and the estimated cost thereof, and the estimated cost of maintenance and operation after acquisition or completion, and also the proportion of the original cost, and the cost of maintenance and operation thereof to be borne by each county, and any other provision deemed necessary to be inserted therein. If for any reason no proposed agreement shall have been prepared, and no agreement shall have been entered into between said counties, then all costs and charges for acquisition, construction, maintenance, repair, rebuilding and operation shall be borne equally by each of said counties.

1312. The boards of chosen freeholders in the several counties shall make rules and regulations for the protection and use of the viaducts and bridges in their county, under their care and control, and may place any viaduct or bridge in the special care or charge of such suitable person or persons as they may appoint for that purpose. Where there is now or shall hereafter be a viaduct or bridge (one or more) connecting two or more counties, the boards of chosen freeholders of said counties, or any joint committee having charge thereof, shall make rules and regulations for the protection and use thereof, and may place the same in the special care or charge of such suitable person or persons as they may appoint for that purpose. Any person or persons so appointed shall have the same powers as a constable or policeman, in respect to such viaduct or bridge, for the enforcement of such rules and regulations. Any person violating any rule or regulation made for the protection and use of any viaduct or bridge shall be liable to a penalty of ten dollars, with

Use and  
regulations  
as to bridges.

Bridge  
tenders.

Penalty.

costs, which may be sued for and recovered by said county or counties in any court of competent jurisdiction, and said penalty shall be paid to the collector or collectors of the county or counties suing therefor.

Design,  
plans and  
specifications  
before ad-  
vertising.

1313. Whenever it shall be necessary to advertise for bids to build and construct a viaduct or bridge, the board or boards of chosen freeholders shall, before advertising for such bids, determine the kind, style and design (one or more) of said viaduct or bridge and its approaches, and have plans and specifications prepared therefor, and all bids for said work shall be according to and in conformity with such plans and specifications.

Moneys for  
preliminary  
expenses.

1314. All moneys necessary for the acquisition of, the constructing, building, rebuilding, widening or making extraordinary repairs to any viaduct or bridge wholly in any county, or any viaducts or bridges joining two or more counties, and for the making of preliminary examinations, surveys, drawings, soundings and the securing of preliminary estimates of cost of construction of any viaduct or bridge and its approaches, or the removal or reconstruction of any viaduct or bridge required by the war department or other department of the Federal government having jurisdiction in the premises, may be provided by the boards of chosen freeholders of this State out of any funds of their respective counties not otherwise appropriated, or by the issue and sale of bonds of the county. All moneys necessary for ordinary repairs, maintenance and operation of viaducts and bridges shall be raised annually by taxation.

Annual  
charges.

Approaches  
included in  
bridge and  
viaduct.

1315. Whenever the term "viaduct and bridge" or "viaducts and bridges" is used in this article the same shall be construed to include any and all approaches to such viaducts and bridges, except when and where such approaches are a public road, street, avenue or highway.

1316. Any two or more counties may acquire, build, construct, maintain and operate a viaduct or bridge wholly within the territorial limits of one county in the same way and manner as is herein provided for the acquisition, building and construction, maintenance and operation of viaducts and bridges over any ravine, marsh, river or stream forming in whole or in part the boundary between counties. All provisions in this article contained referring to a joint viaduct or bridge between counties shall be applicable to any such viaduct or bridge wholly within the territorial limits of one county.

Joint operation of bridge in one county.

1317. No viaduct or bridge, or any piers, foundations or abutments thereof, shall be located, built or constructed in violation of any pier or wharf lines fixed or established by any proper authority of this State or by any Federal authority. If any viaduct or bridge, when constructed, is liable to interfere with the navigation of any stream or river, the same shall be provided with a suitable draw.

Must observe fixed lines.

Drawbridge.

1318. It shall be unlawful for any person or persons, corporation or corporations, to lay any tracks, pipes, or conduits, on, over or under any public viaduct or bridge, or to connect any wires, cables or other appliances to any such viaduct or bridge without obtaining the consent of the board or boards of freeholders operating or maintaining such viaduct or bridge and complying with such reasonable terms and conditions as may be prescribed by said board or boards; *provided, however*, that any public utility corporation which is subject to the regulation of the Board of Public Utility Commissioners, and whose rates are subject to be fixed by said board, having the right to use the highway on both sides of any public viaduct or bridge may lay its tracks, pipes or conduits on, over or under said viaduct or bridge, and may connect any wires, cables or other appliances

Tracks, pipes, conduits on bridges.

Proviso.

thereeto, at its own cost and expense, under such reasonable terms and regulations as the board or boards of freeholders operating and maintaining such viaduct or bridge may prescribe, which terms and regulations may be contained in an agreement between said board or boards of freeholders and said public utility corporation, and such agreement may contain such provisions in regard to the use of such viaduct or bridge as may be agreed upon, but in no event shall such public utility corporation be required to pay for such use more than an amount sufficient to compensate the county for the extra burden imposed upon the county by reason of the use of any such viaduct or bridge by such public utility corporation. In case said board or boards of freeholders and said public utility corporation cannot agree upon the regulations or the amount to be paid hereunder, an appeal may be taken to the Board of Public Utility Commissioners, which board shall have power, after hearing, to fix the regulations governing such use, and the amount to be paid, if any, by such public utility corporation.

Appeal to  
utility com-  
missioners.

Bridge over  
tidal waters.

Proviso.

1319. No bridge, viaduct or fixed structure shall be erected over or in any part of the navigable waters separating this State from any other State, where the tide ebbs and flows, without express permission of the Legislature of this State to be hereafter given by a statute for that purpose; *provided*, that nothing herein shall be construed to forbid the erection of docks and wharves.

Liability  
during re-  
pairs.

Proviso.

1320. Whenever it shall be necessary to repair or rebuild any bridge or viaduct in this State over any navigable river or water, the public authorities, corporation or person so repairing or rebuilding such bridge or viaduct shall not be liable for damages occasioned by obstructing or stopping navigation; *provided*, the said repairs or rebuilding, obstructing or stopping of navigation be done between the first day of November and the first

day of January; *and provided, further*, that said repairs or rebuilding be prosecuted with all practical dispatch; *and provided, further*, that notice of such intended repairs or rebuilding be given at least three weeks prior to commencing the work, by publishing a notice thereof in some newspaper circulating in the county adjacent to such bridge or viaduct; *and provided, further*, that this section shall not apply to any navigable river or water where the depth of water of said river or water in the channel thereof where any bridge is now erected exceeds four feet and six inches at mean high tide.

Proviso.

Proviso.

Proviso.

## ARTICLE XIV.

## NURSES.

1401. Every board of chosen freeholders shall have power, from time to time, to employ a registered nurse or nurses, whose duties, under the rules and regulations, from time to time to be prescribed by such board, shall be as follows: To discover and investigate any tuberculosis cases existing in such county; to give instructions to tuberculosis patients and others in such county relative to hygienic or sanitary measures to be observed in preventing the spread of such disease; to act as visiting nurse to any tuberculosis patients in such county; to aid in making a report of existing or suspected cases of tuberculosis in such county to the State Board of Health, to the board of managers of any hospital established in or for such county for the care and treatment of persons suffering from tuberculosis, and to the board of health of any municipality in such county, and to perform such other duties as nurse or hygienic expert as may be designated by such board of chosen freeholders to prevent the spread of such disease.

County  
nurses.

Duties.

Monthly re-  
port.

1402. Every nurse so employed shall, at the end of each month, and at such other times as the board of chosen freeholders may require, make a report in writing to such board, which report shall show in detail the visits made during such month, or specified time, the services performed, and such other information as the board of chosen freeholders may from time to time require.

Exceptions.

1403. Nothing in this article shall repeal or in any wise affect an act entitled "An act concerning tuberculosis," approved March twenty-eighth, one thousand nine hundred and twelve; and this article shall not apply to any county of the first class where nurses have been, or may be appointed to perform the duties mentioned in paragraph one, by the board of managers, serving under the provisions of an act entitled "An act concerning tuberculosis," approved March twenty-eighth, one thousand nine hundred and twelve.

#### ARTICLE XV.

##### IRRIGATION.

Establish  
irrigation  
system.

1501. Every board of chosen freeholders shall have power and authority to construct and operate an irrigation system or systems for the purpose of furnishing water to the owners and tenants of farms and other users of water for the purposes of irrigation, and to that end may purchase such land and water rights, erect such buildings, and purchase and install such machinery as in their judgment may be necessary for that purpose; and may lay pipes for the distribution of water for irrigation in the roads of such county, and in the roads, streets and highways of any municipality therein, in order to reach the property line of the customers to whom it may have agreed to furnish water for the purposes of irrigation.

Lay water  
pipes.

1502. Such board of chosen freeholders may take water from any river, stream, lake or other source for the purpose specified in this article, and may make rules for the operation of such irrigation system, and may make such charges for the use of water to be delivered from such system as to them shall seem just and proper.

Sources of water.

1503. Any part of such irrigation plant or system may be erected or constructed in a county outside of the boundaries of the county authorizing such construction, provided the consent of said other county shall first be had and obtained therefor.

Situation of plant.

### ARTICLE XVI.

#### COUNTY PLANNING.

1601. Every board of chosen freeholders shall have power to prepare and adopt a plan for the betterment and the systematic development of the county, and shall have power and authority to employ experts and to pay for their services, and to pay such other expenses as may be necessary for the making of such plan.

Development of county.

1602. Every board of chosen freeholders may, by resolution, provide for the establishment of a commission consisting of not more than seven citizens of such county to act as a county plan commission. Such commission, if established, shall have all the power and authority conferred upon boards of chosen freeholders by this article, except that the said commission may expend only such sums as may be appropriated for such purpose by the board of chosen freeholders.

County plan commission.

1603. Every board of chosen freeholders adopting any such plan, or any county plan commission appointed hereunder, shall endeavor to cause all municipalities within the county, and adjoining it, to co-operate in the laying out of roads and boulevards.

Municipal co-operation.

wards and in the betterment and the systematic development of the county.

#### ARTICLE XVII.

##### MISCELLANEOUS.

**Fiscal year.**

1701. The fiscal year of every county, excepting counties of the first class, shall begin on the first day of January in each year and end on the thirty-first day of December of each year.

**Depositories for moneys.**

1702. It shall be lawful for the board of chosen freeholders of any county, by resolution, to direct that all moneys belonging to any such county, excepting such as may now or hereafter be subject to the control of some body or commission other than the board of chosen freeholders, shall be deposited in a depository or depositories selected by such board, to the credit and in the name of such board.

**Withdrawal of moneys.**

Such board may, by like resolution, direct that such moneys shall be withdrawn from deposit and paid only on the draft, warrant or check of such board, signed by the county collector and countersigned by such other person or persons as such board may by such resolution designate.

**Serving process against county.**

1703. When any suit shall be instituted against any county, a copy of the summons, precept, or such other legal process as may be issued, shall be left with the director of the board of chosen freeholders, or clerk thereof, thirty days at least before the session of the court to which such process shall be returnable.

**Form and execution of contracts.**

1704. Every board of chosen freeholders may prescribe the manner in which all contracts for performing work or furnishing materials for the county shall be made and executed, and the form and manner of execution and approval of all guarantee, indemnity, fidelity and other bonds to be given to the county.



1705. It shall be lawful for every board of chosen freeholders, at the expense of the county, to provide and furnish books, blank and stationery which may be necessary for use by the courts, county clerk, surrogate, register and sheriff of such county, in the due and proper execution of the duties of their respective offices.

Books and stationery for county offices.

1706. To enable each county superintendent of schools to discharge his duties more effectively and systematically, the printing required in his office shall hereafter be paid for as other county printing; *provided*, that the sum expended for this purpose in any county shall not exceed the sum of fifty dollars in any one year.

Printing for county superintendent.

Proviso.

1707. Every board of chosen freeholders shall have power to designate, by resolution, an official newspaper or newspapers in which shall be published all advertisements and notices required by law to be published; or such board may, from time to time, by a majority vote, specify one or more newspapers in which shall be published certain notices and advertisements required by law to be published.

Official newspapers.

1708. Every board of chosen freeholders shall have power to prepare, maintain and display any exhibition of the products and industries of the county, or any poultry or agricultural exhibitions, or may contribute funds towards the maintenance or conduct of any such exhibition.

Exhibition of county productions.

1709. Every board of chosen freeholders shall have power to construct and maintain, or to contribute funds towards the construction and maintenance, of such statues, monuments or other memorials in any public place in the county as such board may deem advisable and suitable for the commemoration of any person or persons, or event. Such board may accept any such statue, monument or memorial presented to it, and thereafter maintain the same.

Monuments and statues

Law  
library.

1710. Every board of chosen freeholders may maintain at the court house a law library for the use of the county courts, and for that purpose shall purchase such reports and statutes of the United States and of the State of New Jersey and other States, and such textbooks as may be designated by the judge of the Court of Common Pleas; the amount of such purchase shall not exceed the sum of two thousand dollars in any one year.

Annual  
expenditure.

Publicity  
advertising.

1711. Every board of chosen freeholders may appropriate such sums as it shall deem necessary for the purpose of advertising in newspapers, magazines or otherwise, either within or without the State, the advantages and attractions of the said county for residence and business purposes.

Investigation  
of various  
matters by  
committees.

1712. Whenever any board of chosen freeholders shall have appointed a committee of members of its body upon any subject or matter within its jurisdiction, or to examine any officer of said board, or holding an appointment from said board in relation to the discharge of his official duties or conduct, or to the receipt or disbursement by him of any moneys in the discharge of said duties, or concerning the possession or disposal by him, in his official capacity, of any property belonging to said board or to the county, or to inspect or examine any book, account, voucher or document in the possession or under the control of such officer, relating to the affairs or interest of said county, it shall be lawful for the chairman of said committee, or any member thereof, to administer an oath or affirmation to any person attending as a witness before said committee, and for any judge of the Circuit Court of said county, on application made to him by the director of said board, to make an order awarding process of subpoena out of said court for persons wanted as witnesses before said committee to appear and testify before said committee; and upon filing such order in the office of the clerk of said court it shall be the duty of said clerk to issue process of sub-

Chairman to  
administer  
oath.

Subpoenas.

pœna, under the seal of said court, requiring such witness to appear and testify before said committee, which process of subpoena shall be served in the same manner and be of the same force and effect as like process issued out of said court; and any person attending in pursuance of such subpoena shall be entitled to the same fees as witnesses in other cases, and in case of disobedience of such process, or refusal to testify, or be sworn or affirmed, shall be subject to the same penalties, including punishment, as for contempt of said court, as are provided in cases pending in said court; and any person who shall wilfully and corruptly testify falsely to any matter, upon oath or affirmation administered by any member of such committee, upon such investigation or inquiry, shall, upon conviction thereof, be guilty of perjury.

Penalty for  
not answer-  
ing sub-  
poena.

1713. Every board of chosen freeholders may prescribe a penalty or penalties for the violation of any resolution or resolutions it may have authority to pass, either by imprisonment in the county jail not exceeding ninety days or a fine not exceeding two hundred dollars, or both. The magistrate before whom any violator of any such resolution or resolutions is convicted shall have power to impose any fine or term of imprisonment not exceeding the maximum fixed in such resolution. In default of the payment of any fine imposed thereunder, any person convicted of the violation of any such resolution may, in the discretion of the magistrate by whom he was convicted, be imprisoned in the county jail for any term not exceeding ninety days. All resolutions providing a penalty for the violations thereof, shall be published at least once in a newspaper circulating in the county before the same shall become effective.

Penalty for  
violating  
resolutions.

1714. All ordinances, resolutions, actions and regulations lawfully passed or enacted by any board of chosen freeholders, or by any board, committee or department of the county government,

Existing  
ordinances,  
etc., to con-  
tinue in  
force.

which are effective at the time of the passage of this act, shall remain in full force and effect, notwithstanding the passage hereof, except in so far as they are inconsistent with the provisions hereof, until they shall be amended, altered, repealed or superseded by further legal action of said board of chosen freeholders, or of such board, committee or department thereof.

Act does not  
alter powers.

1715. No provision of this act shall be construed to transfer from any officer, board, committee or department of the county government any power or authority which he or it may now have.

Acceptance  
of contribu-  
tions for  
county im-  
provements.

1716. Every board of chosen freeholders, when contemplating the making of any improvement or the doing of any work under this act, may accept any sum or sums contributed by any individual, copartnership or corporation, public or private, towards the cost or expense of such improvement or work, and such sum or sums shall be used for the purpose or purposes for which the same was accepted.

Agreement  
for payment  
toward cost  
of improve-  
ments.

1717. Every board of chosen freeholders, when contemplating the making of any improvement or the doing of any work under this act, may, by written agreement, agree with any individual, copartnership or corporation, public or private, that such individual, copartnership or corporation, public or private, shall pay such sum towards, or such proportion of the costs or expense of such improvement or work, as may be specified in such agreement.

Joint county  
service.

1718. Two or more boards of chosen freeholders may join together to do any act, maintain any department, or to render any service which one board is empowered to do, maintain or render.

Contract as  
to propor-  
tionate cost.

Before so doing the said boards shall cause to be prepared a written contract setting forth the proportion of the cost each shall assume, and specifying all the details of the management thereof, and such other matters as may be deemed

necessary for insertion therein; any such contract may be amended from time to time by the contracting parties.

For the purpose of carrying into effect any such contract, boards of chosen freeholders may acquire lands as tenants in common by purchase, gift or condemnation, and may erect buildings thereon and equip the same, and may acquire and hold any personal property in common, and may appoint such officers and employees as may be necessary for the joint enterprise, and may enter into any contract which a single board of chosen freeholders is authorized to enter into.

Counties may  
be tenants  
in common.

1719. Every board of chosen freeholders shall have power to raise by taxation, in the method prescribed by law, all necessary money to pay for any improvement or property which it is authorized to make or acquire, and to pay the current expenses of maintaining the same, and for the execution and performance of any power or authority given to such county, or the board of chosen freeholders thereof, and to pay the principal of and interest upon all obligations and debts of said county, for the maintenance of county parks, and for the fulfillment of all obligations imposed by law upon the county.

Moneys  
raised by  
taxation.

1720. Nothing herein contained shall be construed to affect in any way the term of office of any officer of the county, or any member of the board of chosen freeholders, nor shall any provision herein, whether fixing or providing for the fixing of a term of office or employment, affect any provision of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a civil service commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and the acts supplementary thereto and amendatory thereof,

Tenure of  
office not  
affected.

nor the application thereof, or any of the provisions of any other tenure of office act, nor of the application thereof.

As to constitutionality of act.

1721. In case, for any reason, any section or provision of this act shall be questioned in any court, and shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this act, except only so far as the section or provision so declared unconstitutional or invalid shall be inseparable from the remainder or any portion thereof. And, in construing the provisions of this act, all courts shall construe the same most favorably to counties.

How construed.

Approved March 4, 1918.

#### CHAPTER 186.

An Act providing for the election of members of boards of chosen freeholders in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Township to elect chosen freeholder.

1. The voters of each township shall have power and authority to elect for such township, by a plurality vote, a member of the board of chosen freeholders for the county.

Term.

2. The members of such board so elected shall serve for a term of two years, except where a different term is now fixed by statute.

Vacancy.

3. Whenever any vacancy occurs in the board of chosen freeholders of any county by reason of the failure of any township, city or ward to elect a member of said board of chosen freeholders, or by reason of the death, resignation, removal or other disqualification from any other cause of any

member of said board, it shall be lawful for the governing body of such municipality to fill such vacancy until the next general election, and it shall be the duty of the said board of chosen freeholders to at once notify the county clerk of such county, and the clerk of the city or the municipality from which such member of said board was elected, of the fact that such vacancy has occurred.

4. Where any township has ceased or hereafter may cease to exist by reason of the creation of a borough or boroughs within its territorial limits, or because of becoming absorbed by some other township or municipality, the inhabitants of the borough or boroughs existing within the territorial limits of the township at the time of its termination, shall not be deprived of representation in the board of chosen freeholders, but the voters of the borough or boroughs remaining as aforesaid, may elect some suitable person to said office in the same manner as now prescribed by law where townships and boroughs jointly elect a chosen freeholder.

Election of  
freeholder in  
borough  
formed from  
township.

5. In all cases where a vacancy now exists, or where a vacancy shall hereafter occur in the office of any chosen freeholder who has been or may hereafter be elected by the voters of more than one municipality jointly, by reason of failure to elect, resignation, death or otherwise, such vacancy shall be filled in the manner herein provided.

Vacancy in  
joint office.

6. The representatives of such municipalities shall meet in joint session at such time and place as the municipal clerk of the most populous of such municipalities, according to the last census, shall designate (which place shall be within the limits of such municipality), and having so met, such representatives shall proceed to fill the vacancy, by a majority vote of all such representatives, and a certificate, signed by the chairman and secretary of such meeting, shall entitle the person selected to occupy the said office until the first day of Janu-

Joint session  
to fill  
vacancy.

Notice of meeting.	any next succeeding, and at the election held next after the filling of such vacancy, a chosen freeholder shall be elected in the usual way in such municipalities to fill the unexpired term. The said municipal clerk shall call the meeting of such representatives for a time within fifteen days after any vacancy shall occur, by giving at least ten days' written notice to the clerk of each municipality; <i>provided</i> , that failure to give such notice within the prescribed time shall not prevent nor invalidate such election.
Proviso.	
Basis of representation in joint meeting.	7. Each of such municipalities shall be entitled to elect one representative for each one hundred votes cast for all candidates for the office of Governor in such municipality at the gubernatorial election next preceding such election of representatives, and one representative for each fraction thereof over sixty; <i>provided</i> , that each municipality shall be entitled to at least one representative. The representatives shall be chosen by the governing body of such municipalities from among their own number, and if such governing body is not composed of as many members as such municipality is entitled to representatives, then such governing body shall choose and designate the additional representatives from among the legal voters of such municipality.
Proviso.	
Representatives chosen from governing body.	
Present terms not affected.	8. This act shall not affect the term of office of any member of a board of chosen freeholders now serving.
Where act does not apply.	9. This act shall not apply to any county in which the voters have adopted the provisions of an act entitled "An act to reduce the number of members of the boards of chosen freeholders in counties in this State, and to fix the salaries and provide for the election of members of said boards," approved March twenty-sixth, one thousand nine hundred and two, or of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, re-



ducing the member thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve.

Approved March 4, 1918.

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### CHAPTER 187.

An Act to amend the title of an act entitled "A supplement to the act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," and which supplement was approved March twenty-eight, one thousand nine hundred and two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. That the title of an act entitled "A supplement to the act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," and which supplement was approved March twenty-eight, one thousand nine hundred and two, be amended so as to read as follows:

Title  
amended.

"An act relating to the fixing and raising of moneys for maintaining public parks and roads or parkways built in connection with the public park system in the counties of this State in which a public park system shall have been or shall hereafter be adopted and created."

New title.

Approved March 4, 1918.

## CHAPTER 188.

An Act concerning the protection of lands, streets and roads from injury by flow of waters, and providing for the payment of damages caused thereby in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Municipality  
may petition  
court for  
relief against  
adjoining  
municipality  
for injury  
by water.

1. If any land in any municipality, or any street or road, shall be injured by a flow of water in consequence of the refusal or neglect of the proper officers in an adjoining municipality to cut, make and keep open necessary gutters, drains or ditches, the owner of said land, or the governing body having charge of the road or street so injured, may present a petition to the Court of Common Pleas in which said adjoining municipality is located, setting forth the facts under oath or affirmation, and thereupon said court shall appoint three freeholders in said county, not residing in either of said municipalities, who, first having taken an oath or affirmation to act faithfully and impartially in the premises, shall proceed to inquire into said injury on their own view, or by the testimony of witnesses.

Commission  
to designate  
where drains  
be made.

2. If, in the opinion of the freeholders so appointed, the facts stated in said petition are true, they shall designate in writing where necessary gutters, drains or ditches shall be made to convey or draw off the water from the highway with the least disadvantage to the owner of the land, and make their report in writing to the clerk of the county, who shall file and record the same.

Liability for  
damages.

3. If, thereafter, such municipality shall wilfully refuse or neglect to cut, make, cleanse and keep

open such gutters, drains or ditches, so designated, the said municipality shall be liable in damages to any landowner of the adjoining municipality, or to the adjoining municipalities for any injury sustained by reason of such neglect or refusal.

4. Any person or persons or municipality may, within sixty days after the filing of said report, appeal from the decision of said freeholders to the Court of Common Pleas of said county, which shall give final judgment on the same, and shall tax reasonable costs and expenses, including proper fees for said freeholders, against the municipality in default in the premises.

Appeal may  
be taken.

Approved March 4, 1918.

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## CHAPTER 189.

An Act to repeal sundry acts relative to counties.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. From and after time when this act shall take effect the following acts be repealed:  
(Comp. Stats., "Chosen Freeholders," Sections.)

1-43 (Revision of 1877, page 127)

"An Act to incorporate the chosen freeholders in the respective counties of the state," approved April 16, 1846.

8 (1879-274)

"An Act to amend an act entitled 'An act to incorporate the chosen freeholders in the respective counties of the state' (Revision), approved April sixteenth, one thousand eight hundred and forty-six," approved March 14, 1879.

8 (1899—41)

“An Act to further amend an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved March 15, 1899.

8 (1899—566)

“An Act to amend an act entitled ‘An act to further amend an act entitled “An act to incorporate the chosen freeholders in the respective counties of the state,”’ approved April sixteenth, one thousand eight hundred and forty-six, which further amendment was approved March fifteenth, one thousand eight hundred and ninety-nine,” approved March 24, 1899.

10 (1883—44)

“An Act amending ‘An act to incorporate the chosen freeholders in the respective counties of this State’ (Revision), approved April sixteenth, one thousand eight hundred and forty-six,” approved February 23, 1883.

28 (1889—331)

“An Act amending ‘An act to incorporate the chosen freeholders in the respective counties of this state’ (Revision), approved April sixteenth, one thousand eight hundred and forty-six,” approved May 3, 1889.

28 (1893—113)

“An Act to amend an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state’ (Revision), approved April sixteenth, one thousand eight hundred and forty-six,” approved March 8, 1893.

36, 36a, 36b (1880—315)

“A Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the State,’ approved April sixteenth,

one thousand eight hundred and forty-six," approved March 12, 1880.

36b (1881—157)

"A Further Supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of the state,' approved April sixteenth, one thousand eight hundred and forty-six," approved March 21, 1881.

36b (1894—529)

"A Further Supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this State,' approved April sixteenth, one thousand eight hundred and forty-six," approved May 25, 1894.

44-45 (Revision of 1877, page 133) (1865—955)

"A Supplement to an act entitled 'An act to incorporate the chosen freeholders of the several counties of this State,' approved April sixteenth, eighteen hundred and forty-six," approved April 6, 1865.

45 (1879—230)

"A Further Supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,' approved April sixteenth, one thousand eight hundred and forty-six," approved March 14, 1879.

45 (1882—244)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act to incorporate the chosen freeholders in the respective counties of this State," approved April sixteenth, one thousand eight hundred and forty-six,' which act was approved March fourteenth, one thousand eight hundred and seventy-nine," approved March 31, 1882.

46 (1878—93)

“A Further Supplement to the act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixth, eighteen hundred and forty-six,” approved March 14, 1878.

47 (1880—317)

“A Further Supplement to the act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved March 12, 1880.

48 (1887—14)

“A Further Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of this state’ (Revision), approved April sixteenth, one thousand eight hundred and forty-six,” approved March 9, 1887.

49 (1888—373)

“A Further Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved April 2, 1888.

50 (1888—467)

“A Further Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved April 23, 1888.

51 (1892—40)

“A Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved February 25, 1892.

52 (1893—115)

“A Further Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of this state’ (Revision), approved April sixteenth, one thousand eight hundred and forty-six,” approved March 8, 1893.

53-54 (1897—213)

“A Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the several counties of this state,’ approved April 16, 1897

55 (1897—343)

“A Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved May 4, 1897.

56-58 (1901—49)

“A Further Supplement to the act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved March 7, 1901.

59 (1902—257)

“A Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved April 2, 1902.

59 (1903—20)

“An Act to amend an act entitled ‘A supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of the state,’ approved April second, one thousand nine hundred and two,’ ” approved February 26, 1903.

60-63 (1904—31)

“A Further Supplement to the act entitled ‘An act to incorporate the chosen freeholders in the re-

spective counties of the state,' approved April sixteenth, one thousand eight hundred and forty-six," approved March 2, 1904.

64 (1905—21)

"A Supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,' approved April sixteenth, eighteen hundred and forty-six," approved February 21, 1905.

64 (1908—373)

"An Act to amend an act entitled 'A supplement to an act entitled "An act to incorporate the chosen freeholders in the respective counties of this State," approved April sixteenth, one thousand eight hundred and forty-six,' which said supplement was approved February twenty-first, one thousand nine hundred and five," approved April 10, 1908.

65-67 (1906—40)

"A Further Supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of the State,' approved April sixteenth, one thousand eight hundred and forty-six," approved March 24, 1906.

68-69 (Rev. of 1877, p. 1275) (1876—80)

"An Act authorizing the boards of chosen freeholders of the several counties of this state to renew bonds," approved April 5, 1876.

70, 71, 72, 73, 74 (1878—248)

"An Act in relation to county expenditures," approved April 2, 1878.

70 (1902—188)

"An Act to amend the act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved March 27, 1902.



72-72a (1883—18)

“Supplement to an act entitled ‘An act in relation to county expenditures, approved April second, one thousand eight hundred and seventy-eight,’ approved January 31, 1883.

73 (1885—180)

“An Act to amend an act entitled ‘An act in relation to county expenditures,’ approved April second, one thousand eight hundred and seventy-eight,” approved March 31, 1885.

73 (1909—47)

“An Act to amend an act entitled ‘An act in relation to county expenditures,’ approved April second, one thousand eight hundred and seventy-eight,” approved March 24, 1909.

75-76 (1888—362)

“A Supplement to ‘An act in relation to county expenditures,’ approved April second, one thousand eight hundred and seventy-eight,” approved April 2, 1888.

76 (1900—66)

“A Further Supplement to an act entitled ‘A supplement to an act in relation to county expenditures,’ approved April second, one thousand eight hundred and seventy-eight, which supplement was approved April second, one thousand eight hundred and eighty-eight,” approved March 16, 1900.

78-79 (1902—228)

“A Supplement to an act entitled ‘An act in relation to county expenditures,’ approved April second, one thousand eight hundred and seventy-eight.”

80 (1902—267)

“A Supplement to an act entitled ‘An act in relation to county expenditures,’ approved April sec-

ond, one thousand eight hundred and seventy-eight," approved April 2, 1902.

81 (1903—43)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved March 13, 1903.

82 (1903—44)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved March 13, 1903.

83-85 (1907—460)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved May 15, 1907.

86-88 (1909—75)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved April 7, 1909.

89-92 (1881—132)

"An Act to authorize the boards of chosen freeholders of the respective counties of this state, to issue bonds to raise money for state or county purposes, in anticipation of the arrearages of state or county taxation," approved March 18, 1881.

89 (1893—60)

"A Supplement to an act entitled 'An act to authorize the boards of chosen freeholders of the respective counties of this state to issue bonds to raise money for state or county purposes, in anticipation of the arrearages of state or county taxation' (Supplement to Revision), approved March eighteenth, one thousand eight hundred and eighty-one," approved February 28, 1893.

92 (1887—117)

“A Supplement to an act entitled ‘An act to authorize the boards of chosen freeholders of the respective counties of this state to issue bonds to raise money for state and county purposes in anticipation of the arrearages of state and county taxation,’ approved March eighteenth, one thousand eight hundred and eighty-one,” approved April 1, 1887.

93-94 (1889—304)

“An Act respecting the pay or compensation of officers and employees appointed by the board of chosen freeholders of any county of this state, in certain cases,” approved April 18, 1889.

95-96 (1897—129)

“An Act concerning the payment of judgments against any county,” approved March 31, 1897.

97 (1900—26)

“An Act to authorize boards of chosen freeholders of the respective counties of this state to borrow money in anticipation of taxes to be raised to meet any deficit arising by reason of an erroneous or illegal apportionment of state and county taxes,” approved March 5, 1900.

97 (1904—42)

“An Act to amend an act entitled ‘An act to authorize boards of chosen freeholders of the respective counties of this state to borrow money in anticipation of taxes to be raised to meet any deficit arising by reason of an erroneous or illegal apportionment of state and county taxes,’ approved March fifth, one thousand nine hundred,” approved March 7, 1904.

98-99 (1902—802)

“An Act to authorize the counties of this state to renew matured and maturing bonds,” approved April 24, 1902.

100 (1878—326)

“An Act concerning the number of chosen freeholders to be elected from the wards in those cities of this state where there shall be an exact conformity between the lines of the wards and the assembly districts exclusively within such cities, and embracing no territory outside of such cities,” approved April 5, 1878.

101-102 (1879—199)

“An Act to limit and restrict expenditures by boards of chosen freeholders in this state, and to determine the compensation of such freeholders,” approved March 14, 1879.

105-112 (1885—135)

“An Act to establish the powers and duties of the boards of chosen freeholders in the respective counties of this state and to define the powers of the presiding officers of said board,” approved March 25, 1885.

108 (1886—301)

“An Act to amend an act entitled ‘An act to establish the powers and duties of the boards of chosen freeholders in the respective counties of this state and to define the powers of the presiding officers of said board,’ passed March twenty-fifth, one thousand eight hundred and eighty-five,” approved April 27, 1886.

113-115 (1885—137)

“An Act concerning the constitution of the boards of chosen freeholders of this State to make uniform the selection and duties of directors of such boards,” approved March 25, 1885.

121-122 (1893—27)

“An Act providing for the appointment of county collectors in the several counties of this state,” approved February 21, 1893.

121 (1894—341)

“An Act to amend an act entitled ‘An act providing for the appointment of county collectors in the several counties of this state,’ approved February the twenty-first, one thousand eight hundred and ninety-three,” approved May 15, 1894.

123 (1893—417)

“An Act relating to county officers and employees appointed or to be appointed or elected by boards of chosen freeholders in the counties of this state,” approved March 17, 1893.

126-128 (1896—390)

“An Act to constitute commissioners of county sinking funds,” approved June 2, 1896.

130 (1900—67)

“An Act authorizing the board of chosen freeholders of the several counties of this state to appoint a county auditor when a vacancy occurs in said office by death, resignation or inability to perform the duties of the office by sickness or otherwise,” approved March 16, 1900.

131-137 (1902—65)

“An Act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,” approved March 26, 1902.

131 and 134 (1908—269)

“An Act to amend an act entitled ‘An act to reduce the number of members of the boards of chosen freeholders in counties of this State, and to fix the salaries and provide for the election of the members of said boards,’ approved March twenty-sixth, one thousand nine hundred and two,” approved April 10, 1908.

136 (1906—537)

“An Act to amend an act entitled ‘An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,’ approved March twenty-sixth, one thousand nine hundred and two,” approved May 17, 1906.

138 (1905—41)

“A Supplement to an act entitled ‘An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,’ approved March twenty-sixth, one thousand nine hundred and two,” approved March 8, 1905.

139-141 (1908—597)

“An Act relating to the organization and management of boards of chosen freeholders in the respective counties of this State, excepting counties of the first class, fixing the fiscal year and the terms of officers therein,” approved April 15, 1908.

141 (1909—36)

“An Act to amend an act entitled ‘An act relating to the organization and management of boards of chosen freeholders in the respective counties of this State, excepting counties of the first class, fixing the fiscal year and the terms of officers therein,’ approved April fifteenth, one thousand nine hundred and eight,” approved March 17, 1909.

142-143 (1886—59)

“An Act entitled ‘An act to authorize the issuing of bonds for the purpose of building court houses, clerks’ offices, surrogates’ offices and registers of deeds’ offices in counties of this State,” approved March 1, 1886.

142 (1886—163)

“A Supplement to an act entitled ‘An act to authorize the issuing of bonds for the purpose of building court houses, clerks’ offices, surrogates’ offices and registers of deeds’ offices in counties of this State,’ approved March first, one thousand eight hundred and eighty-six,” approved March 30, 1886.

144-146 (1888—438)

“An Act to authorize the enlarging of and the building of extensions to the county court-house or like public buildings in any of the several counties of this state in certain cases,” approved April 17, 1888.

147-152 (1900—38)

“An Act to facilitate the erection of public buildings to be used for both city and county purposes, and the acquisition of grounds for the same,” approved March 7, 1900.

153-157 (1900—190)

“An Act to facilitate the acquirement of lands, and the erection of buildings for county purposes,” approved March 22, 1900.

158-159 (1903—19)

“A Supplement to the act entitled ‘An act to facilitate the acquirement of lands and the erection of buildings for county purposes,’ approved March twenty-second, nineteen hundred,” approved February 26, 1903.

160-164 (1901—79)

“An Act to facilitate the acquirement of lands, and the erection of buildings for county purposes,” approved March 19, 1901.

160 (1902—369)

“An Act to amend an act entitled ‘An act to facilitate the acquirement of lands and the erection of buildings for county purposes,’ approved March

nineteenth, one thousand nine hundred and one," approved April 3, 1902.

161 and 163 (1902—42)

"An Act to amend an act entitled 'An act to facilitate the acquirement of lands, and the erection of buildings for county purposes,' approved March nineteenth, one thousand nine hundred and one," approved March 18, 1902.

165-166 (1908—576)

"A Supplement to an act entitled 'An act to facilitate the acquirement of lands, and the erection of buildings for county purposes,' approved March nineteenth, one thousand nine hundred and one," approved April 14, 1908.

167 (1910—519)

"Supplement to an act entitled 'An act to facilitate the equipment of lands and the erection of buildings for county purposes,' approved March nineteenth, one thousand nine hundred and one," approved April 12, 1910.

168-171 (1903—47)

"An Act authorizing the changing of the location of the county buildings to be used for the courts and public offices of the county and acquiring land whereon to erect said buildings, and changing the place of holding the circuit court, court of oyer and terminer and general jail delivery, the court of common pleas, the court of general quarter sessions of the peace, and the orphans' court, in the respective counties of this state," approved March 13, 1903.

175-176 (1897—22)

"An Act to authorize the boards of chosen freeholders of the several counties of this state to enter upon private lands for the purpose of removing obstructions from any stream or water-course or to change the course or channel of such stream or



water-course, and to authorize the payment of the cost thereof," approved February 23, 1897.

180 (1891—279)

"An Act to enable the boards of chosen freeholders of counties of the first class in this state to pay claims of newspapers or newspaper proprietors, for printing the minutes of official proceedings thereof in certain cases," approved April 2, 1891.

181-188 (1894—355)

"An Act to reorganize the boards of chosen freeholders in counties of the first class in this state," approved May 16, 1894.

203-204 (1905—328)

"An Act to authorize any county of the first class of this State to renew matured and maturing bonds," approved April 19, 1905.

208-211, 212-214 (1895—575)

"An Act to enable counties of the second class in this state to furnish suitable accommodations for the transaction of public business," approved March 22, 1895.

211, 213, 214 (1896—264)

"A Supplement to an act entitled 'An act to enable counties of the second class in this state to furnish suitable accommodations for the transaction of public business,' approved March twenty-second, one thousand eight hundred and ninety-five," approved April 16, 1896.

211, 211a (1899—327)

"A Further Supplement to an act entitled 'An act to enable counties of the second class in this state to furnish suitable accommodations for the transaction of public business,' approved March twenty-second, one thousand eight hundred and ninety-five," approved March 24, 1899.

211 (1903—35)

“A Further Supplement to an act entitled ‘An act to enable counties of the second class in this state to furnish suitable accommodations for the transaction of public business,’ approved March twenty-second, one thousand eight hundred and ninety-five,” approved March 5, 1903.

215—218 (1897—255)

“An Act to enable counties of the second class in this state to purchase land for county purposes,” approved April 22, 1897.

225 (1908—181)

“An Act fixing the compensation of collectors who may be elected by the people in counties of the third class,” approved April 8, 1908.

226—228 (Rev. of 1877, p. 1276) (1877—189)

“An Act to authorize the issue of bonds for enlarging and repairing public buildings and bridges in counties,” approved March 9, 1877.

229—231 (1892—120)

“An Act concerning the election of members of the board of chosen freeholders in certain counties of this state and fixing the time for holding the same,” approved March 15, 1892.

240 (1904—292)

“A Further Supplement to an act entitled ‘An act to incorporate the chosen freeholders in the respective counties of this state’ (Revision), approved April sixteenth, one thousand eight hundred and forty-six,” approved March 29, 1904.

(1911, Ch. 2)

“An Act to provide for the purchase of land and the erection and furnishing of buildings for county purposes in counties of the first class, and to issue bonds for the payment of the cost incurred hereunder,” approved February 28, 1911.

(1911, Ch. 26)

“A Supplement to an act entitled ‘An act to facilitate the acquirement of lands and the erection of buildings for county purposes,’ approved March nineteenth, one thousand nine hundred and one,” approved March 15, 1911.

(1911, Ch. 88)

“An Act to regulate the payment of salaries of county employees in counties of the first class,” approved March 30, 1911.

(1911, Ch. 111)

“An Act to amend an act entitled ‘A further supplement to an act entitled “An act to incorporate the chosen freeholders in the respective counties of this State” (Revision), approved April sixteenth, one thousand eight hundred and forty-six,’ which supplement was approved April eleventh, one thousand eight hundred and eighty-nine,” approved April 6, 1911.

(1911, Ch. 150)

“A Supplement to an act entitled ‘An act in relation to county expenditures,’ approved April second, one thousand eight hundred and seventy-eight,” approved April 15, 1911.

(1911, Ch. 193)

“An Act authorizing the changing of the location of the buildings to be used for the courts, the jail and public offices of the county and the acquiring of land and the erection of buildings thereon for the county purposes, and the changing the place of holding the Circuit Court, Court of Oyer and Terminer, the Court of Common Pleas, the Court of Quarter Sessions and the Orphans’ Court, in the respective counties of this State, and the borrowing of money and the issuing and sale of bonds for said purposes and the raising of money for the payment thereof,” approved April 21, 1911.

(1911, Ch. 219)

"An Act to authorize the boards of chosen freeholders in counties in which there have been established tuberculosis hospitals to issue bonds for the maintenance and conduct of such institutions when current appropriation is insufficient," approved April 24, 1911.

(1911, Ch. 289)

"An Act respecting the deposit, withdrawal and disposition of the moneys of the several counties of this State in certain cases," approved May 1, 1911.

(1911, Ch. 332)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April seventh, one thousand eight hundred and seventy-eight," approved May 1, 1911.

(1912, Ch. 62)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved March 13, 1912.

(1912, Ch. 322)

"An Act to authorize the issue of bonds to fund the floating debt of counties," approved April 1, 1912.

(1912, Ch. 334)

"A Supplement to an act entitled 'An act to constitute commissioners of county sinking funds,' approved June second, one thousand eight hundred and ninety-six," approved April 1, 1912.

(1913, Ch. 41)

"An Act to enable counties of the second class in this State to acquire additional lands and buildings to be used by the courts of such county," approved February 27, 1913.

(1913, Ch. 321)

"An Act to amend an act entitled 'A supplement to an act entitled "An act to facilitate the acquirement of lands, and the erection of buildings for county purposes," approved March nineteenth, one thousand nine hundred and one,' which supplement was approved April fourteenth, one thousand nine hundred and eight," approved April 9, 1913.

(1914, Ch. 10)

"An Act to regulate the payment of salaries of county employees in counties of the second class," approved March 10, 1914.

(1914, Ch. 81)

"An Act to authorize the acquirement of lands and the erection thereon and the furnishing and equipment of a new county jail in the several counties of this State," approved March 30, 1914.

(1914, Ch. 91)

"An Act to further amend 'An act to enable counties which have no county hospital to assist in maintaining hospitals located in such county,' approved April twenty-sixth, one thousand eight hundred and eighty-six,' approved April 1, 1914.

(1914, Ch. 155)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved April 14, 1914.

(1914, Ch. 172)

"An Act to authorize boards of chosen freeholders of counties of this State to acquire lands for and to erect and maintain additions to or additional buildings in connection with existing county penitentiaries, jails, and houses of detention and to furnish the same, and to issue bonds in payment therefor," approved April 14, 1914.

(1914, Ch. 207)

"An Act to provide for law libraries for the use of the county courts at the courthouses in counties of the third class," approved April 15, 1914.

(1914, Ch. 249)

"An act authorizing boards of chosen freeholders of counties of this State to issue and sell bonds for the purpose of providing funds and for any or all of the following purposes: the erection, improvement, alteration or repair of buildings to be used for tuberculosis hospitals, the equipment of the same, the acquisition of land as a site therefor by purchase or condemnation, and the redemption or payment of bonds or other county obligations heretofore issued to raise moneys for any of such purposes," approved April 17, 1914.

(1915, Ch. 63)

"An act to amend an act entitled 'An act to authorize the board of chosen freeholders in the respective counties of this State to acquire by purchase or condemnation lands for public use in such counties and to provide for the issue of bonds to pay for the same,' approved April twenty-first, one thousand eight hundred and eighty-seven, which act was amended by an amendment approved April thirteenth, one thousand nine hundred and eight," approved March 17, 1915.

(1915, Ch. 70)

"A Further Supplement to an act entitled 'An act to authorize boards of chosen freeholders of the counties of this State to acquire lands and erect and maintain hospitals for contagious diseases, and to provide for their control and management,' approved April eighth, one thousand nine hundred and three," approved March 22, 1915.

(1915, Ch. 196)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April

second, one thousand eight hundred and seventy-eight," approved April 6, 1915.

(1915, Ch. 292)

"An Act to authorize boards of chosen freeholders in counties of this State, whenever there are two or more county institutions situated on a single tract of land owned by any such county, to erect, equip and maintain a power-house on said tract for the furnishing of light, heat and electric power for general purposes to such institutions, and to provide for the cost thereof," approved April 14, 1915.

(1915, Ch. 327)

"An Act concerning county almshouses," approved April 14, 1915.

(1916, Ch. 25)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved March 8, 1916.

(1916, Ch. 32)

"An Act authorizing the employment by the board of chosen freeholders of any county of this State of one or more county nurses to discover, investigate, report and care for cases of tuberculosis; to otherwise define the duties of such county nurse or nurses, and to prevent the spreading of such disease," approved March 8, 1916.

(1916, Ch. 47)

"An Act to amend an act entitled 'An act to amend an act entitled "An act to facilitate the acquirement of land, and the erection of buildings for county purposes," approved March nineteenth, one thousand nine hundred and one,' which amendatory act was approved March eighteenth, nineteen hundred and two," approved March 15, 1916.

(1916, Ch. 127)

"An Act to authorize counties of the first class in this State to insure their buildings and providing for the establishment and maintenance of a county insurance fund for that purpose," approved March 16, 1916.

(1916, Ch. 201)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved March 18, 1916.

(1917, Ch. 235)

"A Supplement to an act entitled 'An act in relation to county expenditures,' approved April second, one thousand eight hundred and seventy-eight," approved March 29, 1917.

Pending  
suits or pro-  
ceedings not  
affected.

2. Nothing in this act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any county or municipality, and which was commenced before this act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this act shall take effect.

Transfer  
of funds.

Funds de-  
voted for pur-  
pose obtained.

3. Nothing in this act contained shall have the effect of transferring from any board of chosen freeholders of any county or from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any county or municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.



4. Nothing in this act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the acts repealed by this act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this act shall take effect, or where such contract, lease or agreement was entered into before this act shall take effect.

Validity of  
contracts,  
leases, etc.

5. Nothing in this act contained shall invalidate any bond issue of any county or municipality, department or board thereof; all bonds issued by or on behalf of any county or municipality, department or board thereof, shall be valid obligations of such county or municipality; *provided*, the proceeds of such bonds were received by such county or municipality, department or board.

Bond issues  
valid.

Proviso.

6. Nothing in this act contained shall invalidate or affect any assessment, tax, or municipal or other lien, or any sale in connection therewith.

Taxes and  
assessments  
valid.

7. Nothing in this act contained shall affect any sinking fund, or relieve any county or municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any county or municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Sinking  
fund.

8. This act shall not revive any act heretofore repealed; nor shall any proceedings for any work or improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this act, abate; but such proceedings may continue as prescribed in the act under which the same was undertaken and commenced.

Former re-  
pealers not  
revived.

Proceedings  
to continue.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so

Statutes  
continue  
repealed.

repealed, and shall be deemed abrogated. Nothing contained in this act shall be construed as repealing an act or any supplement to any act relating to the raising of moneys for the maintenance of any county park system.

Act effective. 10. This act shall take effect February first, nineteen hundred and nineteen.

Approved March 4, 1918.

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## CHAPTER 190.

An Act to repeal sundry acts relative to roads.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Sundry acts  
repealed.

1. From and after the time when this act shall take effect the following acts and parts of acts be repealed:

(Comp. Stats., "Roads," Secs.)

1-10, 11-12, 13-36, 37-66, 67, 68-69, 70-78, 79-82, 83-87, 88-92, 93-98, 99.

(Rev. of 1877, p. 990)

"An Act concerning roads" (Revision), approved March 27, 1874.

1 (1885-114)

"An Act to amend an act entitled 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 23, 1885.

4 (1888-156)

"An Act to amend section four of the act entitled 'An act concerning roads' (Revision), approved

March twenty-seventh, one thousand eight hundred and seventy-four," approved March 8, 1888.

10a-10b (1903—72)

"A Further Supplement to an act entitled 'An act concerning roads,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 17, 1903.

10c (1909—53)

"A Further Supplement to an act, entitled 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 31, 1909.

12a-12b (Rev. of 1877, p. 1019) (1874—118)

"A Further Supplement to an act entitled 'An act concerning roads' (Revision), approved April sixteenth, eighteen hundred and forty-six," approved March 27, 1874.

12a-12f (1874—118) (Rev. 1877, p. 1019)

"A Further Supplement to an act entitled 'An act concerning roads' (Revision), approved April sixteenth, eighteen hundred and forty-six," approved March 27, 1874.

12a (1880—110)

"An Act to amend an act entitled 'A further supplement to an act entitled 'An act concerning roads''' (Revision), approved April sixteenth, one thousand eight hundred and forty-six, approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 4, 1880.

12a (1893—298)

"An Act to amend an act entitled 'An act to amend an act entitled 'A further supplement to an act entitled 'An act concerning roads''' (Revision), approved April sixteenth, one thousand eight hundred and forty-six, which supplement was approved March twenty-seventh, one thousand eight hundred and seventy-four, and which amend-

ing act was approved March fourth, one thousand eight hundred and eighty," approved March 14, 1893.

12g (Rev. 1877, p. 1013) (1875—64)

"A Supplement to an act entitled 'An act concerning roads,' approved March the twenty-seventh, in the year of our Lord one thousand eight hundred and seventy-four," approved April 8, 1875.

12h (1880—193)

"A Supplement to an act entitled 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 11, 1880.

12i (1885—53)

"A Further Supplement to an act entitled an act concerning roads (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 2, 1885.

12j (1885—129)

"A Supplement to an act entitled 'An act concerning roads' (Revision), approved March twenty-seventh, eighteen hundred and seventy-four," approved March 24, 1885.

12k (1890—247)

"A Further Supplement to 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April 14, 1890.

12l-12n (1892—328)

"A Further Supplement to an act entitled 'An act concerning roads,' approved March twenty-seventh, one thousand eight hundred and seventy-four (Revision)," approved March 28, 1892.

12m (1893—336)

"An Act to amend an act entitled 'A further supplement to an act entitled 'An act concerning

roads," approved March twenty-seventh, one thousand eight hundred and seventy-four' (Revision), which supplemental act was approved March twenty-eighth, one thousand eight hundred and ninety-two," approved March 16, 1893.

12p-12q (1899—428)

"A Further Supplement to the act entitled 'An act concerning roads,' approved March twenty-seventh, one thousand eight hundred and ninety-four," approved March 24, 1899.

26 (1895—709)

"An Act to amend 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 28, 1895.

36 (1884—302)

"A Supplement to an act concerning roads, approved March twenty-seventh, A. D. eighteen hundred and seventy-four," approved May 9, 1884.

36a (1891—369)

"A Further Supplement to an act entitled 'An act concerning roads,' approved March twenty-seventh, one thousand eight hundred and seventy-four (Revision, page nine hundred and ninety)," approved April 14, 1891.

66a-66a 21 (Rev. of 1877, p. 1014) (1859—526)

"A Supplement to an act concerning roads, approved April sixteenth, eighteen hundred and forty-six," approved March 23, 1859.

66a 22-66a 23 (1880—248)

"A Further Supplement to an act entitled 'An act concerning roads,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 11, 1880.

66a 24-66a 25 (1882—15)

"A Supplement to an act entitled 'An act concerning roads' (Revision), approved March

twenty-seventh, one thousand eight hundred and seventy-four," approved February 17, 1882.

66a 24 (1897—383)

"An Act to amend section one of an act entitled 'A supplement to an act entitled "An act concerning roads"' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, which supplement was approved February seventeenth, one thousand eight hundred and eighty-two," approved May 18, 1897.

66a 26 (1883—43)

"A Supplement to an act entitled 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved February 21, 1883.

66a 27-66a 29 (1885—12)

"A Further Supplement to an act entitled 'An act concerning roads,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved January 28, 1885.

66a 30 (1885—36)

"A Supplement to an act concerning roads, approved April Sixteenth, eighteen hundred and forty-six," approved February 23, 1885.

66a 31 (1885—112)

"A Supplement to 'An act concerning roads,' approved April sixteenth, one thousand eight hundred and forty-six," approved March 19, 1885.

66a 32-66a 33 (1886—359)

"A Supplement to 'An act concerning roads,' approved April sixteenth, one thousand eight hundred and seventy-four," approved May 11, 1886.

66a 32 (1888—475)

"A Supplement to an act entitled 'A further supplement to an act entitled "An act concerning roads," approved March twenty-seventh, one thousand eight hundred and seventy-four,' which

further supplement was approved May eleventh, one thousand eight hundred and eighty-six," approved April 23, 1888.

66a 34-66a 35 (1888-384)

"A Supplement to the 'Act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April 3, 1888.

66a 36-66a 39 (1888-419)

"A Supplement to an act concerning roads (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April 9, 1888.

66a 36-66a 37 (1890-471)

"An Act to amend the first and second sections of the act entitled 'A supplement to an act concerning roads,' approved March twenty-seventh, one thousand eight hundred and seventy-four,' which was approved April ninth, one thousand eight hundred and eighty-eight," approved June 17, 1890.

66a 40-66a 48 (1891-137)

"A Further Supplement to an act entitled 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 12, 1891.

66a 45 (1892-50)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act concerning roads"' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, and which further supplement was approved March twelfth, one thousand eight hundred and ninety-one," approved March 7, 1892.

66a 49 (1898-132)

"A Supplement to an act entitled 'A further supplement to an act entitled "An act concerning roads"' (Revision), approved March twenty-

seventh, one thousand eight hundred and seventy-four, which further supplement was approved March twelfth, one thousand eight hundred and ninety-one," approved March 19, 1898.

66a 50 (1891—372)

"A Supplement to an act entitled 'An act concerning roads,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April 14, 1891.

66a 51-66a 54 (1896—174)

"A Supplement to an act entitled 'An act concerning roads' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 26, 1896.

66a 51-66a 53 (1897—31)

"An Act to amend an act entitled 'A supplement to an act entitled "An act concerning roads (Revision)," ' approved March twenty-seventh, one thousand eight hundred and seventy-four, which supplement was approved March twenty-sixth, one thousand eight hundred and ninety-six," approved March 9, 1897.

66a 54 (1909—60)

"An Act to amend an act entitled 'A supplement to an act entitled "An act concerning roads" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' which supplement was approved March twenty-sixth, one thousand eight hundred and ninety-six," approved April 1, 1909.

66a 55 (1900—284)

"Further Supplement to an act entitled 'An act concerning roads,' approved April sixteenth, eighteen hundred and forty-six," approved March 23, 1900.



67a (1877—53)

“An Act to amend an act entitled ‘A supplement to an act entitled “An act to provide for the construction of sidewalks along highways for the accommodation of foot travelers,”’ approved March third, one thousand eight hundred and fifty-four,” approved March 6, 1877.

69a (1888—421)

“A Further Supplement to an act entitled ‘An act concerning roads’ (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved April 9, 1888.

70, 72, 73, 74 and 75 (1905—448)

“An Act to amend an act entitled ‘An act concerning roads’ (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved May 8, 1905.

70 (1906—323)

“An Act to amend an act entitled ‘An act concerning roads’ (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved May 2, 1906.

76 (1892—322)

“A Supplement to an act entitled ‘An act concerning roads’ (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved March 28, 1892.

78a (Rev. of 1877, p. 1018) (1874—101)

“An Act to extend the operation of an act entitled ‘A supplement to an act concerning roads,’ approved April sixteenth, anno Domini one thousand eight hundred and forty-six, which supplement was approved March twenty-fourth, one thousand eight hundred and fifty-nine,” passed March 26, 1874.

78b-78d (1881—35)

“A Further Supplement to an act entitled ‘An act concerning roads,’ approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved February 18, 1881.

78g (1893—291)

“A Further Supplement to ‘An act concerning roads’ (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved March 14, 1893.

79 (1892—311)

“A Further Supplement to an act entitled ‘An act concerning roads’ (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved March 28, 1892.

79 (1893—254)

“An Act to amend an act entitled ‘An act concerning roads’ (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved March 13, 1893.

82a-82d (1890—148)

“A Further Supplement to an act entitled ‘An act concerning roads,’ approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved March 31, 1890.

82e-82f (1890—286)

“A Supplement to an act entitled ‘An act concerning roads,’ approved March twenty-seventh, one thousand eight hundred and seventy-four,” passed May 5, 1890.

82g (1906—97)

“A Supplement to an act entitled ‘An act concerning roads,’ approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved April 2, 1906.

87a (1882—36)

“A Supplement to an act concerning roads, approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved March 1, 1882.

92a-92b (1909—313)

“Supplement to an act entitled ‘An act concerning roads’ (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,” approved April 20, 1909.

94 (1885—34)

“A Further Supplement to an act entitled “An act concerning roads,” approved March twenty-seventh, eighteen hundred and seventy-four,” passed February 17, 1885.

98a-98c (Rev. of 1877, p. 1018) (1874—33)

“A Further Supplement to an act entitled ‘An act concerning roads,’ approved April sixteenth, one thousand eight hundred and forty-six,” approved March 12, 1874.

98d-98e (Rev. of 1877, p. 1019) (1874—88)

“A Supplement to an act entitled ‘An act concerning roads,’ approved April sixteenth, eighteen hundred and forty-six,” approved March 24, 1874.

100-139 (Rev. of 1877, p. 1020) (1876—385)

“An Act concerning public road boards,” approved April 21, 1876.

140-143 (1879—68)

“A Supplement to the act entitled ‘An act concerning public road boards,’ approved April twenty-first, one thousand eight hundred and seventy-six,” approved March 4, 1879.

144 (1880—318)

“A Further Supplement to the act entitled ‘An act concerning public road boards,’ approved April twenty-first, anno Domini one thousand eight hundred seventy-six,” approved March 12, 1880.

145 (1881—19)

“An Act to reduce the expenses of public road boards, and to place them under the control of the boards of chosen freeholders of the several counties of this state,” approved February 10, 1881.

146 (1883—43)

“An Act in relation to the powers of county public road boards,” approved February 21, 1883.

147-148 (1892—44)

“An Act to authorize and empower county public road boards to extend, grade, improve and macadamize or pave, according to the telford process, public roads and avenues, and maintain and keep the same in repair,” approved March 3, 1892.

149-154 (1894—128)

“An Act to abolish public road boards in counties of this state and to transfer to and vest in the board of chosen freeholders in and for the counties in which such public road boards may not exist, all the powers, rights and property now vested in and belonging to such public road boards,” approved April 24, 1894.

155, 157 and 158 (1882—40)

“An Act in relation to the improvement and maintenance of certain roads,” approved March 3, 1882.

155 and 156 (1887—175)

“An Act amending ‘An act in relation to the improvement and maintenance of certain roads,’ approved March third, one thousand eight hundred and eighty-two,” approved April 21, 1887.

159 (1888—132)

“A Further Supplement to ‘An act in relation to the maintenance and improvement of certain roads,’ approved March third, one thousand eight hundred and eighty-two,” approved March 6, 1888.

160 (1888—162)

“A Further Supplement to ‘An act in relation to the improvement and maintenance of certain roads,’ approved March third, one thousand eight hundred and eighty-two,” approved March 12, 1888.

161 (1890—294)

“A Further Supplement to ‘An act in relation to the improvement and maintenance of certain roads,’ approved March third, one thousand eight hundred and eighty-two,” approved May 12, 1890.

162 (1891—485)

“A Supplement to ‘An act in relation to the improvement and maintenance of certain roads,’ approved March third, one thousand eight hundred and eighty-two,” approved April 16, 1891.

163 (1892—289)

“A Supplement to an act entitled ‘A supplement to ‘An act in relation to the improvement and maintenance of certain roads,’ approved March third, one thousand eight hundred and eighty-two,’ which supplement was approved April sixteenth, one thousand eight hundred and ninety-one,” approved March 26, 1892.

164—189 (1883—65)

“An Act to authorize the boards of chosen freeholders in counties of the first-class in this state to lay out, open and improve a public road in each of the counties of the first-class in this state,” passed March 7, 1883.

190—193 (1883—223)

“An act authorizing the boards of chosen freeholders of any two adjoining counties to lay out, open and grade continuous public highways therein,” approved March 23, 1883.

283-289 (1889—58)

“An Act to enable boards of chosen freeholders to acquire, improve and maintain public roads,” approved March 19, 1889.

283 and 285 (1890—89)

“An Amendment to an act entitled ‘An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,’ approved March nineteenth, one thousand eight hundred and eighty-nine,” approved March 18, 1890.

283 (1891—333)

“An Amendment to an act entitled ‘An amendment to an act entitled “An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,” approved March nineteenth, one thousand eight hundred and eighty-nine, which said amendatory act was approved March eighteenth, one thousand eight hundred and ninety,” approved April 6, 1891.

285 (1890—292)

“An Amendment to an act entitled ‘An amendment to an act entitled “An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,” approved March nineteenth, one thousand eight hundred and eighty-nine,’ which amendment was approved March eighteenth, one thousand eight hundred and ninety,” passed May 6, 1890.

287 (1893—490)

“An Act to amend an act entitled ‘An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,’ approved March nineteenth, one thousand eight hundred and eighty-nine,” approved March 28, 1893.

290 (1892—406)

“A Supplement to an act entitled ‘An act to enable boards of chosen freeholders to acquire, im-

prove and maintain public roads,' approved March nineteenth, one thousand eight hundred and eighty-nine," approved April 7, 1892.

291-292 (1892—471)

"A Supplement to an act entitled 'An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,' approved March nineteenth, one thousand eight hundred and eighty-nine," approved April 9, 1892.

291-292 (1897—96)

"An Amendment to an act entitled 'A supplement to an act entitled "An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,"' approved March nineteenth, one thousand eight hundred and eighty-nine, which supplement was approved April ninth, one thousand eight hundred and ninety-two," approved March 24, 1897.

293 (1895—418)

"A Further Supplement to the act entitled 'An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,' approved March nineteenth, one thousand eight hundred and eighty-nine," approved March 21, 1895.

294 (1897—151)

"A Supplement to an act entitled 'An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,' approved March nineteenth, one thousand eight hundred and eighty-nine," approved April 3, 1897.

295-296 (1907—427)

"A Supplement to an act entitled "An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,' approved March nineteenth, one thousand eight hundred and eighty-nine," approved May 13, 1907.

297 (1893—396)

“An Act to provide for the issuing of additional county road bonds for the purpose of improving county roads,” approved March 17, 1893.

298-316 (1905—94)

“An Act to provide for the permanent improvement of public roads in this State (Revision of 1905),” approved March 27, 1905.

298 (1909—470)

“An Act to amend an act entitled ‘An act to provide for the permanent improvement of public roads in this State’ (Revision of 1905), approved March twenty-seventh, one thousand nine hundred and five,” approved April 21, 1909.

301 (1908—561)

“An Act to amend an act entitled ‘An act to provide for the permanent improvement of public roads in this State’ (Revision of 1905), approved March twenty-seventh, one thousand nine hundred and five,” approved April 14, 1908.

302 and 304 (1906—27)

“An Act to amend an act entitled ‘An act to provide for the permanent improvement of public roads in this State,’ approved March twenty-seventh, one thousand nine hundred and five,” approved March 9, 1906.

307 (1907—380)

“An Act to amend an act entitled ‘An act to provide for the permanent improvement of public roads in this State (Revision of 1905),’ approved March twenty-seventh, one thousand nine hundred and five,” approved May 8, 1907.

308 (1909—316)

“An Act to amend an act entitled ‘An act to provide for the permanent improvement of public roads in this State (Revision of 1905),’ approved



March twenty-seventh, one thousand nine hundred and five," approved April 20, 1909.

317-324 (1906—335)

"Supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this State' (Revision 1905), approved March twenty-seventh, one thousand nine hundred and five," approved May 2, 1906.

323 (1907—252)

"An Act to amend an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this State (Revision of 1905)," approved March twenty-seventh, one thousand nine hundred and five, which supplement was approved May second, one thousand nine hundred and six," approved April 23, 1907.

325 (1908—90)

"A Supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this State (Revision of 1905)' approved March twenty-fifth, one thousand nine hundred and five," approved April 1, 1908.

326 (1908—91)

"A Supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state' (Revision 1905), approved March twenty-seventh, one thousand nine hundred and five," approved April 1, 1908.

327 (1908—136)

"A Supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this State (Revision of 1905)' approved March twenty-seventh, one thousand nine hundred and five," approved April 6, 1908.

## 327 (1910—145)

An Act to amend an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this State (Revision of 1905)," ' approved March twenty-seventh, one thousand nine hundred and five, which said supplement was approved April sixth, one thousand nine hundred and eight," approved April 6, 1910.

## 328 (1909—369)

"A Further Supplement to an act entitled 'An act for the permanent improvement of public roads in this State' (Revision of 1905), approved March twenty-seventh, one thousand nine hundred and five," approved April 21, 1909.

## 329 (1910—121)

"Supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this State' (Revision of 1905), approved March twenty-seventh, one thousand nine hundred and five," approved April 1, 1910.

## 332 (1895—749)

"An Act respecting the maintenance of roads or highways under the charge or control of county boards of chosen freeholders in this state," approved March 28, 1895.

## 333-334 (1896—209)

"An Act in relation to repairs of roads suddenly destroyed," approved March 30, 1896.

## 335 (1897—146)

"An Act to authorize the boards of chosen freeholders or other governing bodies of the several counties in this state having control over the public boulevards and roads within their respective counties to make contracts for lighting same," approved March 31, 1897.

336 (1897—332)

“An Act concerning roads,” approved April 26, 1897.

337-338 (1897—333)

“An Act concerning roads,” approved April 26, 1897.

339-344 (1898—461)

“An Act to authorize boards of chosen freeholders to widen, straighten, grade and otherwise improve highways under their control, and to provide for the construction of street railroads thereon,” approved June 13, 1898.

339 (1899—234)

“An Act to amend an act entitled ‘An act to authorize boards of chosen freeholders to widen, straighten, grade and otherwise improve highways under their control, and to provide for the construction of street railroads thereon,’ approved June thirteenth, one thousand eight hundred and ninety-eight,” approved March 22, 1899.

351 (1901—306)

“An Act authorizing boards of chosen freeholders to pass ordinances and make regulations respecting the uses of public highways under their control,” approved March 22, 1901.

352-353 (1903—94)

“An Act to authorize the board of chosen freeholders of any of the several counties of this state to straighten, change the location of and vacate any portion of any public road or highway heretofore or hereafter acquired, constructed and improved in any such county by the board of chosen freeholders thereof, and to improve the portion included in such changed location; *provided*, any owner or owners of real estate along such portion is or are willing to contribute the whole cost and expense thereof; *and, provided, further*, every

owner of land upon that part of said road proposed to be vacated under this act, shall consent in writing to such change of location and vacation," approved March 24, 1903.

354 (1904—58)

"An Act to enable boards of chosen freeholders to improve and maintain public roads abutting upon county property," approved March 16, 1904.

355-356 (1904—240)

"An Act to enable boards of chosen freeholders to accept as county roads, roads or sections of roads, in townships, which have been or shall hereafter be permanently improved without state or county aid," approved March 28, 1904.

357-359 (1905—110)

"An Act to provide for the extension and maintenance of public roads in this state," approved March 28, 1905.

360-363 (1905—226)

"An Act providing for the widening of certain county roads," approved April 8, 1905.

364-368 (1906—57)

"An Act to enable boards of chosen freeholders of two or more counties of this State, where such counties now are or hereafter may be charged by law with the maintenance and repair, or now are or hereafter may be in the possession and control, of any road or roads lying wholly in one or partly in one and partly in other such county or counties, to rebuild, reconstruct, change the grade of, widen and improve such road or roads, and to acquire lands for such widening by gift, devise, purchase or condemnation, and to agree as to the proportion of the total expense thereof to be borne by each, and to issue bonds for the payment of the same, and to agree with any street railway company using or hereafter using such road or roads as to

the share of the expenses thereof to be borne by it for and towards such improvement," approved March 27, 1906.

369 (1906—224)

"A Supplement to an act entitled 'An act to enable boards of chosen freeholders of two or more counties of this State, where such counties now are or hereafter may be charged by law with the maintenance and repair, or now are or hereafter may be in the possession and control of any road or roads lying wholly in one or partly in one and partly in other such county or counties, to rebuild, reconstruct, change the grade of, widen and improve such road or roads, and to acquire lands for such widening by gift, devise, purchase or condemnation, and to agree as to the proportion of the total expense thereof to be borne by each, and to issue bonds for the payment of the same, and to agree with any street railway company using or hereafter using such road or roads as to the share of the expenses thereof to be borne by it for and towards such improvement,' approved March twenty-seventh, one thousand nine hundred and six," approved April 8, 1916.

370 (1906—710)

"An Act concerning roads," approved June 26, 1906.

371-374 (1907—156)

"An Act concerning roads," approved April 16, 1907.

375 (1907—676)

"An Act to enable boards of chosen freeholders to accept roads or sections of roads in cities, towns, townships or boroughs and to maintain the same as county roads," passed October 10, 1907.

376-384 (1908—469)

"An Act to authorize boards of chosen freeholders to lay out, open, widen, straighten, alter,

change the grade or location of or otherwise improve any public highway under their control and for that purpose to acquire lands by gift, purchase or condemnation, and to vacate any part of said public highway that may be rendered unnecessary for public travel by the widening, straightening, altering or changing of location of said public highway or any part thereof," approved April 13, 1908.

385-398 (1908—590)

"An Act to authorize the improvement of county roads by the board of chosen freeholders of any county where such road has been a toll road and purchased or condemned, and such boards are charged with the repair and maintenance of the same, and to provide for the payment of the expense of such improvement," approved April 15, 1908.

399 (1909—213)

"A Supplement to an act entitled 'An act to authorize the improvement of county roads by the board of chosen freeholders of any county where such road has been a toll road and purchased or condemned, and such boards are charged with the repair and maintenance of the same, and to provide for the payment of the expense of such improvement,' approved April fifteenth, one thousand nine hundred and eight," approved April 17, 1909.

400-406 (1910—202)

"An Act to authorize the boards of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any town, borough, township or village," approved April 8, 1910.

409-418 (1881—274)

"An Act in relation to assessments in townships," approved March 25, 1881.

419-422 (1884—71)

“An Act authorizing township committees to discharge the duties of overseers of roads,” approved March 10, 1884.

423 (1885—141)

“An Act concerning townships,” approved March 25, 1885.

424-425 (1888—147)

“An Act concerning roads in townships having a public road board,” approved March 7, 1888.

426-432 (1888—240)

“An Act relating to roads and streets in townships and authorizing the inhabitants of township to place all roads and streets within the township under the management of the township committee, and to raise money by bonds for grading, macadamizing and improving the same,” approved March 23, 1888.

433 (1889—226)

“An Act relating to the opening of streets and avenues in townships,” approved April 9, 1889.

434-435 (1890—53)

“An Act to provide for building, graveling and macadamizing of roads by contract, under the supervision and direction of the township committee, in townships having street commissioners,” approved March 10, 1890.

436 (1890—274)

“An Act to authorize the alteration of the grades of streets and highways in townships,” approved April 28, 1890.

461-464 (1896—136)

“An Act to authorize legal voters of towns to direct a tax for the construction of hard roads,” approved March 25, 1896.

465-466 (1901—246)

“An Act to provide for the widening of roads

and streets in townships," approved March 21, 1901.

467-479 (1901-351)

"An Act to authorize the improvement of public roads or streets in townships of this State," approved March 22, 1901.

480-484 (1905-337)

"An Act concerning streets and highways in townships," approved April 20, 1905.

485 (Rev. of 1877, p. 1032) (1873-144)

"An Act to open public roads to and from railroad depots," approved April 4, 1873.

486-487 (Rev. of 1877, p. 1033) (1874-95)

"A further supplement to 'An act to open public roads to and from railroad depots,' approved April fourth, eighteen hundred and seventy-three," approved March 26, 1874.

488-492 (Rev. of 1877, p. 1033) (1874-35)

"An Act to better facilitate the direction of travelers on the roads, turnpikes and highways in New Jersey," approved March 17, 1874.

493 (Rev. of 1877, p. 1035) (1875-577)

"An Act to prevent injury to roads," approved April 9, 1875.

494 (1879-17)

"An Act defining the power of public road boards, in the macadamizing of public roads and avenues in this state," approved February 4, 1879.

495 (1879-247)

"A Supplement to an act entitled 'An act defining the power of public road boards in the macadamizing of public roads and avenues in this state,' approved February fourth, one thousand eight hundred and seventy-nine," approved March 14, 1879.

496 (1879-178)

"An Act concerning roads," approved March 13, 1879.



496 (1880-56)

"A Supplement to an act entitled 'An act concerning roads,' approved March thirteenth, one thousand eight hundred and seventy-nine," approved February 26, 1880.

496 (1885-300)

"An Act to amend an act entitled 'A supplement to an act entitled "An act concerning roads," approved March thirteenth, one thousand eight hundred and seventy-nine,' which supplement was approved February twenty-sixth, one thousand eight hundred and eighty," approved April 28, 1885.

497 (1880-158)

"An Act in relation to roads, highways and thoroughfares," approved March 10, 1880.

498 (1881-291)

"An Act relative to railroad crossings and to prevent accidents," approved March 25, 1881.

499 (1881-294)

"An Act concerning the compensation of commissioners of highways," approved March 25, 1881.

500-506 (1882-113)

"An Act concerning public roads between townships having public road boards or road commissions," approved March 17, 1882.

507-510 (1882-256)

"An Act to authorize the compromising or settling by arbitration of any tax or assessment laid by any public road board in this state," approved March 31, 1882.

511-513 (1884-271)

"An Act to provide for the election of road overseers in their respective districts," approved April 28, 1884.

511 (1885—246)

“An Act to amend ‘An act to provide for the election of road overseers in their respective districts,’ approved April twenty-eighth, eighteen hundred and eighty-four,” approved April 17, 1885.

511 (1888—110)

“An Act to amend an act entitled ‘An act to amend “An act to provide for the election of road overseers in their respective districts,” approved April twenty-eighth, one thousand eight hundred and eighty-four,’ which amendatory act was approved April seventeenth, one thousand eight hundred and eighty-five,” approved February 29, 1888.

511 (1890—509)

“An Act amending ‘An act to provide for the election of road overseers in their respective districts,’ approved April twenty-eighth, one thousand eight hundred and eighty-four, as amended by the act approved February twenty-ninth, one thousand eight hundred and eighty-eight,” approved June 20, 1890.

511 (1891—120)

“An Act to amend an act entitled ‘An act to provide for the election of road overseers in their respective districts,’ approved April twenty-eighth, one thousand eight hundred and eighty-four,” approved March 9, 1891.

514 (1886—251)

“An Act to amend an act entitled ‘An act to provide for the election of road overseers in their respective districts,’ approved April twenty-eighth, one thousand eight hundred and eighty-four,” approved April 20, 1886.

515-516 (1886—58)

“An Act to prohibit owners of lands along public roads, where bridges are constructed over

streams, from closing up access to such streams against the traveling public," approved March 1, 1886.

517 (1887—73)

"A Supplement to the act for the laying out, altering or vacating of roads," approved March 30, 1887.

518 (1888—178)

"An Act to provide for vacating dedicated streets, roads and alleys," approved March 21, 1888.

519 (1888—364)

"An Act concerning roads," approved April 2, 1888.

520 (1889—221)

"An Act to authorize the improvement of roads, streets and highways in boroughs and incorporated towns of the second class in this state, and to provide for the payment thereof," approved April 8, 1889.

521-542 (1889—233)

"An Act to authorize the improvement of roads or streets which constitute the boundary line between two municipalities in the same county," approved April 10, 1889.

543 (1889—376)

"An Act to enable the overseers of roads in certain road districts of this state to call meetings for the purpose of raising money for the use of roads," approved May 7, 1889.

544-547 (1890—23)

"An Act relative to assessments for streets or roads in this state where no statutory provision exists for a constitutional or lawful assessment of the cost and expenses thereof," approved March 4, 1890.

548-552 (1890—104)

“An Act authorizing chosen freeholders, with the township committee, to change a road to avoid the expense of building and maintaining a bridge,” approved March 24, 1890.

553-557 (1891—116)

“An Act to permit the voters in road districts to set apart moneys for specific road and sidewalk purposes and to provide for the application of the same,” approved March 9, 1891.

558 (1891—310)

“An Act providing for the vacation of roads and parts of roads in townships which have been laid out by surveyors appointed by the court, to open which no appropriation has been made for a period of four years after they were laid out,” approved April 2, 1891.

559 (1892—233)

“An Act concerning public roads, streets and highways adjoining and forming the boundary lines between two municipalities,” approved March 24, 1892.

560 (1892—390)

“An Act for the protection of travelers on the public roads in this state,” approved April 4, 1892.

561-563 (1896—121)

“An Act concerning boards of chosen freeholders in counties of the first class in this state, and providing for the furnishing and supplying by any such board, free of any cost and charge, from any stone quarry or quarries and stone crusher or crushers owned and worked by such county, crushed or broken stone not exceeding fifteen hundred cubic yards in each year, towards the making, working, amending and repairing of the public roads and highways in the city, town or townships in said county in which any of the county institu-

tions and property and buildings of said county are located," approved March 24, 1896.

564-565 (1896—239)

"An Act to protect shade, ornamental and fruit trees from injury by horses, mules and other animals," approved April 14, 1896.

564 (1908—220)

"An Act to amend an act entitled 'An act to protect shade, ornamental and fruit trees from injury by horses, mules and other animals,' approved April fourteenth, one thousand eight hundred and ninety-six," approved April 9, 1908.

566-569 (1896—342)

"An Act providing for working, amending, repairing and keeping in order public roads, streets and highways adjoining and forming the boundary line between two municipalities," approved May 12, 1896.

572 (1897—239)

"An Act for the improvement of certain roads and highways in cities of the first class in this state," approved April 16, 1897.

573-576 (1899—200)

"An Act authorizing the construction of tunnels for public roads and streets, under natural and artificial streams of water and railroads, by boards of chosen freeholders of counties in this State," approved March 22, 1899.

575 (1909—459)

"An Act to amend an act entitled 'An act authorizing the construction of tunnels for public roads and streets under natural and artificial streams of water and railroads by boards of chosen freeholders of counties in this State,' approved March twenty-second, one thousand eight hundred and ninety-nine," approved April 21, 1909.

577-580 (1902-44)

"An Act to provide for the construction and maintenance of speedways in counties of this State," approved March 19, 1902.

581 (1903-361)

"A Supplement to an act entitled 'An act to provide for the construction and maintenance of speedways in counties of this State,' approved March nineteenth, one thousand nine hundred and two," approved April 8, 1903.

582-586 and 588 (1904-226)

"An Act to enable the board of chosen freeholders of any county in this State to erect, construct and maintain a viaduct between two or more municipalities in such county connecting streets or roads of such county or municipalities, and to extend roads to connect with such viaduct, and to acquire lands for the same and to issue bonds, for the payment of the cost of the erection, construction and acquisition thereof," approved March 28, 1904.

586 (1906-262)

"An Act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this State to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipalities, and to extend roads to connect with such viaduct, and to acquire lands for the same, and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' approved March twenty-eight, one thousand nine hundred and four," approved April 20, 1906.

583, 585, 586 and 588 (1907-63)

"An Act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this State to erect, construct and main-

tain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipalities, and to extend roads to connect with such viaduct and to acquire lands for the same, and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' approved March twenty-eighth, one thousand nine hundred and four," approved April 9, 1907.

586-587 (1910—44)

"An Act to amend an act entitled 'An act to amend an act entitled "An act to enable the board of chosen freeholders of any county in this State to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipalities and to extend roads to connect with such viaduct, and to acquire lands for the same, and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof," approved March twenty-eighth, one thousand nine hundred and four,' approved April ninth, one thousand nine hundred and seven," approved March 17, 1910.

590-594 (1909—248)

"An Act to authorize boards of chosen freeholders of any county of this state to construct and maintain a road not over half a mile long to connect any highway which is the dividing line between two municipalities in such county with a road leading to a ferry or bridge across a tidal river which is one of the boundaries of any such county, and to acquire lands for the purpose of constructing said connecting road, where there is no other public way from said division highway for a distance of over half a mile to such road leading to such bridge or ferry," approved April 17, 1909.

595-596 (1910-273)

"An Act to provide for the permanent improvement of regularly laid out roads in counties and providing for the issuance of bonds in payment of such improvement in this State," approved April 9, 1910.

(1911, Ch. 27)

"An Act to amend an act entitled 'Supplement to an act entitled "An act concerning roads (Revision)," approved March twenty-seventh, one thousand eight hundred and seventy-four,' which supplement was approved April twentieth, one thousand nine hundred and nine," approved March 15, 1911.

(1911, Ch. 67)

"An Act to amend an act entitled 'An act to provide for the permanent improvement of public roads in this State (Revision of 1905),' " approved March 28, 1911.

(1911, Ch. 93)

"An Act to authorize the board of chosen freeholders of any county of this State to construct roads connecting other roads in such county, to acquire lands therefor, and to issue bonds for the payment of the cost of such construction and acquisition," approved March 31, 1911.

(1911, Ch. 131)

"An Act to amend an act entitled 'An act to amend an act entitled "An act to provide for the permanent improvement of public roads in this State" (Revision of 1905), approved March twenty-seventh, one thousand nine hundred and five,' approved April fourteenth, one thousand nine hundred and eight," approved April 7, 1911.

(1911, Ch. 181)

"An Act to amend an act entitled 'An act to provide for the permanent improvement of regu-



larly laid out roads in counties, and providing for the issuance of bonds in payment of such improvement in this State,' approved April ninth, one thousand nine hundred and ten," approved April 19, 1911.

(1911, Ch. 182)

"An Act to amend an act entitled 'An act respecting the improvement of county roads in municipalities and providing for the issuance of bonds in payment of such improvement,' approved April eighth, one thousand nine hundred and ten," approved April 19, 1911.

(1911, Ch. 304)

"An Act to amend the title of and a supplement to an act entitled 'An act to provide for the acquirement of turnpike roads for free public use, and for the permanent improvement and maintenance of the same,' approved March twenty-second, one thousand nine hundred and one," approved May 1, 1911.

(1911, Ch. 313)

"Supplement to an act entitled 'An act to provide for the purchase or condemnation by boards of chosen freeholders of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same,' approved April eighteenth, one thousand nine hundred and five, the title of which was amended by the act approved April twentieth, one thousand nine hundred and six," approved May 1, 1911.

(1911, Ch. 333)

"Supplement to an act entitled 'An act to enable boards of chosen freeholders of two or more counties of this State, where such counties now are or hereafter may be charged by law with the

maintenance and repair, or now are or hereafter may be in the possession and control of any road or roads lying wholly in one or partly in one and partly in other such county or counties, to rebuild, reconstruct, change the grade of, widen and improve such road or roads, and to acquire lands for such widening by gift, devise, purchase or condemnation, and to agree as to the proportion of the total expense thereof to be borne by each, and to issue bonds for the payment of the same, and to agree with any street railway company using or hereafter using such road or roads as to the share of the expenses thereof to be borne by it for and towards such improvement," approved May 1, 1911.

(1912, Ch. 254)

"A Supplement to an act entitled 'An act to enable boards of chosen freeholders to acquire, improve and maintain public roads,' approved March nineteenth, one thousand eight hundred and eighty-nine," approved March 23, 1912.

(1912, Ch. 281)

"An Act authorizing the board of chosen freeholders of the counties of this State, to light with electric lights public highways constructed in part by the State," approved April 1, 1912.

(1912, Ch. 330)

"An Act to amend an act entitled 'An act to authorize boards of chosen freeholders to lay out, open, widen, straighten, alter, change the grade or location of, or otherwise improve any public highway under their control and for that purpose to acquire lands by gift, purchase or condemnation, and to vacate any part of said public highway that may be rendered unnecessary for public travel by the widening, straightening, altering or changing of location of said public highway or any part

thereof,' approved April thirteenth, nineteen hundred and eight," approved April 1, 1912.

(1912, Ch. 352)

"An Act to authorize the transfer of the title to speedways in any county of this State, to the park commission of such county, and to provide for the subsequent maintenance and use thereof," approved April 1, 1912.

(1912, Ch. 380)

"An Act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any of the municipalities of said county, except cities; to authorize the straightening, widening, changing of location of and vacation of any such road so acquired, and to authorize the acquiring by gift, grant, purchase, or condemnation of lands necessary therefor," approved April 12, 1912.

(1913, Ch. 218)

"An Act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any city of said county," approved April 2, 1913.

(1913, Ch. 277)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act concerning roads,"' approved March twenty-seventh, one thousand eight hundred and ninety-four, which further supplement was approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 8, 1913.

(1913, Ch. 297)

"An Act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the cor-

porate limits of any of the municipalities of said county, except cities; to authorize the straightening, widening, changing of location of, and vacation of any such road so acquired, and to authorize the acquiring by gift, grant, purchase or condemnation of lands necessary therefor," approved April 9, 1913.

(1914, Ch. 76)

"Supplement to an act entitled 'An act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any of the municipalities of said county, except cities; to authorize the straightening, widening, changing of location of and vacation of any such road so acquired, and to authorize the acquiring by gift, grant, purchase or condemnation of lands necessary therefor,' approved April twelfth, nineteen hundred and twelve," approved March 30, 1914.

(1914, Ch. 122)

"An Act to authorize the board of chosen freeholders of any county in this State to repair or reconstruct county roads and to issue bonds in payment of the cost thereof," approved April 7, 1914.

(1914, Ch. 235)

"An Act to provide for the repair, resurfacing and maintenance of important roads through municipalities of this State," approved April 17, 1914.

(1915, Ch. 11)

"A Supplement to an act entitled 'An act to provide for the permanent improvement of regularly laid out roads in counties and providing for the issuance of bonds in payment of such improvements in this State,' approved April ninth, one thousand nine hundred and ten," approved February 24, 1915.

(1915, Ch. 39)

"An Act respecting the improvement of any street, highway or road located within a municipality heretofore wholly or partly constructed by or heretofore under the control of any board of chosen freeholders in any county of the first class and providing for the issuance of bonds in payment of such improvement," approved March 10, 1915.

(1915, Ch. 400)

"An Act to amend the title of and also the body of an act entitled 'An act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any of the municipalities of said county, except cities; to authorize the straightening, widening, changing of location of and vacation of any such road so acquired, and to authorize the acquiring by gift, grant, purchase or condemnation of lands necessary therefor,' approved April ninth, nineteen hundred and thirteen," approved April 23, 1915.

(1916, Ch. 104)

"An Act to amend an act entitled 'An act to amend an act entitled "Supplement to an act entitled 'An act concerning roads (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved April twentieth, one thousand nine hundred and nine, and which amendment was approved March fifteenth, one thousand nine hundred and eleven,' " approved March 16, 1916.

(1916, Ch. 158)

"An Act authorizing boards of chosen freeholders to protect roads from the encroachment of the ocean or any tidal stream," approved March 17, 1916.

(1916, Ch. 200)

"An Act to authorize the governing body of any municipality through which any county road extends to widen or straighten the said road within the corporate limits of said municipality, provided no change shall be made in the portion of the road between the curb or gutter lines of a road improved by the board of chosen freeholders of the county in which such municipality is located without the consent of said board," approved March 18, 1916.

(1916, Ch. 256)

"An Act to provide for the improvement of certain of the township roads of the State at the prorated expense of the respective township committees and boards of chosen freeholders," approved March 22, 1916.

(1917, Ch. 52)

"An Act to amend an act entitled 'An act to amend an act entitled "An act to amend an act entitled 'Supplement to an act entitled "An act concerning roads (Revision)," approved March twenty-seventh, one thousand eight hundred and seventy-four,' which supplement was approved April twentieth, one thousand nine hundred and nine," and which amendment was approved March fifteenth, one thousand nine hundred and eleven,' and which last amendment was approved March sixteenth, one thousand nine hundred and sixteen," approved March 16, 1917.

(1917, Ch. 132)

"An Act to provide for the improvement of certain of the township roads of the State at the prorated expense of the respective township committees and boards of chosen freeholders," approved March 26, 1917.

2. Nothing in this act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any county or municipality, person or corporation, and which was commenced before this act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this act shall take effect shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this act shall take effect.

Pending suits or proceedings not affected.

3. Nothing in this act contained shall have the effect of transferring from any governing body of any municipality or from any board of chosen freeholders of any county, any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality or county shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Transfer of funds.

Funds devoted for purpose obtained.

4. Nothing in this act shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the acts repealed by this act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this act shall take effect, or where such contract, lease or agreement was entered into before this act shall take effect.

Validity of contracts, leases, etc.

5. Nothing in this act contained shall invalidate any bond issue of any county, department or board thereof; all bonds issued by or on behalf of any county, department or board thereof, shall be valid obligations of such county, provided the proceeds of such bonds were received by such county, department or board.

Bond issues valid.

6. Nothing in this act contained shall invalidate or affect any assessment, tax or other lien, or any sale in connection therewith.

Taxes and assessments valid.

Sinking  
funds.

7. Nothing in this act contained shall affect any sinking fund, or relieve any county, or any board or body, from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any county, or any board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Former  
repealers  
not revived.

8. This act shall not revive any act heretofore repealed, nor shall any proceedings for any improvement, or any proceedings in regard to any road, or for any bond issue, or for any other purpose, undertaken and commenced before the passage of this act, abate; but such proceedings may continue as prescribed in the act under which the same was undertaken and commenced.

Proceedings  
to continue.

Statutes  
continue  
repealed.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

10. This act shall take effect February first, nineteen hundred and nineteen.

Approved March 4, 1918.



## CHAPTER 191.

An Act to repeal sundry acts relative to toll roads.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. From and after the time when this act shall take effect the following acts be repealed:

Sundry acts  
repealed.

(Comp. Stats., "Turnpike," Secs.):  
38-42 (Rev. of 1877, p. 1034) (1876—220)

"An Act in relation to the powers of commissioners appointed to purchase toll roads in this state," passed April 19, 1876.

43 (1884—109)

"A Supplement to 'An act in relation to the powers of commissioners appointed to purchase toll roads in this state,' passed April nineteenth, one thousand eight hundred and seventy-six," passed April 1, 1884.

2. Nothing in this act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any county, and which was commenced before this act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this act shall take effect.

Pending suits  
or proceed-  
ings not  
affected.

3. Nothing in this act contained shall have the effect of transferring from any board of chosen freeholders of any county any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or de-

Transfer  
of funds.

Funds de-  
voted for  
purpose  
obtained.

partment of any county shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Validity of  
contracts,  
leases, etc.

4. Nothing in this act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the acts repealed by this act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this act shall take effect, or where such contract, lease or agreement was entered into before this act shall take effect.

Bond issue  
valid.

5. Nothing in this act contained shall invalidate any bond issue of any county, department or board thereof; all bonds issued by or on behalf of any county, department or board thereof, shall be valid obligations of such county, provided the proceeds of such bonds were received by such county, department or board.

Proviso.

Taxes and  
assessments  
valid.

6. Nothing in this act contained shall invalidate or affect any assessment, tax or lien, or any sale in connection therewith.

Sinking fund.

7. Nothing in this act contained shall affect any sinking fund, or relieve any county, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any county, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Former  
repealers  
not revived.

8. This act shall not revive any act heretofore repealed; nor shall any proceedings for any purchase of any toll road, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this act, abate; but such proceedings may continue as prescribed in the act under which the same was undertaken and commenced.

Statutes  
continue  
repealed.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to,

any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

10. This act shall take effect February first, Act effective.  
nineteen hundred and nineteen.

Approved March 4, 1918.

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CHAPTER 192.

An Act to repeal an act entitled "An act in relation to turnpike roads," approved April twenty-first, eighteen hundred and seventy-six (Rev. of 1877, p. 1035).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. From and after the time when this act shall Act repealed.  
take effect the following act be repealed: "An act in relation to turnpike roads," approved April twenty-first, eighteen hundred and seventy-six. (Comp. Stats., "Turnpikes," Sec. 16, Laws 1876, p. 382; Rev. of 1877, p. 1035.)

2. This act shall take effect February first, nine- Act effective.  
teen hundred and nineteen.

Approved March 4, 1918.

## CHAPTER 193.

An Act to repeal sundry acts relative to bridges and viaducts.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Sundry acts  
repealed.

1. From and after the time when this act shall take effect the following acts be repealed:

(Comp. Stats., "Bridges," Sections.)

1-6 (Rev. 1877, p. 84)

"An Act respecting bridges"—Revision—approved April 10, 1846.

7-8 (1851—241)

"A Supplement to an act entitled 'An act respecting bridges,' approved April tenth, eighteen hundred and forty-six," approved March 13, 1851.

9 (1860—285)

"Supplement to an act entitled 'An act respecting bridges,' approved April tenth, eighteen hundred and forty-six," approved March 15, 1860.

10-12 (1873—651)

"A Supplement to an act entitled 'An act respecting bridges,' approved April tenth, one thousand eight hundred and forty-six," approved April 4, 1873.

13-14 (1876—31)

"A Supplement to 'An act respecting bridges,' approved April tenth, eighteen hundred and forty-six," approved March 15, 1876.

13 (1885—24)

"An Act amending 'A supplement to 'An act respecting bridges,' approved April tenth, one

thousand eight hundred and forty-six,' which supplement was approved March fifteenth, one thousand eight hundred and seventy-six," approved February 12, 1885.

15-21 (1876—408)

"A Supplement to 'An act concerning bridges,' approved April tenth, eighteen hundred and forty-six," approved April 21, 1876.

22-23 (1878—343)

"A Supplement to an act entitled 'An act respecting bridges' (Revision), approved April tenth, eighteen hundred and forty-six," approved April 5, 1878.

22-23 (1886—197)

"A Supplement to the act entitled 'A supplement to an act entitled "An act respecting bridges"' (Revision), approved April tenth, one thousand eight hundred and forty-six, which supplement was approved April fifth, one thousand eight hundred and seventy-eight," passed April 6, 1886.

22 (1891—140)

"A Supplement to the act entitled 'A supplement to the act entitled "A supplement to an act entitled 'An act respecting bridges' " ' (Revision), approved April tenth, one thousand eight hundred and forty-six, which supplement was approved April fifth, one thousand eight hundred and seventy-eight, and which last supplement was passed April sixth, one thousand eight hundred and eighty-six," approved March 14, 1891.

24 (1880—33)

"Supplement to an act entitled 'An act respecting bridges' (Revision), approved April tenth, one thousand eight hundred and forty-six," approved February 17, 1880.

25 (1884—56)

“A Supplement to ‘An act respecting bridges’ (Revision), approved April tenth, one thousand eight hundred and forty-six,” approved March 5, 1884.

26-27 (1886—123)

“Supplement to an act respecting bridges,” approved March 26, 1886.

28 (1889—306)

“A Supplement to an act entitled ‘An act respecting bridges’ (Revision), approved April tenth, one thousand eight hundred and forty-six,” approved April 18, 1889.

28 (1890—272)

“A Further Supplement to an act entitled ‘A supplement to an act entitled “An act respecting bridges” (Revision), approved April tenth, one thousand eight hundred and forty-six,’ which supplement was approved April eighteenth, one thousand eight hundred and eighty-nine,” approved April 21, 1890.

28 (1895—612)

“A Further Supplement to an act entitled ‘A further supplement to an act entitled “An act respecting bridges” (Revision), approved April tenth, one thousand eight hundred and forty-six,’ which supplement was approved April eighteenth, one thousand eight hundred and eighty-nine, and which further supplement was approved April twenty-first, one thousand eight hundred and ninety,” approved March 22, 1895.

28 (1896—166)

“An Act to amend an act entitled ‘A further supplement to an act entitled “A further supplement to an act entitled ‘An act respecting bridges’ (Revision), approved April tenth, one thousand eight hundred and forty-six,” which supplement was approved April eighteenth, one thousand eight

hundred and eighty-nine, and which further supplement was approved April twenty-first, one thousand eight hundred and ninety,' approved March twenty-second, one thousand eight hundred and ninety-five," approved March 26, 1896.

29 (1874—90)

"A Further Supplement to an act entitled 'An act respecting bridges,' approved April tenth, eighteen hundred and forty-six," approved March 24, 1874.

29 (1891—312)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act respecting bridges," approved April tenth, one thousand eight hundred and forty-six,' approved March twenty-four, one thousand eight hundred and seventy-four," approved April 3, 1891.

29 (1892—435)

"An Act to amend an act entitled 'An act to amend an act entitled "A further supplement to an act entitled 'An act respecting bridges,' " ' approved April tenth, one thousand eight hundred and forty-six; approved March twenty-fourth, one thousand eight hundred and seventy-four; approved April third, one thousand eight hundred and ninety-one," approved April 8, 1892.

29 (1896—250)

"A Supplement to an act entitled 'An act respecting bridges,' approved March twenty-fourth, one thousand eight hundred and seventy-four," approved April 14, 1896.

30 (1898—437)

"A Supplement to an act entitled 'An act respecting bridges' (Revision), approved April tenth, one thousand eight hundred and forty-six," approved May 18, 1898.

31 (1905—207)

“Supplement to an act entitled ‘An act respecting bridges,’ approved April tenth, one thousand eight hundred and forty-six,” approved April 6, 1905.

32 (1906—27)

“A Supplement to an act entitled ‘An act respecting bridges,’ approved April tenth, one thousand eight hundred and forty-six,” approved March 9, 1906.

39-41 (1890—129)

“An Act to provide for the condemnation of lands under water, leased or conveyed by the riparian commissioners, when the same are required to be used for a public road bridge and draw,” approved March 27, 1890.

42-45 (1892—308)

“An Act to enable the board of chosen freeholders of any of the several counties of this State to construct and reconstruct bridges over and across navigable rivers or streams therein, in certain cases, and providing for the regulation thereof,” approved March 28, 1892.

42 (1902—360)

“An Act to amend an act entitled ‘An act to enable the board of chosen freeholders of any of the several counties of this State to construct and reconstruct bridges over and across navigable rivers or streams therein, in certain cases, and providing for the regulation thereof,’ approved March twenty-eighth, one thousand eight hundred and ninety-two,” approved April 3, 1902.

42-43 (1906—93)

“An Act to amend an act entitled ‘An act to enable the board of chosen freeholders of any of the several counties of this State to construct and reconstruct bridges over and across navigable rivers



or streams therein, in certain cases, and providing for the regulation thereof,' approved March twenty-eighth, one thousand eight hundred and ninety-two," approved March 30, 1906.

43 (1908—153)

"An Act to amend an act entitled 'An act to enable the boards of chosen freeholders of any of the several counties of this State to construct and reconstruct bridges over and across navigable rivers or streams therein in certain cases, and providing for the regulation thereof,' approved March twenty-eighth, one thousand eight hundred and ninety-two," approved April 6, 1908.

43 (1909—15)

"An Act to amend an act entitled 'An act to enable the board of chosen freeholders of any of the several counties of this State to construct and reconstruct bridges over and across navigable rivers or streams therein in certain cases, and providing for the regulation thereof,' approved March twenty-eighth, one thousand eight hundred and ninety-two, as amended by an act entitled "An act to amend an act entitled 'An act to enable the boards of chosen freeholders of any of the several counties of this State to construct and reconstruct bridges over and across navigable rivers or streams therein in certain cases, and providing for the regulation thereof,' approved March twenty-eighth, one thousand eight hundred and ninety-two, approved April sixth, one thousand nine hundred and eight," passed March 3, 1909.

48, 50-59 (1894—465)

"An Act to authorize the construction and maintenance of bridges and the approaches thereto over navigable waters which mark the dividing line between counties in this state," approved May 22, 1894.

48-49 (1896—115)

“An Act to amend an act entitled ‘An act to authorize the construction and maintenance of bridges and the approaches thereto over navigable waters which mark the dividing line between counties in this state,’ approved May twenty-second, one thousand eight hundred and ninety-four,” approved March 23, 1896.

60 (1906—380)

“An Act to authorize the board of chosen freeholders of any county, when required to remove or reconstruct any bridge over navigable waters, to raise funds for that purpose by issuing bonds of such county,” approved May 2, 1906.

62-64 (Rev. of 1877, p. 87)

“An Act relative to toll and chain bridges”—Revision—approved April 10, 1846.

76-78 (1886—131)

“An Act relating to the building of bridges over railroads by boards of chosen freeholders of counties in this state,” approved March 26, 1886.

79-81 (1888—163)

“An Act to authorize the issue of bonds for building public bridges in counties,” approved March 12, 1888.

82 (1888—200)

“An Act respecting bridges and the causeways or other roads leading thereto,” approved March 22, 1888.

83-84 (1890—219)

“A Supplement to an act entitled ‘An act respecting bridges and the causeways or other roads leading thereto,’ approved March twenty-second, one thousand eight hundred and eighty-eight,” approved April 7, 1890.

85-87 (1889—404)

“An Act to authorize boards of chosen freeholders to change the location of county bridges, and to construct the approaches thereto,” approved May 9, 1889.

88-89 (1891—61)

“An Act authorizing the issue of bonds for rebuilding bridges in counties of the second class,” passed February 24, 1891.

90-91 (1895—391)

“An Act to authorize the issue of bonds for building public bridges in second class counties,” approved March 21, 1895.

92-96 (1904—360)

“A Supplement to an act entitled ‘An act to authorize the issue of bonds for building public bridges in second class counties,’ approved March twenty-first, one thousand eight hundred and ninety-five,” approved March 29, 1904.

97 (1905—357)

“A Supplement to an act entitled ‘An act to authorize the issue of bonds for building public bridges in second class counties,’ approved March twenty-first, one thousand eight hundred and ninety-five,” approved April 28, 1905.

98-103 (1899—498)

“An Act to enable counties of the second class to acquire lands for the purpose of widening approaches to public bridges,” approved March 24, 1899.

104-108 (1903—17)

“An Act to enable the boards of chosen freeholders of two or more counties in this State, where such counties now or hereafter maintain and operate a bridge or bridges, such bridge or bridges being wholly within the territorial limits of one of said counties only, to jointly erect new bridge or

bridges, to replace ones dilapidated, unsuitable, or in decay, or to rebuild the same, and to enable said counties to agree as to the proportion of the expense to be borne by each, and to issue bonds for the payment of the same," approved February 26, 1903.

(1911, Ch. 12)

"An Act to authorize the construction and maintenance of bridges and approaches thereto over navigable streams which mark the dividing line between counties in this State, and to provide for the issue of bonds to pay for the same," approved March 14, 1911.

(1911, Ch. 180)

"An Act to authorize the board of chosen freeholders of any county in this State, to construct a viaduct or bridge in a street or highway, located and running in two or more municipalities in such county, over a railroad or railroads running on or across the dividing line between two or more such municipalities and across such street or highway, and to agree with the railroad company or companies as well as any street railway company using such highway, as to the share of the cost of such construction to be borne by each, and on failure to agree, to apply to the Court of Chancery to settle and determine the share of the cost of such construction to be borne by each, and providing that the municipalities shall pay all damages, if any, to abutting landowners occasioned by such construction, and authorizing the issue of bonds by such board and municipalities to pay the cost of such construction and damage assumed by or imposed upon them respectively," approved April 17, 1911.

(1911, Ch. 264)

"Supplement to an act entitled 'An act to enable the board of chosen freeholders of any of the several counties of this State to construct and

reconstruct bridges over and across navigable rivers or streams therein, in certain cases, and providing for the regulation thereof,' approved March twenty-eight, one thousand eight hundred and ninety-two," approved April 27, 1911.

(1911, Ch. 326)

"An Act to enable the board of chosen freeholders of any county, singly or jointly with another county or counties, to acquire and condemn lands for the construction or extension of approaches to bridges now or hereafter built or rebuilt across a highway or highways, intersected by the approach, and to connect with a street or highway suitably located, and making the approaches as extended part of the bridge," approved May 1, 1911.

(1911, Ch. 336)

"An Act to enable the board of chosen freeholders of any county in this state to erect, construct and maintain a viaduct connecting streets or roads within such county, and to extend roads to connect with such viaduct, and to acquire lands for the same, and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof," approved May 1, 1911.

(1912, Ch. 34)

"A Supplement to an act entitled 'An act respecting bridges,' approved April tenth, one thousand eight hundred and forty-six," approved March 8, 1912.

(1912, Ch. 47)

"An Act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this State to erect, construct and maintain a viaduct connecting streets or roads within such county, and to extend roads to connect with such viaduct, and to acquire lands for the same, and to issue bonds for the payment of the cost of

the erection, construction and acquisition thereof,' approved May first, nineteen hundred and eleven," approved March 8, 1912.

(1912, Ch. 185)

"A Supplement to an act entitled 'An act to enable the board of chosen freeholders of any county in this State to erect, construct, and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipality, and to extend roads to connect with such viaduct, and to acquire lands for the same, and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' approved March twenty-eighth, one thousand, nine hundred and four," approved March 27, 1912.

(1912, Ch. 307)

"An Act to authorize the issue of bonds for enlarging, extending, widening or repairing certain public bridges in counties," approved April 1, 1912.

(1914, Ch. 46)

"An Act to authorize the building, rebuilding and maintenance of bridges and approaches thereto over navigable streams, which mark the dividing line between two or more counties in this State, and to provide for the issue of bonds to pay for the same," approved March 20, 1914.

Pending suits  
or proceed-  
ings not  
affected.

2. Nothing in this act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any county or municipality, and which was commenced before this act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this act shall take effect shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the

laws of this State effective before this act shall take effect.

3. Nothing in this act contained shall have the effect of transferring from any board or body of any county or municipality any funds which are in its possession or under its control, and devoted to any particular use; but all such funds in the possession or under the control of any board, body or department of any county or municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Transfer  
of funds.

Funds de-  
voted for  
purpose  
obtained.

4. Nothing in this act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the acts repealed by this act where any steps or proceeding in regard to such contract, lease or agreement have been taken before this act shall take effect, or where such contract, lease or agreement was entered into before this act shall take effect.

Validity of  
contracts,  
leases, etc.

5. Nothing in this act contained shall invalidate any bond issue of any county or municipality, department or board thereof; all bonds issued by or on behalf of any county or municipality, department or board thereof, shall be valid obligations of such county or municipality, provided the proceeds of such bonds were received by such county or municipality, department or board.

Bond issue  
valid.

Proviso.

6. Nothing in this act contained shall invalidate or affect any assessment, tax or other lien, or any sale in connection therewith.

Taxes and  
assessments  
valid.

7. Nothing in this act contained shall affect any sinking fund, or relieve any county or municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any county or municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Sinking fund.

Acts not  
revived nor  
proceedings  
abated.

8. This act shall not revive any act heretofore repealed; nor shall any proceedings in reference to or in connection with any bridge, for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this act, abate; but such proceedings may continue as prescribed in the act under which the same were undertaken and commenced.

Statutes  
continue  
repealed.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

10. This act shall take effect February first, nineteen hundred and nineteen.

Approved March 4, 1918.

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#### CHAPTER 194.

An Act to repeal sundry acts relative to eminent domain.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Sundry acts  
repealed.

1. From and after the time when this act shall take effect the following acts be repealed:

(Comp. Stats., "Eminent Domain," Secs.)

23-30 (1887—201)

"An Act to authorize the boards of chosen freeholders in the respective counties of this state to acquire by purchase or condemnation lands for public use in such counties and to provide for the issue of bonds to pay for the same," approved April 21, 1887.



23 and 30 (1900—21)

“An Act to amend an act entitled ‘An act to authorize the boards of chosen freeholders in the respective counties of this state to acquire by purchase or condemnation lands for public use in such counties, and to provide for the issue of bonds to pay for the same,’ approved April twenty-first, eighteen hundred and eighty-seven,” approved February 28, 1900.

23 (1908—439)

“An Act to amend an act entitled ‘An act to amend an act entitled “An act to authorize the boards of chosen freeholders in the respective counties of this State to acquire by purchase or condemnation lands for public use in such counties, and to provide for the issue of bonds to pay for the same,”’ approved February twenty-eighth, one thousand nine hundred,” approved April 13, 1908.

31-32 (1891—172)

“An Act to empower cities to acquire land for public use by condemnation,” approved March 17, 1891.

33-34 (1892—326)

“A Supplement to the act entitled ‘An act to empower cities to acquire land for public use by condemnation,’ approved March seventeenth, one thousand eight hundred and ninety-one,” approved March 28, 1892.

35-37 (1893—400)

“A Supplement to the act entitled ‘An act to empower cities to acquire land for public use by condemnation,’ approved March seventeenth, one thousand eight hundred and ninety-one,” approved March 17, 1893.

38-39 (1895—769)

“An Act to empower cities to acquire land and other property for public use by condemnation,” approved April 1, 1895.

40-43 (1896—231)

“An Act to provide a method of procedure for the condemnation of lands required for public highways or sewers, and providing for the payment of the expenses thereof, in towns, villages, and in municipalities governed by a board of commissioners or improvement commissions,” approved April 9, 1896.

Pending suits  
or proceed-  
ings not  
affected.

2. Nothing in this act contained shall affect any action, suit or proceedings instituted, pending and undetermined, or any matter undertaken by or on behalf of any county or municipality, and which was commenced before this act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this act shall take effect.

Transfer  
of funds.

Funds de-  
voted for  
purpose  
obtained.

3. Nothing in this act contained shall have the effect of transferring from any board of chosen freeholders of any county or from any governing body of any municipality any funds which are in its possession, or under its control, and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any county or municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Validity of  
contracts,  
leases, etc.

4. Nothing in this act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the acts repealed by this act where any steps or proceedings in regard to such contract, lease or agreement have

been taken before this act shall take effect, or where such contract, lease or agreement was entered into before this act shall take effect.

5. Nothing in this act contained shall invalidate any bond issue of any county or municipality, department or board thereof; all bonds issued by or on behalf of any county or municipality, department or board thereof, shall be valid obligations of such county or municipality, provided the proceeds of such bonds were received by such county or municipality, department or board.

Bond issue valid.

Proviso.

6. Nothing in this act contained shall invalidate or affect any assessment, tax, or municipal or other lien, or any sale in connection therewith.

Taxes and assessments valid.

7. Nothing in this act contained shall affect any sinking fund, or relieve any county or municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any county or municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Sinking fund.

8. This act shall not revive any act heretofore repealed; nor shall any proceedings for any work or improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this act, abate; but such proceedings may continue as prescribed in the act under which the same was undertaken and commenced.

Acts not revived nor proceedings abated.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Statutes continue repealed.

10. This act shall take effect February first, nineteen hundred and nineteen.

Act effective.

Approved March 4, 1918.

## CHAPTER 195.

An Act to repeal sundry acts relative to fairs and exhibitions.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Acts repealed.

1. From and after the time when this act shall take effect, the following acts be repealed:

(Comp, Stats., "Fairs and Exhibitions," Secs.)

2-6 (Rev. of 1877, p. 904) (Rev. of 1874, p. 691)

"An Act for regulating public shows," (Revision), approved March 27, 1874.

3, 4 and 7 (1875-37)

"Supplement to an act entitled 'An act for regulating public shows,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March 22, 1875.

Act effective.

2. This act shall take effect February first, nineteen hundred and nineteen.

Approved March 4, 1918.

## CHAPTER 196.

An Act to repeal sundry acts relative to monuments.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. From and after the time when this act shall take effect the following acts be repealed:

Sundry acts  
repealed.

(Comp. Stats., "Monuments," &c., Sections)

5-6 (1889—430)

"An Act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late war, and authorizing appropriations for such purpose," approved May 9, 1889.

6, 7 and 8 (1896—91)

"An Act to amend an act entitled 'An act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late war and authorizing appropriations for such purposes,' approved May ninth, one thousand eight hundred and eighty-nine," approved March 18, 1896.

9-10 (1897—150)

"A Supplement to an act entitled 'An act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late war and authorizing appropriations for such purposes,' approved May ninth, one thousand eight hundred and eighty-nine," approved April 3, 1897.

20-21 (1908—162)

“An Act to provide for the completion and dedication of Civil War monuments,” approved April 7, 1908.

Transfer  
of funds.

2. Nothing in this act contained shall have the effect of transferring from any governing body of any county or municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any county or municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Validity of  
contracts,  
leases, etc.

3. Nothing in this act contained shall invalidate any bond issue of any county or municipality, department or board thereof; all bonds issued by or on behalf of any county or municipality, department or board thereof, shall be valid obligations of such county or municipality, provided the proceeds of such bonds were received by such county or municipality, department or board.

Sinking fund.

4. Nothing in this act contained shall affect any sinking fund, or relieve any county or municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any county or municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Acts not  
revived;  
proceedings  
to continue.

5. This act shall not revive any act heretofore repealed; nor shall any proceedings for any bond issue or for any other purpose, undertaken and commenced before the passage of this act, abate; but such proceedings may continue as prescribed in the act under which the same was undertaken and commenced.

Statutes  
continue  
repealed.

6. All statutes and part of statutes which were repealed or abrogated by, or were repugnant to,

any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

7. This act shall take effect February first, nine- Act effective.  
teen hundred and nineteen.

Approved March 4, 1918.

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#### CHAPTER 197.

An Act to repeal sundry acts relative to newspapers.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. From and after the time when this act shall Sundry acts repealed.  
take effect the following acts be repealed:

(Comp. Stats., "Newspapers," Secs.)

8 (Rev. of 1877, p. 1057) (1876—288)

"An Act relative to the printing of legal notices in the German language," approved April 21, 1876.

18 (1877—297)

"An Act relative to the publication of the minutes and proceedings of the several municipal boards of the cities of this State," approved March 9, 1877.

19 (1883—23)

"An Act in relation to city printing in the cities of this State," approved February 7, 1883.

20 (1884—79)

"An Act concerning official newspapers in cities of this State," approved March 13, 1884.

21 (1889—263)

“A Further Supplement to an act entitled ‘An act concerning official newspapers in cities of this State,’ passed March thirteenth, one thousand eight hundred and forty-four,” approved April 11, 1889.

22 (1889—408)

“An Act in relation to the publication of city advertisements,” approved May 9, 1889.

23 (1892—384)

“An Act to provide for the publication of legal advertising in newspapers devoted to the interests of organized labor in cities containing fifty thousand or more inhabitants,” approved April 4, 1892.

24 (1892—414)

“An Act in relation to city printing and official advertisements in cities of the second class in this State,” approved April 8, 1892.

25-26 (1893—120)

“An Act concerning the designation of official newspapers in cities of the first class in this State,” approved March 8, 1893.

Acts not  
revived;  
proceedings  
to continue.

2. This act shall not revive any act heretofore repealed; all statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

3. This act shall take effect February first, nineteen hundred and nineteen.

Approved March 4, 1918.



## CHAPTER 198.

An Act to repeal sundry acts relative to cities.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. From and after the time when this act shall take effect the following acts be repealed: Sundry acts  
repealed.

(Comp. Stats., "Cities," Secs.)

1124 (1884—292)

"An Act concerning cities," approved May 9, 1884.

1127 (1885—175)

"An Act to empower common councils of cities by ordinance to extend the time for transmitting annual estimates by other city boards," approved March 25, 1885.

1130 (1888—98)

"An Act concerning cities," approved February 22, 1888.

1131-1132 (1889—130)

"An Act to enable cities to borrow money on temporary loans in anticipation of moneys received from the state," approved March 30, 1889.

1148-1151 (1876—275) (Rev. of 1877, p. 716)

"An Act concerning cities," approved April 21, 1876.

1148, 1149, 1152 and 1153 (1877—196)

"A Supplement to an act entitled 'An act concerning cities,' approved April twenty-first, one

thousand eight hundred and seventy-six," approved March 9, 1877.

1154-1155 (1878—401)

"A Further Supplement to an act entitled 'An act concerning cities,' approved April twenty-first, one thousand eight hundred and seventy-six," approved April 5, 1878.

1156-1159 (1876—276) (Rev. of 1877, p. 716)

"An Act authorizing the issue of tax arrearage bonds in cities," approved April 21, 1876.

1159 (1883—239)

"A Supplement to an act entitled 'An act authorizing the issue of tax arrearage bonds in cities,' approved April twenty-first, one thousand eight hundred and seventy-six," approved March 23, 1883.

1160-1161 (1877—70)

"An Act concerning the payment of judgments against any city," approved March 8, 1877.

1162 (1877—296)

"An Act in reference to the mode of payment of interest on the indebtedness of cities," approved March 9, 1877.

1170-1171 (1879—201)

"An Act to allow cities in the State of New Jersey to issue registered bonds in lieu of coupon bonds heretofore issued, or which are authorized by law to be hereafter issued," approved March 14, 1879.

1172-1173 (1881—14)

"An Act to authorize cities to exchange registered for coupon or registered bonds," approved February 5, 1881.

1174-1175 (1881—66)

"An Act to provide for the payment of the difference between old and new assessments for improvements in cities," approved March 3, 1881.

1176-1178 (1883—12)

“An Act to authorize cities in this state to issue and dispose of water bonds or water scrip to renew certain water bonds or water scrip,” approved January 30, 1883.

1177 (1884—97)

“A Supplement to an act entitled, ‘An act to authorize cities in this state to issue and dispose of water bonds or water scrip to renew certain water bonds or water scrip,’ approved January thirtieth, one thousand eight hundred and eighty-three,” approved March 25, 1884.

1179-1183 (1884—59)

“An Act authorizing city boards having the control of the supply and distribution of water to issue bonds for the payment of indebtedness and for the construction, extension and maintenance of water works,” approved March 6, 1884.

1184 (1884—238)

“An Act relating to the issue of temporary loan bonds in cities of this state,” approved April 21, 1884.

1185 (1884—239)

“An Act concerning cities in this state,” approved April 21, 1884.

1191-1192 (1886—32)

“An Act to authorize the cities of this state to issue bonds for certain purposes,” approved February 20, 1886.

1193-1194 (1886—55)

“An Act to provide for the payment of bonds issued in anticipation of taxes levied in the cities of this state,” approved March 1, 1886.

1243 (1898—67)

“An Act concerning improvement certificates issued in payment for improvements in cities of this state,” approved March 10, 1898.

1287-1288 (1910—529)

“An Act to authorize cities to issue bonds to fund their floating indebtedness incurred for the maintenance and support of public schools,” approved April 12, 1910.

1289-1290 (1876—244) (Rev. of 1877, p. 715)

“An Act relative to the appropriation of money devoted to the sinking fund of certain cities in this state,” approved April 21, 1876.

1355-1356 (1889—314)

“An Act fixing the salaries of and otherwise concerning the mayors of all ‘cities of the first class’ that have a population within their territorial limits exceeding one hundred thousand inhabitants,” approved April 19, 1889.

1359 (1891—62)

“An Act concerning cities of the first class, and relating to the appointment and suspension of clerks and other employees in the departments of comptrollers or corresponding chief financial officers of such cities,” approved February 24, 1891.

1362 (1893—177)

“An Act fixing the term of office of mayors in cities of the first class,” approved March 10, 1893.

1371 (1895—654)

“An Act respecting cities of the first class and providing for filling certain vacancies in office therein,” approved March 22, 1895.

1373 (1903—33)

“An Act relating to the appointment and fixing the compensation of a secretary and a clerk in the office of the mayor of cities of the first class in this State,” approved March 5, 1903.

1377-1378 (1909—200)

“An Act concerning the compensation of certain employees in the office of the city collector and re-

ceiver of taxes in cities of the first class," approved April 16, 1909.

1379-1380 (1910—43)

"An Act concerning the compensation of certain employees in the offices of the city comptroller and city treasurer in cities of the first class," approved March 17, 1910.

1381 (1910—317)

"An Act relating to the appointment and fixing the compensation of a secretary in the office of the mayor of cities of the first class in this State," approved April 9, 1910.

1384-1389, 1392-1396, 1398-1412 (1891—249)

"An Act concerning cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same," approved March 28, 1891.

1385 (1897—248)

"A Further Supplement to an act entitled 'An act concerning cities of the first class in this State, and constituting the municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same,' approved March twenty-eight, one thousand eight hundred and ninety-two," approved April 22, 1897.

1386 (1892—236)

"An Act to amend an act entitled 'An act concerning cities of the first class in this State, and

constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards, and providing for the maintenance of the same,' approved March twenty-eighth, one thousand eight hundred and ninety-one," approved March 24, 1892.

1386 (1895—761)

"An Act to amend an act entitled 'An act to amend an act entitled "An act concerning cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards and relating to the municipal affairs and departments of such cities under the control and management of such boards, and providing for the maintenance of the same," approved March twenty-eighth, one thousand eight hundred and ninety-one,' which said amendatory act was approved March twenty-fourth, one thousand eight hundred and ninety-two, and to validate and confirm assessments made for improvements made under said last mentioned act," approved March 28, 1895.

1389-1391 (1893—164)

"A Supplement to an act entitled "An act concerning cities of the first class in this State and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same,' approved March twenty-eighth, one thousand eight hundred and ninety one," approved March 9, 1893.

1391 (1895—151)

“An Act to amend an act entitled ‘A supplement to an act entitled “An act concerning cities of the first class in this State and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards and relating to the municipal affairs and departments of such cities placed under the control and management of such boards and providing for the maintenance of the same,” approved March twenty-eighth, one thousand eight hundred and ninety-one,’ which supplement was approved March ninth, one thousand eight hundred and ninety-three,” approved March 5, 1895.

1396 (1898—491)

“A Further Supplement to an act entitled ‘An act concerning cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards, and providing for the maintenance of the same,’ approved March twenty-eighth, one thousand eight hundred and ninety-one,” approved June 13, 1898.

1397 and 1416 (1892—130)

“A Supplement to an act entitled ‘An act concerning cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same,’ approved March twenty-eighth, one thousand eight hundred and ninety-one,” approved March 17, 1892.

1413-1415 (1892—143)

“A Further Supplement to an act entitled ‘An act concerning cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of said cities placed under the control and management of such boards, and providing for the maintenance of the same,’ approved March twenty-eighth, one thousand eight hundred and ninety-one,” approved March 17, 1892.

1416 (1892—427)

“A Supplement to an act entitled ‘An act concerning cities of the first class in this state, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same,’ approved March twenty-eighth, one thousand eight hundred and ninety-one,” approved April 8, 1892.

1417-1424 (1894—524)

“A Further Supplement to an act entitled ‘An act concerning cities of the first class in this state, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards and providing for the maintenance of the same,’ approved March twenty-eighth, one thousand eight hundred and ninety-one,” passed May 25, 1894.

1419 (1909—315)

“An Act to amend an act entitled ‘A further supplement to an act entitled “An act concerning



cities of the first class in this state, and constituting municipal boards of street and water commissioners, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards, and providing for the maintenance of the same," approved March twenty-eighth, one thousand eight hundred and ninety-one," and which supplement was passed May twenty-fifth, one thousand eight hundred and ninety-four," approved April 20, 1909.

1425-1429 (1895—614)

"A Supplement to an act entitled 'An act concerning cities of the first class in this state, and constituting municipal boards of street and water commissioners therein and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards and providing for the maintenance of the same,' approved March twenty-eighth, one thousand eight hundred and ninety-one," approved March 22, 1895.

1430-1432 (1896—214)

"A Further Supplement to an act entitled 'An act concerning cities of the first class in this state, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same,' approved March twenty-eighth, one thousand eight hundred and ninety-one," approved March 30, 1896.

1432 (1898—474)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act concerning

cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards, and providing for the maintenance of the same," approved March twenty-eighth, one thousand eight hundred and ninety-one,' which further supplement was approved March thirtieth, one thousand eight hundred and ninety-six," approved June 13, 1898.

1432 (1902—576)

"An Act to amend an act entitled 'An act to amend an act entitled "A further supplement to an act entitled 'An act concerning cities of the first class in this state, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards, and providing for the maintenance of the same,' approved March twenty-eighth, one thousand eight hundred and ninety-one," which further supplement was approved March thirtieth, one thousand eight hundred and ninety-six,' which amendment was approved June thirteenth, one thousand eight hundred and ninety-eight," approved April 4, 1902.

1433 (1897—254)

"A Further Supplement to an act entitled 'An act concerning cities of the first class in this state, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same,' approved March twenty-

eighth, one thousand eight hundred and ninety-one," approved April 22, 1897.

1434 (1910—40)

"A Supplement to an act entitled 'An act concerning cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same, approved March twenty-eighth, one thousand eight hundred and ninety-one, and the supplements thereto and the amendments thereof," approved March 16, 1910.

1435-1439 (1902—766)

"An Act providing for the appointment of an officer to be known as 'street and water commissioner' in cities of the first class in this state, and defining his powers and duties," approved April 11, 1902.

1440-1446 (1895—773)

"An Act respecting cities of the first class and respecting the publication of ordinances, notices and other matters required by law to be published in newspapers therein," approved April 1, 1895.

1469-1476 (1895—407)

"An Act respecting the paving, repaving, grading, curbing, sewerage and otherwise improving of streets and public highways in cities of the first class in this state, and providing for the payment of the same, and further providing that the assessments upon property for special benefits shall be payable in full or on installments, at the option of the property owner," approved March 21, 1895.

1472 (1908—259)

"An Act to amend an act entitled 'An act respecting the paving, repaving, grading, curbing,

sewering and otherwise improving of streets and public highways in cities of the first class in this State, and providing for the payment of the same, and further providing that the assessments upon property for special benefits shall be payable in full or on installments, at the option of the property owner,' approved March twenty-first, one thousand eight hundred and ninety-five, being Chapter 217 of the Laws of 1895," approved April 10, 1908.

1474 (1898—92)

"An Act to amend an act entitled 'An act respecting the paving, repaving, grading, curbing, sewerage and otherwise improving of streets and public highways in cities of the first class in this State, and providing for the payment of the same, and further providing that the assessments upon property for special benefits shall be payable in full, or on installments, at the option of the property owner,' approved March twenty-first, one thousand eight hundred and ninety-five," approved March 15, 1898.

1477-1486 (1895—582)

"An Act respecting the opening, widening, extending or otherwise improving of streets, avenues and public highways in cities of the first class in this State, and providing for the payment of the same; and further providing that the assessments upon property for special benefits shall be payable in full or in installments at the option of the property owner," approved March 22, 1895.

1481 (1900—405)

"An Act to amend an act entitled 'An act respecting the opening, widening, extending and otherwise improving of streets, avenues and public highways in cities of the first class in this State, and providing for the pavement of the same; and further providing, that the assessment upon property for special benefits shall be payable in full, or

in installments, in the option of the property owner,' approved March twenty-second, one thousand eight hundred and ninety-five," approved March 23, 1900.

1483 (1898—67)

"An Act to amend an act entitled 'An act respecting the opening, widening, extending or otherwise improving of streets, avenues and public highways in cities of the first class in this State, and providing for the payment of the same; and further providing that the assessments upon property for special benefits shall be payable in full or in installments, at the option of the property owner,' approved March twenty-second, one thousand eight hundred and ninety-five," approved March 11, 1898.

1487-1488 (1896—98)

"An Act relating to the taking and appropriating of lands and real estate for the purpose of street improvements in cities of the first class," approved March 19, 1896.

1489-1491 (1903—52)

"An Act to provide a capital fund to be used in opening streets in cities of the first class in this State," approved March 13, 1903.

1495-1496 (1906—436)

"An Act relating to paving, flagging, maintaining, repairing and otherwise improving sidewalks in municipalities in this State," approved May 15, 1906.

1495-1496 (1907—167)

"An Act amendatory of and supplementary to the act entitled 'An act relating to paving, flagging, maintaining, repairing and otherwise improving sidewalks in municipalities in this State,' approved May fifteenth, one thousand nine hundred and six, and to amend the title of said act," approved April 17, 1907.

1497-1499 (1907—112)

“An Act to authorize boards of street and water commissioners in cities of the first class in this State to open, widen, vacate, grade, regrade, curb, recurb, flag and reflag streets in such cities, without appropriations for the cost thereof being first made,” approved April 13, 1907.

1500-1506 (1909—19)

“An Act to provide funds to be used for opening, widening and vacating streets and highways in cities of the first class in this State,” approved March 15, 1909.

1522-1524 (1907—532)

“An Act to authorize cities of the first class in this State to buy lands for and to build and equip city stables, and to provide for funds therefor,” approved May 21, 1907.

1525 (1910—414)

“An Act to provide for the erection and maintenance of public baths and bathhouses in cities of the first class of this State, and to provide for the cost and the control and management thereof,” approved April 11, 1910.

1526-1528 (1892—255)

“An Act concerning assessments for local improvements in the cities of the first class, providing for the appointment of boards of commissioners to make all such assessments, defining the duties of such commissioners and fixing their compensation,” approved March 24, 1892.

1529-1530 (1896—137)

“An Act respecting boards of commissioners for the assessment of damages and benefits for local improvements in cities of the first class in this state, increasing their powers and providing for their compensation,” approved March 25, 1896.

1531 (1897—18)

“An Act concerning assessments for local improvements in cities of the first class, and providing for the appointment of a suitable person or persons in the place and stead of any commissioner or commissioners appointed to make such assessments who may own or be interested in real estate affected by such improvements or liable to be assessed therefor,” approved February 16, 1897.

1533-1534 (1894—448)

“An Act concerning municipal boards or departments in cities of the first class in this State,” approved May 17, 1894.

1535-1537 (1895—639)

“An Act respecting cities of the first class in this state and providing for the supervision of expenses of such cities by the mayors thereof,” approved March 22, 1895.

1538 (1895—763)

“An Act respecting expenditures in cities of the first class of this state,” approved March 28, 1895.

1539 (1897—36)

“An Act in relation to the manner of paying monthly pay-rolls, police department, fire department, city home and city hospitals in certain cities in this state, giving the common council or other governing body power in relation thereto,” approved March 15, 1897.

1540 (1899—370)

“An Act regulating the method of making contracts in cities of the first class in this state, and providing for the raising of moneys to be expended thereunder,” approved March 24, 1899.

1541-1542 (1902—633)

“An Act to provide for (the payment for) the paving, repaving, repairing and improving of

paved streets and public places, and the reconstructing of sewers and the construction and furnishing of public school buildings in any city of the first class in this state, out of moneys, received from liquor licenses in such city," approved April 9, 1902.

1543-1546 (1902-703)

"An Act relating to the appropriation of moneys for the expenses of the various boards, bodies, commissions and departments of cities of the first class, and limiting the amount of money to be raised by taxation in such cities for city purposes," approved April 10, 1902.

1554 (1904-184)

"An Act authorizing the examination of the books and accounts of the several departments of government in cities of the first class, for the support and maintenance of which municipal appropriations are annually made," approved March 28, 1904.

1555 (1908-634)

"An Act to regulate and control the issue of bonds and other obligations of cities of the first class in this State," approved April 16, 1908.

1556 (1891-187)

"An Act concerning sinking fund commissioners in cities of the first class," approved March 18, 1891.

1575-1578 (1892-282)

"An Act concerning the appointment of officers in cities of the second class in this state," approved March 26, 1892.

1585-1587 (1899-39)

"An Act relative to salaries of mayors in cities of the second class," approved March 14, 1899.



1590 (1908—410)

“An Act to authorize and empower cities of the second class in this State to fix and regulate the salaries and compensation of collectors of taxes, treasurers and their assistants,” approved April 13, 1908.

1593-1594 (1909—264)

“An Act relative to the salaries and compensation of members of the common council or other governing body in cities of the second class,” approved April 19, 1909.

1626 (1892—381)

“An Act concerning unexpended appropriations voted for and raised in cities of the second class,” approved March 31, 1892.

1654-1656 (1882—101)

“An Act to enable cities of the third class to improve any one principal avenue, street or thoroughfare and to provide payment for the costs and expenses of such improvement,” approved March 16, 1882.

1735-1737 (1891—317)

“An Act to authorize cities of the fourth class to issue bonds in excess of the amount of indebtedness allowed to be created by their respective charters, approved April 3, 1891.

2. Nothing in this act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any city, and which was commenced before this act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this act shall take effect.

Pending suits  
or proceed-  
ings not  
affected.

Transfer  
of funds.

3. Nothing in this act contained shall have the effect of transferring from any governing body of any city any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any city shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Funds de-  
voted for  
purpose  
obtained.

Validity of  
contracts,  
leases, etc.

4. Nothing in this act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the acts repealed by this act where any steps or proceeding in regard to such contract, lease or agreement have been taken before this act shall take effect, or where such contract, lease or agreement was entered into before this act shall take effect.

Bond issues  
valid.

5. Nothing in this act contained shall invalidate any bond issue of any city, department or board thereof; all bonds issued by or on behalf of any city, department or board thereof, shall be valid obligations of such city, provided the proceeds of such bonds were received by such city, department or board.

Taxes and  
assessments  
valid.

6. Nothing in this act contained shall invalidate or affect any assessment, tax, or city or municipal lien, or any sale in connection therewith.

Sinking fund.

7. Nothing in this act contained shall affect any sinking fund, or relieve any city, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any city, board or body where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Acts not  
revived nor  
proceedings  
abated.

8. This act shall not revive any act heretofore repealed; nor shall any proceeding for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before this

act shall take effect, abate; but such proceeding may continue as prescribed in the act under which the same was undertaken and commenced.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated. Statutes continue repealed.

10. This act shall take effect February first, nineteen hundred and nineteen. Act effective.

Approved March 4, 1918.

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## CHAPTER 199.

An Act to repeal sundry acts relative to municipal corporations.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. From and after the time when this act shall take effect the following acts be repealed: Sundry acts repealed.

(Comp. Stats., "Municipal Corporations," Secs.)

150-151 (1892-185)

"An Act to enable certain municipal corporations of this State to pass, alter, amend and repeal ordinances," approved March 23, 1892.

156-157 (1904-202)

"An Act concerning the distribution of medicinal preparations, advertisements and circulars, and regulating and prohibiting the same," approved March 28, 1904.

729-130 (1899-35)

"An Act to authorize the incorporated cities, towns, townships, boroughs and villages of this

State to borrow money in anticipation of the collection of taxes and assessments," approved March 13, 1899.

731 (1900—143)

"An Act to authorize municipalities to raise funds to replace any loss through the failure of banking institutions," approved March 22, 1900.

732-734 (1906—697)

"An Act to authorize incorporated cities, boroughs, towns, villages, and townships of this State to borrow money, and negotiate temporary loans, in anticipation of the receipt of taxes and assessments, and to secure the repayment of the moneys so borrowed," approved June 19, 1906.

738-739 (1907—630)

"An Act relating to appropriations in certain municipalities and unexpended balances thereof," approved June 17, 1907.

738 (1909—122)

"An Act to amend an act, entitled 'An act relating to appropriations in certain municipalities and unexpended balances thereof,' approved June seventeenth, one thousand nine hundred and seven," approved April 13, 1909.

(1912, Ch. 342)

"An Act relating to expenditures by public, county, city, town, township, borough and village bodies," approved April 1, 1912.

(1914, Ch. 128)

"An Act to amend an act entitled 'An act authorizing and regulating the use for water supply and sewer purposes, including proper house connections, by any municipality in any county of this State, of any streets, avenues, roads, parkways or other highways situated within the territory of such municipality now or hereafter under the control of any county board or commission, and providing

for the payment of the cost of water pipes and storm-water and sanitary sewers, including proper house connections, laid down under the authority of this act,' approved April seventh, one thousand nine hundred and eleven," approved April 8, 1914.

(1915, Ch. 313)

"An Act to authorize the construction and operation of an irrigation system or systems in any county, township, town, borough, city or other municipality in this State by the governing body thereof, in order to furnish water to the owners and tenants of farms and other users of water for the purposes of irrigation; and to provide for the cost of the construction and operation of such plants," approved April 14, 1915.

2. Nothing in this act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this act shall take effect shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this act shall take effect.

Pending suits  
or proceed-  
ings not  
affected.

• 3. Nothing in this act contained shall have the effect of transferring from any governing body of any municipality, any funds which are in its possession or under its control and devoted to any particular use, but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Transfer  
of funds.

Funds de-  
voted for  
purpose  
obtained.

4. Nothing in this act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the acts repealed by this act where any steps or proceedings in regard

Validity of  
contracts,  
leases, etc.

to such contract, lease or agreement have been taken before this act shall take effect, or where such contract, lease or agreement was entered into before this act shall take effect.

Bond issue  
valid.

5. Nothing in this act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Taxes and  
assessments  
valid.

6. Nothing in this act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Sinking fund.

7. Nothing in this act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Acts not  
repealed nor  
proceedings  
abated.

8. This act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue or for any other purpose, undertaken and commenced before the passage of this act, abate; but such proceedings may continue as prescribed in the act under which the same was undertaken and commenced.

Statutes  
continue  
repealed.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

10. This act shall take effect February first, nineteen hundred and nineteen.

Approved March 4, 1918.

## CHAPTER 200.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The secretary or district clerk of any board of education that has been or shall hereafter be appointed by such board may be removed from office; during said term, after due hearing on written charges proved by a majority vote of all the members of said board. Removal of  
district clerk  
on charges.
2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 4, 1918.

## CHAPTER 201.

An Act fixing the compensation to be paid to sergeants-at-arms and court criers of the Supreme Court, Circuit Court and Court of Common Pleas in counties of the first class.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Salaries paid  
sergeants-  
at-arms in  
counties of  
first class.

1. In all counties of the first class in this State the compensation to be paid to the sergeants-at-arms and to the court criers of the Supreme Court and to the sergeants-at-arms of the Circuit Court and to the sergeants-at-arms and to the court criers of the Court of Common Pleas may be as follows:

Said sergeants-at-arms and said court criers may each receive a salary of not more than one thousand six hundred dollars per annum for the first five years of service, a salary of not more than one thousand seven hundred and fifty dollars per annum for the following five years of service, a salary of not more than two thousand dollars per annum for the following five years of service, and a salary of not more than two thousand two hundred and fifty dollars per annum for each following year of service; *provided, however*, said salaries shall be paid only upon an order fixing the same to be made by the justice of the Supreme Court presiding over the circuit where such salaries are to be paid, which order shall be approved by resolution of the board of chosen freeholders of the county where such salaries are to be paid. The years of service of said sergeants-at-arms and said court criers shall be computed from the time of their respective appointment; all payments shall be made semi-monthly, and shall be in full and in lieu of all fees,

Proviso.

Service and  
payments.



mileage or other allowance. This act shall be applicable to all present incumbents as well as to future appointees.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 202.

An Act to amend the title of and the provisions of an act entitled "An act declaring all buildings and places wherein or upon which acts of lewdness, assignation or prostitution are permitted or occur to be nuisances, and providing for the abatement thereof by the Court of Chancery," approved March seventeenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The title of the above entitled act be and the same is hereby amended to read as follows: Title amended.

An act declaring all buildings and places wherein or upon which acts of lewdness, assignation or prostitution or the habitual sale of intoxicating liquors in violation of law are permitted or occur to be nuisances, and providing for the abatement thereof by the Court of Chancery. New title.

2. That section one of the act to which this is an amendment be and the same is hereby amended to read as follows: Section 1 amended.

1. Every building or place used for the purpose of lewdness, assignation or prostitution, or wherein or upon which acts of lewdness, assignation or prostitution or the habitual sale of intoxicating Nuisances to be abated.

liquors in violation of law, are permitted or occur, is hereby declared to be a nuisance, which shall be abated as hereinafter provided.

Section 8  
amended.

3. That section eight of the act to which this is an amendment be and the same is hereby amended to read as follows:

Permanent  
injunction.

8. If the existence of the nuisance complained of shall be established to the satisfaction of the court upon final hearing, an injunction shall issue perpetually enjoining the person or persons maintaining or permitting such nuisance and the owner, or his agent, and the lessee and his agent, of the building or place in and upon which the nuisance exists, from directly or indirectly maintaining or permitting such nuisance. And the said injunction shall likewise direct the removal from the building or place of the said nuisance, of all furniture, furnishings, musical instruments and personal property, except clothing, used or capable of being used in the maintenance of or in aiding and abetting the said nuisance, and shall direct the public sale thereof in the manner provided for the sale of chattels under execution; *provided, however*, that any and all intoxicating liquors that may be removed shall be destroyed as soon as may be after the same are no longer required for evidence. The said injunction shall likewise direct the effectual closing and disuse of the building or place of the said nuisance for any purpose for the period of one year from the date of the said injunction, unless sooner released, as hereinafter provided. While such injunction or any restraining order, or temporary injunction, remains in effect, such building or place shall be and remain as though in the custody of the court.

Goods  
removed.

Proviso.

Disuse of  
building.

Section 9  
amended.

4. That section nine of the act to which this is an amendment be and the same is hereby amended to read as follows:

As to costs.

9. If the court shall determine that the nuisance complained of exists as alleged, there shall be al-

lowed to the complainant resident, in addition to the usual costs, a reasonable sum for counsel fees and expenses incurred. But if the court shall find that the action was instituted without reasonable cause, then the usual costs shall be taxed against the complainant resident. For removing and selling the movable property (except intoxicating liquors) the officer shall be entitled to receive the same fees as are allowed for a levy upon and sale of chattels under execution. For closing the building or place, and keeping the same closed, a reasonable sum shall be allowed by the court.

5. That section ten of the act to which this is an amendment be and the same is hereby amended to read as follows:

Section 10  
amended.

10. The proceeds of the sale of movable property (except intoxicating liquors) under the preceding section shall be applied, first, to the fees and costs of such removal and sale; second, to the allowances and costs of closing and keeping closed such building or place; third, to the payment of plaintiff's costs and allowances. The balance, if any, shall be paid in the poor fund of the municipality in which such building or place is located. If the proceeds of such sale do not fully discharge all such costs, fees and allowances, unless the balance is paid by the owner of such building or place, or his agent, execution shall issue and the building or place be sold, and the proceeds of such sale be applied in like manner as the proceeds of the sale of movable property, except that any balance of proceeds from the sale of real estate shall be paid to the owner of the property sold.

Application  
of proceeds.

Sale of  
property if  
proceeds  
insufficient.

6. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 203.

An Act providing for a payment to the State by an employer operating under section two of an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven, upon the death, without dependents, of an employee as a result of an injury received in the course of his employment.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Payment to  
State if no  
dependents.

Amount.

Use of  
moneys.

1. The employer of every person who shall die as a result of an accident arising out of and in the course of his employment, and who shall leave no dependents entitled to compensation under the provisions of chapter ninety-five of the Session Laws of one thousand nine hundred and eleven, shall, in case the dependents of such employee would have been entitled to compensation under said act had such employee left dependents, pay to the Commissioner of Labor the sum of four hundred dollars, which sum shall be paid by the Commissioner of Labor to the State Treasurer. Such sum shall be recoverable by an action at law in the name of the State by the Commissioner of Labor against such employer in any court having jurisdiction of such action. All moneys collected under the provisions of this act shall be used by the Commissioner of Labor exclusively for the purposes

mentioned in an act entitled "A supplement to an act entitled 'An act prescribing the liability of employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule for compensation, and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven."

Nothing in this section contained shall apply to any employer who shall not have accepted by agreement, either express or implied, the provisions of section two of chapter ninety-five of the Session Laws of one thousand nine hundred and eleven, as herein provided, and the acceptance of said section two, or the continuance thereunder after the taking effect of this act, shall be deemed an acceptance of all of the provisions of this section.

Does not  
apply if em-  
ployer has not  
accepted act.

Nothing in this section contained shall relieve the employer from any payments which he is required to make under chapter ninety-five of the Session Laws of one thousand nine hundred and eleven, or any act amendatory thereof or supplemental thereto.

Does not  
relieve em-  
ployer from  
payments.

2. Before any action for the recovery of such sum shall be commenced by the Commissioner of Labor, he shall advertise, at least once in each week for four weeks (four insertions), in at least one newspaper published in the county in which the deceased employee resided at the time of such accident, or, in case such deceased employee resided out of this State at said time, or his place of residence cannot be ascertained, then either in the county in which the accident occurred or in which place of business of the employer is located, a notice in the following form:

Publication  
of death.

"To the dependents of ..... (naming the deceased employee):

Take notice that ..... (name of deceased employee) died on the ..... day of .....

Notice to  
dependents.

(date of death), as the result of an injury received while employed by ..... (name of employer). This notice is given in order that any dependents of said ..... (name of employee) may take advantage of the provisions of chapter ninety-five, P. L. one thousand nine hundred and eleven, within the time required by law.

.....  
 Commissioner of Labor,  
 State House, Trenton, N. J."

No proof of  
 leaving no  
 dependent  
 required.

3. No proof of the fact that said deceased employee left no dependent entitled to compensation under chapter ninety-five of the Session Laws of one thousand nine hundred and eleven, or its supplements or amendments, shall be required on the part of the Commissioner of Labor in any action brought to recover said sum of four hundred dollars, if proof of publication of the above notice under oath is annexed to the complaint filed in any such action.

If dependent  
 make claim  
 after pay-  
 ment.

4. In case any dependent of such deceased employee shall make any claim to compensation under chapter ninety-five of the session laws of one thousand nine hundred and eleven, or its supplements or amendments, after payment of said sum of four hundred dollars by the employer of any such deceased employee to the Commissioner of Labor, as aforesaid, such dependent shall be entitled to recover from the said employer as though this act had not been passed; but in any such event, the said employer, upon proving to the said Commissioner of Labor that he has made a valid agreement to make compensation to said dependent in the manner required by said chapter ninety-five of the session laws of one thousand nine hundred and eleven, or its supplements or amendments, or that judgment has been entered against him in a proceeding under said act to enforce such compensation, shall be entitled to receive repayment of such sum of four hundred dollars by the State

Entitled  
 to recover.

Repayment  
 to employer.

Treasurer from the said fund, which repayment shall be made upon the certificate of the Commissioner of Labor, endorsed with the approval of the Attorney-General.

As to validity of act.

5. In case any portion whatsoever of this act shall be adjudged to be unconstitutional, it shall not invalidate the remaining portions of said act, but shall be regarded as severable therefrom.

6. This act shall not apply to employers of domestic help or farm labor.

Domestic and farm help excepted.

Approved March 4, 1918.

## CHAPTER 204.

An Act to amend the title of an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in mercantile establishments," approved April seventh, one thousand nine hundred and eleven, so as make said act apply to persons employed for wages or other compensation in any employment other than in factories, workshops, mills, places where the manufacture of goods of any kind is carried on, mines, quarries, or in agricultural pursuits, and to amend the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The title of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Title amended.

An act regulating the age, employment, safety, health and work hours of persons employed for wages or other compensation in any employment

New title.

	other than in factories, workshops, mills, places where the manufacture of goods of any kind is carried on, mines, quarries, or in agricultural pursuits.
Section 1 amended.	2. Section one of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:
Minimum for child labor.	1. No child under the age of fourteen years shall be employed, allowed or permitted to work in any mercantile establishment coming within the provisions of this act; any corporation, or the officers or agents thereof, the members of any firm, or the agents thereof, or any person who shall employ, allow or permit to work in any mercantile establishment any child under the age of fourteen years shall be liable to a penalty of fifty dollars for each offense. Any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and any corporation, or the officers or agents thereof, the members or agents of any firm or any person owning, operating or managing said business shall be deemed to be guilty of keeping a disorderly house, and, upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.
Penalty. Habitual violation a disorderly house.	
Penalty.	
Section 2 amended.	3. Section two of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:
Hours of employment.	2. No child under the age of sixteen years shall be employed, allowed or permitted to work in or in connection with any mercantile establishment unless such child shall produce an age and schooling certificate as provided and required by law; nor shall said child be employed more than eight hours in any one day or more than forty-eight hours in any one week, or before seven o'clock in the morning or after seven o'clock in the evening; nor shall any child under the age of sixteen years be employed, permitted or allowed to work on the first
Hours per day.	
No Sunday work	



day of the week, commonly known as Sunday, or any time during said day; any corporation, or the officers or agents thereof, or the members or agents of any firm or any person who shall violate any of the provisions of this section, shall be liable to a penalty of fifty dollars for each offense. Any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and any corporation, or the officers or agents thereof, the members or agents of any firm, or any person owning, operating or managing said business, shall be deemed to be guilty of keeping a disorderly house, and, upon conviction thereof, shall be fined, not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.

Penalty.

Habitual violation a disorderly house.

Penalty.

4. Section four of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 4 amended.

4. Any corporation, firm or person owning or operating a place or places coming under the provisions of this act, and employing, allowing or permitting children between the age of fourteen and sixteen years to work therein, shall keep or cause to be kept in the main office of such place in the town or city in which such place is located, a register or record in which shall be recorded the name, place of residence and time of employments of such minors employed therein, and shall also keep on file the age and schooling certificate of every such child during the time it is employed in said mercantile establishment. Any corporation, or the officers or agents thereof, or the members or agents of any firm, or any person failing to comply with the provisions of this section, shall be liable to a penalty of fifty dollars for each offense. Any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and any corporation, or the officers or agents thereof, the

Record of children employed kept in office.

Penalty for violation.

Habitual violation constitutes a disorderly house.

Penalty.	members or agents of any firm or any person owning, operating or managing said business shall be deemed to be guilty of keeping a disorderly house, and, upon conviction thereof, shall be fined, not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.
Section 5 amended.	5. Section five of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:
Children not employed in unhealthy or dangerous conditions.	5. No child under the age of sixteen years shall be employed in any mercantile establishment coming within the provisions of this act in any employment that is detrimental to health or is dangerous to life and limb of a child of that age, or that exposes him to excessive heat or cold, or that requires an excessive muscular exertion that is detrimental to the health and strength of a child of that age, or in the handling of any goods, wares or merchandise that are poisonous or that give off dust, fumes or gases, or in working around any heated metal, combination of metal or metals or their salts, that give off any dust, fumes, or gases that are detrimental to the health, or on, in or around any scaffolding of any character whatsoever, or on, in or around any building that is under construction, or in any employment whatsoever which exposes him to conditions that will retard his growth or injure his health, or in any place that is damp and unhealthy, or that is injurious in any way to the health and strength of a child, or in any place where, on account of the light or the nature and character of the work, the child's eyesight or hearing will be injured. Any corporation, or the officers or agents thereof, the members or agents of any firm, or any person who shall employ any child, contrary to the provisions of this section of the act, shall be liable to a penalty of fifty dollars for each offense. Any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly
Penalty for violation.	
Penalty for habitual violation.	

derly house, and any corporation, or the officers or agents thereof, the members or agents of any firm or any person owning, operating or managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined, not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.

6. Section fifteen of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 15  
amended.

15. Mercantile establishment, as used in this act, shall be construed to apply to any employment of any person for wages or other compensation other than in a factory, workshop, mill, place where the manufacture of goods of any kind is carried on, mine, quarry or in agricultural pursuits.

Mercantile  
establish-  
ment defined.

7. All acts and parts of acts inconsistent with the provisions of this act be and the same hereby are repealed. Any person who has violated the provisions of the act hereby amended prior to the date of the taking effect of this act may be prosecuted for such violation as though this act had not been passed.

Repealer.

Prosecutions  
for former  
violations.

Approved March 4, 1918.

## CHAPTER 205.

An Act to amend an act entitled "An act to amend an act entitled 'An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912),' approved April first, one thousand nine hundred and twelve," which amendment was approved March thirteenth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 6  
amended.

1. Section six be and the same is hereby amended to read as follows:

Terms of  
officers.

6. The terms of office of all officers then holding office under appointment by the boards of chosen freeholders existing in any county at the time of reorganization of said board under this act in such county, shall not be affected by this act, but the officers then holding office shall continue in office during the terms for which they were originally appointed or elected and until their successors shall have been appointed or elected and shall have duly qualified; and thereafter, all offices to be filled by said board of chosen freeholders shall be for the term of three years; *and provided, further,* that nothing in this section contained shall apply to or in anywise affect any honorably discharged soldier or sailor of the United States, or the widow of such soldier or sailor, in office at the time of the adoption of this act in any such county, but any

Three-year  
term.

Proviso.

and all such persons shall continue and remain in their respective offices during good behavior, and shall be removed only for cause.

2. This act shall take effect immediately.

Approved March 4, 1918.

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## CHAPTER 206.

An Act creating the office of county supervisor in counties of the first class in this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. On and after the passage of this act there shall be a chief executive officer in counties of the first class in this State to be known as the county supervisor. County supervisor.

2. The county supervisor shall be elected at large in the county, and must be a citizen of such county in and for which he is elected; he shall be voted for at the same time and at the same places that members of the boards of chosen freeholders are voted for; he shall take office on the first Monday in January next after his election, and shall hold office for three years and until his successor shall have been elected and qualified; he shall be the chief executive officer of the county, and may recommend the board of chosen freeholders to pass such measures as he may deem necessary or expedient for the welfare of the county; and it shall be his duty to communicate to the board of chosen freeholders, at their first annual meeting in each year, and at other times when he may deem it expedient, a general statement of the condition of the county in relation to its government, finances, in- Election.  
Term.  
Duties.

stitutions and improvements, with such recommendations as he may deem proper; to be vigilant and active in causing the laws and ordinances of the county to be executed and enforced.

Supervision  
of subordi-  
nates and  
employees.

3. It shall be the duty of the county supervisor to exercise a constant supervision over the conduct of all subordinate officers and employees, and to examine into all complaints made against any of them for violation or neglect of duty, and if it is found that any officer or employee is guilty of the charges brought against him, the county supervisor may suspend or remove him, as the case may seem to require, and generally to perform all such duties as may be required of him by law or ordinance.

Witnesses  
and records.

For such purposes the county supervisor shall have power to compel the attendance of witnesses and the production of books and records in such county pertinent to such examination. The fees for such witnesses for attendance and travel shall be the same as for witnesses before the Courts of Common Pleas, and shall be paid in the same manner as fees for witnesses before such courts. Any disobedience to or neglect of any subpoena issued by the said county supervisor, or any refusal to testify, shall be certified in writing by the county supervisor to the judge of the Court of Common Pleas of the county in which such disobedience occurred, who shall thereupon, by a warrant issued to the sheriff of the county, direct the production of the body of the person so disobeying, and upon the production of the body of such person, shall, in a summary way, inquire into the cause of such disobedience, and if no sufficient cause be shown therefor, shall, by a commitment issued under his hand, directed to the keeper of the common jail of said county, order the detention in such common jail of such person for such a period of time, not exceeding ninety days, as said judge in said commitment shall designate, or until such person shall purge himself of such disobedience. Any person

Neglecting  
subpoenas.

Penalty.

who shall knowingly give false testimony before such county supervisor, shall be guilty of a misdemeanor.

4. Every resolution or ordinance passed by the board of chosen freeholders shall, before it takes effect, be presented to the county supervisor by the clerk of the board of chosen freeholders, duly certified by the director and clerk of said board; if he approve it, he shall sign it; if not, he shall return it with his objections, and file it with the clerk of the board of chosen freeholders within ten days after receiving it; and the board of chosen freeholders shall, at its next meeting thereafter, enter the objections at length on the minutes of the board, and shall proceed to reconsider the same, and if two-thirds of all the members of the board of chosen freeholders agree to pass the same, it shall take effect, but in every such case the vote shall be taken by yeas and nays and entered in full on the minutes of the board; and if such resolution or ordinance shall not be returned within ten days as aforesaid, it shall take effect in like manner as if the county supervisor had signed it.

Approval of  
resolutions by  
freeholders.

If objections,  
action by  
freeholders.

5. Whenever there shall be a vacancy in the office of county supervisor caused by the resignation, death or removal of the county supervisor, then the director of the board of chosen freeholders shall act as county supervisor pro tempore, and shall possess all the rights and powers of the county supervisor for the unexpired portion of the term for which the county supervisor was elected, and the director of the board of chosen freeholders, upon assuming the office of county supervisor, shall cease to be a member of the board of chosen freeholders.

Vacancy.

6. The county supervisor shall receive an annual salary of four thousand dollars, which salary shall be in lieu of all fees or other compensation whatsoever, and shall be paid in monthly installments by the county collector as the same become due; be-

Salary.

Oath.

fore assuming the duties of his office the county supervisor shall take and subscribe an official oath for the faithful performance of the duties of his office, which oath shall be filed in the respective offices of the clerks of said counties.

Continuance  
of present  
supervisor.

7. If, in any county of the first class, a county supervisor has been elected under the provisions of any other act, such county supervisor shall continue in office until the first Monday of January next after the expiration of the term for which he was elected, and his successor in office shall be elected under the provisions of this act at the general election next preceding the expiration of said term.

Repealer.

8. All laws or parts of laws inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 4, 1918.

#### CHAPTER 207.

A Supplement to "An act to regulate elections (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Petitions of  
nominations  
filed 45 days  
before  
election.

1. All petitions nominating candidates for office, under the provisions of section forty-one of the act to which this is a supplement, shall be filed with the Secretary of State or clerk of said county, city or other municipality as may be proper, at least forty-five days previous to the election at which the candidates nominated are to be voted for.



2. Petitions naming candidates for office to be filled by voters of the entire State, or of any congressional district, or of any political division greater than a single county, shall be filed with the Secretary of State; petitions naming candidates to be voted for by all the voters of a single county, or more than a single political division thereof, or where candidates for office are to be voted for upon the county ticket, shall be filed with the clerks of the respective counties wherein the officers nominated are to be voted for; all other petitions shall be filed with the clerks of the respective municipalities wherein the candidates nominated are to be voted for.

With whom  
petitions  
filed.

3. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 208.

An Act appropriating from the State Fund a sum of money to be expended by and under the direction of the Secretary of War of the United States for the construction of such work or works, seawalls, bulkheads and jetties and other approved devices necessary and proper to protect the inland waterways, navigable rivers and waterways and riparian lands of this State in counties bordering upon the Atlantic ocean from destruction by encroachments of the Atlantic ocean and other destructive agencies of the sea.

WHEREAS, The coast and seashore of New Jersey in many places consists of narrow strips and necks of land situated between the Atlantic ocean and a navigable river or other inland waters hav-

Preamble.

ing channels dredged and maintained for navigation by the United States government, and in the judgment of the Legislature such narrow strips or necks of land in some cases have been or are likely to be so encroached upon by said ocean that inlets are threatened therein from the said ocean to the adjacent river or inland waterways and channels in charge of the United States, and to the serious and permanent detriment and possible destruction of the same as navigable waterways as well as the destruction and impairment of the inland waterways of this State and loss and damage to its riparian lands;

Preamble.

AND WHEREAS, Such encroachments by the ocean and threatened inlets therefrom can, in the judgment of the Legislature, and in accordance with the official report of the United States Engineers, be checked and prevented by construction and maintenance of proper sea-walls, bulkheads and jetties along said ocean, and such waterways, and by other approved devices; therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Appropriation for construction of sea-walls, jetties, etc.

1. There is hereby appropriated and directed to be paid out of the treasury of the State of New Jersey by the Treasurer thereof into the treasury of the United States to and for the credit of the Secretary of War of the United States a sum not to exceed thirty thousand dollars, which when included in any appropriation act, shall be used and expended by him under his direction for the construction of such work or works, sea-walls, bulkheads and jetties and other approved devices necessary and proper to protect the inland waterways, navigable rivers and waterways and riparian lands of this State bordering upon any municipality located in any county of this State bordering upon

Purpose.

the Atlantic ocean from the encroachments of the Atlantic ocean, by reason of the formation or threatened formation of any inlet or inlets and any other destructive agency of the sea, which said sum of money, or so much thereof as may be necessary, is to immediately become available and payable and be deposited in the treasury of the United States to the credit of the said the Secretary of War of the United States upon such Secretary of War filing a certificate or certificates with the Governor of this State setting forth the fact that he has in his hands or at his disposal a certain sum of money in a like or less amount belonging to the United States government to be expended under his direction for the construction of such work or works, sea-walls, bulkheads and jetties and other approved devices necessary and proper to protect the inland waterways, navigable rivers and waterways and riparian lands of this State in the municipalities and counties aforesaid; and, further, that he has in his hands or at his disposal available for expenditure under his direction a like or less sum of money appropriated for that purpose by the municipality or municipalities wherein or upon the borders of which such work or works, sea-walls, bulkheads and other approved devices are to be erected; and also, further, that he has also in his hands or at his disposal available for expenditure under his direction a like or less sum of money appropriated for that purpose by the county in which such municipality is located for the purpose of the construction of such work or works, sea-walls, bulkheads and other approved devices, and in each case available for the purposes for which the appropriation provided for in this act is made. *Provided, however,* that no greater amount or portion of the sum of money hereby appropriated shall be available and so paid to the Secretary of the Treasury of the United States for the purposes of such work or works in any single municipality

Deposited in  
U. S.  
treasury.

Contributions  
by municipi-  
palities af-  
fected.

County  
contribution.

Proviso.

- than is appropriated by such municipality in which or upon the borders of which said work or works are to be constructed, and is available in the hands of the said Secretary of War for expenditure under his direction, received from such municipality; *and provided, further*, that no greater amount or portion of the sum of money hereby appropriated shall be available and so paid to the Secretary of the Treasury of the United States, for the purposes aforesaid, than is appropriated and paid by the county in which such municipality or municipalities are located, and is available in the hands of the said Secretary of War for expenditure under his direction received from such county, as evidenced by the certificate or certificates above provided for; *and provided, further, however*, that in no case shall more money be expended by this State than by the United States government, and no more than fifteen thousand dollars of the sum hereby appropriated shall be expended for such protective work or works within or upon the borders of any single municipality.
- Proviso.**
- Proviso.**
- Repealer.**
2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed.
  3. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 209.

A Supplement to an act entitled "An act for the protection of the public health," approved March twenty-second, one thousand eight hundred and ninety-five.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever the Director of Health of this State, or any local board of health, or the health officer of any such board shall have reason to believe that any person is the carrier of the infective agent of typhoid fever or para-typhoid fever, and is unable or unwilling to conduct himself in such a manner as not to expose the public to danger of infection, the said Director of Health, local board of health or health officer, as the case may be, may request such person to submit to a medical examination, for the purpose of ascertaining whether or not such person is, in fact, the carrier of such infective agent, and it shall be the duty of every such person to submit to such examination as aforesaid and to permit such specimens of blood or bodily discharges to be taken for laboratory examination as may be necessary to establish the presence or absence of such infective agent; *provided, however,* that whenever any such person shall refuse to submit to such examination, or to furnish such specimens as aforesaid, the said Director of Health, local board of health or health officer may apply to a judge of the Court of Common Pleas for an order requiring that such person shall submit to such examination and furnish such specimens as aforesaid. Such application shall be by affidavit setting forth the particular infective agent with

Suspected carrier of typhoid or para-typhoid fever to be examined and tested.

Proviso.

Application to set forth reason for examination.

which the person is suspected to be infected, and the reasons why such examination is desired.

If person  
found a car-  
rier, com-  
plaint may  
be made.

2. If said Director of Health, local board of health or health officer shall find as a result of such examination as aforesaid, or in any other manner, that any person is the carrier of the infective agent of any such disease, and is unable or unwilling to conduct himself in such a manner as not to expose the public to danger of infection, the said Director of Health, local board of health or health officer, as the case may be, shall lodge a complaint against such person with any judge of the Court of Common Pleas. Upon presentation of such complaint to such judge he may in his discretion sign and the clerk of the Court of Common Pleas shall seal a warrant directed to the sheriff or any constable of the county, commanding him to forthwith bring the person named in said complaint before such judge. Upon the return of the warrant or at any time to which the matter shall be adjourned, the said judge shall proceed to hear testimony and to determine and give judgment in the matter, and said judge, if he finds that said person is the carrier of the infective agent of any such disease, and neglects or is unable to so conduct himself as not to expose the public to infection, may commit said person to a county or municipal hospital or to any other suitable place or institution for the care of persons suffering from such disease. Such judge may also make such order for the care or treatment of such person as may be proper. Said person shall be held in said hospital, place or institution until discharged by a judge of the Court of Common Pleas or by a justice of the Supreme Court. Said judge or justice shall have the power to adjourn the hearing in any case from time to time not exceeding thirty days from the return of the warrant, and to bail the person so charged in such sum as he shall deem proper for his presence at such time and place as

Brought be-  
fore court.

Hearing.

Detention.

said hearing shall be adjourned to, and, in default of bail, to commit the person so charged to the common jail of said county, to be there detained subject to hearing of said complaint. The complaint, commitment, and any and all other papers relating to the said matter shall be filed in the office of the county clerk.

3. Any person who shall disobey any order made by a judge of the Court of Common Pleas, pursuant to the provisions of this supplement, shall be liable to a penalty of not more than one hundred dollars, to be recovered in the manner provided for the recovery of penalties by the act to which this act is a supplement.

Penalty for  
disobedience  
of court's  
order.

4. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 210.

A Further Supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In counties of the first class in this State, in order to enforce the laws of this State regarding the conduct of elections, it shall be lawful for the prosecutor of the pleas and his assistants to investigate all complaints relating to the registration of voters, and for that purpose the said prosecutor of the pleas or any assistant prosecutor, or any person or persons designated by him, shall have full power and authority to visit and inspect any

Investigation  
of com-  
plaints as to  
registrations  
of voters.

Inspection of  
houses, etc.

house, dwelling, building, inn, lodging-house or hotel and interrogate any inmate, house-dweller, keeper, caretaker, owner, proprietor or landlord thereof or therein as to any person or persons residing or claiming to reside therein or thereat; to inspect and copy any books, records, papers or documents relating to or affecting the elections, either general, special or primary, or the registration of voters in the custody and control of district boards of registry and elections, county boards of registry and elections, or the clerks or other officers of municipalities; to require every lodging-house keeper, landlord or proprietor to exhibit his register of lodgers therein at any time to such prosecutor, his subordinates, or any other person so designated by the said prosecutor.

Inspect  
records, etc.

Register of  
lodgers.

Penalty for  
refusing in-  
formation.

Any person who neglects or refuses to furnish any information required or authorized by this act, or to exhibit the records, papers, or documents herein authorized to be inspected, or which are required to be exhibited, shall be guilty of a misdemeanor.

Subpœnas.

2. The prosecutor of the pleas shall have power to issue subpœnas for the purpose of investigating any complaint for violation of the election laws of this State, such subpœnas to be issued in the name of the prosecutor of the pleas, and for the purpose of aiding him in enforcing the provisions of the election laws of this State. He may, in proper cases, issue subpœnas duces tecum. A subpœna issued by the prosecutor of the plea may be served by any of the prosecutor's detectives, any peace officer or any other person designated by him for that purpose.

Penalty.

Any person who shall omit, neglect or refuse to obey a subpœna attested in the name of the prosecutor of the pleas and made returnable by him, or who shall refuse to testify under oath before him, shall be guilty of a misdemeanor and punished accordingly.



Any person who shall make any false statement under oath before the prosecutor of the pleas, as herein provided, shall be guilty of a misdemeanor and punished accordingly.

False statement.

3. The prosecutor of the pleas or any assistant prosecutor, or any person or persons designated by him, may attend at any election. The said prosecutor, or any assistant prosecutor, or such person or persons designated by him, shall be admitted at any time within any polling place and within the guard rails thereof.

Presence at polling place.

4. When directed by the prosecutor, it shall be the duty of every landlord, proprietor, lessee or keeper of a lodging-house, inn or hotel, to keep a register in which shall be entered the names and residences, the date of arrival and departure of his guests, and the room, rooms or bed occupied by them. This register shall be so arranged that there shall be a space on the same line in which each male guest or male lodger shall sign his name, and such landlord, proprietor, lessee or keeper shall make a sworn report upon a blank to be prepared and furnished by the prosecutor of the pleas thirty days before the election next ensuing to the said prosecutor, which report shall contain a detailed description of the premises so used and occupied as a lodging-house, inn or hotel, including the size and character of building, and in case only part of a building is so used, a statement as to what part of said building is so used, and the names of the lodgers therein, and all employees, and all other persons living therein, including the landlord, proprietor, lessee or keeper, and members of his family, who claim a voting residence at or in such lodging-house, inn or hotel, together with the length of time they have been regularly lodging or living therein, the beginning of such residence, the color, approximate age, height, weight, whereby such persons may be identified, the nationality, the occupation and place of busi-

Landlords to keep register of patrons.

Report made—  
what to show.

ness of such persons, and the room occupied by each such person, and whether such person is a guest, landlord, proprietor, lessee or keeper, and the signature of each such person. Above the space reserved for the signature of each such person shall be printed the following words, "the foregoing statements are true." In the form of affidavit, which shall be sworn to by the landlord, proprietor, lessee or keeper of such lodging-house, inn or hotel, shall be included the statement that the signatures of the guests or lodgers certified to in said report were written in the presence of such landlord, proprietor, lessee or keeper, and that he personally knows them to be the persons therein described.

Affidavit by proprietor.

Patrons questioned as to intention.

To the end that the sworn report herein required shall truly set forth the facts therein stated, it shall be the duty of the said landlord, proprietor, lessee or keeper to question each male person lodging or living in such lodging-house, inn or hotel as to his intention of claiming such place as a voting residence, and such person shall thereupon declare his intention thereof, and if he shall claim such place as his voting residence, he shall give to such landlord, proprietor, lessee or keeper such facts regarding himself as are required to be incorporated in the sworn report herein provided for. Said report and affidavit shall be filed personally by such landlord, proprietor, lessee or keeper with the prosecutor of the pleas at his office.

Report filed.

Penalty.

And such landlord, proprietor, lessee or keeper or any lodger who shall violate this section shall be deemed guilty of a misdemeanor.

Records kept on cards and delivered to prosecutor.

5. The district board of registry and election of each election district shall on each day of registration transfer to cards, to be provided for that purpose by the county clerk of said county, which cards shall be in form and style approved by the prosecutor of the pleas, a complete copy of the

name of each person registered in their respective districts, together with all the answers made and information given by the person registered at the time of registration, and such cards, enclosed and sealed in a cover to be provided for that purpose, by the aforesaid county clerk, shall be delivered personally or by mail forthwith by the chairman of said district board of registry and elections, together with a statement on a blank form, to be furnished by the aforesaid county clerk, after approval by the prosecutor of the pleas, that the cards delivered contain a correct copy of all the names registered and information given by the persons so registered, to the prosecutor of the pleas at his office in the county court house.

6. The prosecutor of the pleas for each county shall prepare for each election district in said county a challenge list containing the names, alphabetically arranged, and the addresses of all persons who, by reason of death, removal, conviction or otherwise, have lost the right to register from the addresses within such election district from which they registered at the last preceding election. Such challenge list shall be delivered to the respective boards of registry in such city at least one-half hour before the commencement of registration. It shall be the duty of the chairman of such respective boards of registry and elections to challenge the registration of any person applying to them for registration under any name on such challenge list, unless it shall affirmatively appear after strict examination of the voter, and, if necessary, others also, that such voter has become domiciled at a new address within the election district. At the close of the last day of registration, said challenge list shall be signed and certified as true by each member of such board of registry and election and returned to the prosecutor of the pleas in a sealed envelope provided therefor by the county clerk of said county.

Challenge list  
at registra-  
tion.

Challenge list  
at election.

Challenging.

Entries on  
list.

After the last day of registration and before election day in each year, the prosecutor of the pleas also shall prepare for each election district a challenge list containing the names, alphabetically arranged, and addresses of all persons registered in such district during said last preceding period of registration, not to be entitled to vote at said election. Such challenge lists shall be delivered to the respective boards of registry and election at least one-half hour before the opening of the polls of each election. It shall be the duty of the chairman of the respective district boards of registry and election to challenge the vote of any person presenting himself to vote under any name on said challenge list. Said challenge list shall contain a column headed "remarks," and it shall be the duty of the chairman of the respective boards of registry and election to enter in said column opposite the names on said lists whether any person applying to vote under any name on said list, who was challenged, was allowed to vote, and the reason for allowing him to vote. If a person applies to vote under any name on said challenge lists, who is challenged and does not vote, then there shall be entered opposite such name in the aforesaid column headed "remarks" the words "challenged, but did not vote." If no person applies to vote under any name on said challenge lists, then there shall be noted opposite each such name in the aforesaid column headed "remarks" the words "no application." At the close of the polls said challenge lists shall be signed and certified as true by each member of such board of registry and elections and returned to the prosecutor of the pleas of said county in a sealed envelope provided therefor by the county clerk of said county.

Duplicate  
lists.

The prosecutor of the pleas shall prepare duplicates of all challenge lists provided for in this section, and he shall keep duplicate challenge lists

on file in his office from the time of their preparation until the close of the third general election following the preparation of said challenge lists. The aforesaid original challenge lists shall also be kept on file for two years after the general election following their preparation. All such challenge lists shall be open to inspection by any citizen at any time the prosecutor's office is open for business.

List kept  
two years.

7. The prosecutor of the pleas shall have the power to appoint a sufficient number of persons as in his judgment may be necessary for the purpose of carrying out the provisions of the above act, and all necessary expenses incurred thereby, certified to and approved under his hand, shall be paid by the county collector of said county.

Assistants to  
prosecutor.

8. If any section, part or provision of this act be questioned in any court and held to be unconstitutional or invalid, such decision shall in no way affect any other section, part or provision of this act.

Validity of  
act.

9. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 4, 1918.

## CHAPTER 211.

An Act to amend an act entitled "An act relating to the Court of Common Pleas (Revision of 1900)," approved March twenty-third, one thousand nine hundred.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 6  
amended.

1. Section six of "An act relating to the Court of Common Pleas" (Revision of 1900), approved March twenty-third, one thousand nine hundred, be amended to read as follows:

Special  
terms.

6. The Court of Common Pleas is authorized at any time or times to order and appoint regular special terms to be holden at such time or times in the vacation between the stated terms as the court shall think fit, and at such special terms to hear, try and determine all matters which would properly come before said court at a regular term.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 212.

An Act in relation to municipalities.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Conveyance  
of land here-  
tofore re-  
quired for  
streets.

1. Whenever any municipality of this State shall have received or may hereafter receive, by deed or otherwise, any land for the purpose of widening

a public street, and such municipality shall thereafter abandon the design of widening the same, it shall be lawful for such municipality, if it deem it advisable so to do, to convey the said land by appropriate conveyance to the owner or owners of the property in front of and adjoining which said land so abandoned lies.

2. This act shall take effect immediately.

Approved March 4, 1918.

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### CHAPTER 213.

An Act to amend and supplement the title and body of an act entitled "An act to provide for the examination and license of engineers and firemen having charge of stationary and portable steam boilers and steam engines, and to prohibit the use of such steam boilers and steam engines unless the person in charge thereof shall be so licensed," approved April fourteenth, one thousand nine hundred and thirteen, so that the scope of said act will include and provide for the inspection of steam boilers in this State carrying a pressure of more than fifteen pounds per square inch; creating a bureau for such inspection and prescribing its powers and duties."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Within sixty days after this act shall take effect there shall be established in the Department of Labor a bureau to be known as the Boiler Inspection Bureau, which shall consist of the Commissioner of Labor as head, the members of the Steam Engine and Boiler Operators' License Bu-

Boiler  
inspection  
bureau.

How  
composed.

reau, created under the provisions of an act entitled "An act to amend and supplement an act entitled 'An act to provide for the examination and license of engineers and firemen having charge of stationary and portable steam boilers and steam engines unless the person in charge thereof shall be so licensed,' approved April fourteenth, one thousand nine hundred and thirteen," which amendatory act was approved March twenty-ninth, one thousand nine hundred and seventeen, and such inspectors as the Commissioner of Labor shall deem necessary, who shall have the qualifications and be appointed in the manner hereinafter prescribed in this act. The members of the Steam Engine and Boiler Operators' License Bureau, under the direction of the Commissioner of Labor, shall exercise supervision over all the inspections made under this act and shall also direct and supervise the inspectors hereinafter provided for.

Powers of  
members.

The said members of the Steam Engine and Boiler Operators' License Bureau shall also have all the powers and privileges and be entitled to the same emoluments as said inspector.

Duties.

2. The said Boiler Inspection Bureau shall be in charge of the inspection of all of the steam boilers located within this State carrying a pressure of more than fifteen pounds per square inch. The members of said Boiler Inspection Bureau shall be subject to the direction, control and approval of the Commissioner of Labor, who shall prescribe their duties and who shall make such rules and regulations for the operation of such bureau as he may deem necessary.

Eligibility of  
inspectors.

3. Any person who shall be a citizen of the State of New Jersey, who has had at least five years' experience as an engineer in the care and operation of steam boilers, or who has had at least five years' experience as a boilermaker, or who has been for five years an inspector of an insurance company issuing insurance upon boilers and licensed to do



business within this State, who shall satisfactorily pass the examination hereinafter provided for, shall be eligible to the office of inspector in the said Boiler Inspection Bureau.

4. The Commissioner of Labor shall from time to time direct members of the Steam Engine and Boiler Operators' License Bureau to hold examinations for inspectors in the Boiler Inspection Bureau and shall prescribe the rules for and scope of said examination.

Examina-  
tions.

5. The Commissioner of Labor shall appoint the necessary inspectors from those who have satisfactorily passed said examination and shall issue to the inspectors so appointed a license, which license shall be signed by the Commissioner of Labor and be sealed with the seal of the Department of Labor, and when so licensed such inspectors shall be authorized and empowered to conduct inspection of steam boilers within this State. Said inspectors shall hold office during the pleasure of the Commissioner of Labor and shall perform such duties as the Commissioner of Labor shall by rule direct.

Appointment  
of inspectors.

6. All steam boilers carrying a pressure or more than fifteen pounds per square inch shall be inspected internally and externally and be subject to a hydrostatic test, if necessary, at least once in each year by an inspector of the Boiler Inspection Bureau, excepting, however, such steam boilers as may be insured after having been regularly inspected in accordance with the terms of this act by insurance companies; *provided, however*, that the inspectors of such insurance companies shall have satisfactorily passed the examination and been licensed by the Commissioner of Labor under the terms of this act for the inspection of steam boilers; the inspections of any steam boiler by such licensed inspector of an insurance company shall be acceptable in lieu of other inspections by the Boiler Inspection Bureau. This act shall not apply to steam boilers in marine or railroad ser-

Boilers  
subject to  
test and  
inspection.

Proviso.

Exceptions.

vice that are subject to United States Government inspection and regulations, or to fire department apparatus or motor road vehicles.

Fee for  
inspecting  
and testing.

7. A fee of six dollars shall be charged for each annual internal and external inspection, which shall include hydrostatic test if such is found necessary, of each steam boiler, together with the actual railroad fare incurred by the inspector in going to and returning from the place of inspection. The fees and expenses provided in this section shall be paid to the inspector making the inspection by the owner of the steam boiler and out of the money so collected the inspector shall pay to the Commissioner of Labor the sum of one dollar, retaining the balance for his services and expenses.

Additional  
external  
inspection.

8. In addition to the annual internal and external inspection provided in section six, there shall also be an external inspection of each steam boiler as aforesaid, which said external inspection shall be made as nearly as may be at the expiration of six months from each annual inspection as aforesaid, and for such external inspection a fee of two dollars and fifty cents shall be paid, in addition to the actual railroad fare to the inspector making the inspection in going to and returning from the place of said inspection, by the owner of the said steam boiler so inspected. Each steam boiler insured by an insurance company in accordance with the terms of section six shall also be given an external inspection by a licensed inspector as a part of the obligation of their insurance policy.

Fee.

Commis-  
sioner may  
order in-  
spections.

9. Whenever it shall be deemed necessary by the Commissioner of Labor additional inspections may be made of said steam boilers, which additional inspection shall be paid for in accordance with the terms of the preceding section.

Rules and  
regulations.

10. The Commissioner of Labor is hereby authorized to make such rules and regulations covering the manner of conducting inspections, the method of collecting fees, the settlement of ac-

counts and payment of money on the part of licensed inspectors by insurance companies as he may deem necessary.

11. Any insurance company making an inspection of any steam boiler shall make a report of such examination to the Commissioner of Labor in such manner and at such intervals as he may by rules provide, and shall pay to said Commissioner of Labor a fee of one dollar for each boiler insured within the State.

Report by  
insurance  
company  
making  
inspection.

12. Whenever the Commissioner of Labor shall cause a written notice to be served upon the owner of any steam boiler coming within the provisions of this act, to furnish him with a report of an inspection made in accordance with the provisions of this act, it shall be the duty of the owner of such steam boiler, within thirty days after the date of service of said notice, to furnish said report to the said Commissioner of Labor, and if such report is not made within the said thirty days the Commissioner of Labor shall assign an inspector to make an inspection in accordance with the terms of said notice. Whenever an inspection is made in accordance with the provisions of this section the fees for such inspection shall be paid by the owner of said boiler to the Commissioner of Labor, who shall pay to said inspector the amount due him under the provisions of this act, and in case the said fee is not paid within thirty days after said inspection is made the Commissioner of Labor is hereby authorized to commence a suit for its collection in any court of competent jurisdiction.

Report by  
owner of  
boiler.

Fee.

13. If after any inspection it is found that any steam boiler is unfit for use, the inspector making such inspection shall order the use of said boiler to be discontinued until such time as proper repairs or replacements are made, and it shall be the duty of said owner of said steam boiler before continuing the use of said steam boiler to cause the same to be properly repaired or replaced, and

If boiler  
found unfit,  
order to dis-  
continue use.

when said repairs or replacements are complete to notify the Commissioner of Labor, who thereupon shall cause a further inspection of said steam boiler in order to determine whether such repairs or replacements have been properly made, and if said inspection discloses that such steam boiler is fit for use the said inspector shall deliver to said owner a certificate entitling said owner to continue its use.

**Reinspection.** 14. Any owner or operator of any steam boiler who is dissatisfied with the result of any such inspection may appeal to the Commissioner of Labor by mail and upon the receipt of any such appeal the Commissioner of Labor shall direct one of the members of the Steam Engine and Boiler Operators' License Bureau to conduct an inspection of such steam boiler and make a report of such inspection to the Commissioner of Labor, who thereupon shall render his decision, which decision shall be final.

**Standards.** 15. All steam boilers in this State shall be required to conform to such regulations and standards as are from time to time adopted by the Board of Boiler Rules.

**Fees paid into treasury.** 16. All fees received by the Commissioner of Labor shall be paid into the State treasury.

**Certificate of inspection issued.** 17. Upon payment by the owner of any steam boiler, or insurance company of the fees provided by this act for inspections, the Commissioner of Labor is hereby authorized and directed to deliver to said owner a certificate of inspection upon blanks provided for that purpose, which blanks shall be in such form as will show that said owner has complied with the provisions of this act.

**Penalty for violations.** 18. Any owner of any steam boiler who shall use or allow to be used such steam boiler in violation of any provision of this act shall be liable to a penalty of from fifty to one hundred dollars, to be collected by suit or compromise. All suits to recover any penalty shall be commenced in the name

**Recovery of penalties.**

of the Commissioner of Labor as plaintiff and may be brought before any District Court or justice of the peace of the county wherein such violation shall occur, and said District Courts and justices of the peace are hereby authorized to hear and determine such causes and to issue execution for the collection of such penalties.

19. Section nine of the act of which this act is amendatory be and the same is hereby amended to read as follows:

9. Each member of the Steam Engine and Boiler Operators' License Bureau shall be entitled to have and receive as and for his compensation the sum of two thousand dollars per year. The salary of any member of said bureau, after three years of service, may be increased upon the recommendation of the Commissioner of Labor to twenty-one hundred dollars per year, and upon like recommendation, after four years of service, to twenty-two hundred dollars per year. Each member of said bureau, after having satisfactorily served for five years, shall, if recommended by the Commissioner of Labor, be admitted to a noncompetitive promotion examination to be conducted by the Board of Civil Service Commissioners, and, upon successfully passing said examination, shall receive a salary of twenty-three hundred dollars per year. Each member of said bureau, after having served one year subsequent to passing such promotion examination, shall, if recommended by the Commissioner of Labor, receive a salary of twenty-four hundred dollars per year, and after two years' service subsequent to passing said examination, shall, upon like recommendation, receive a salary of twenty-five hundred dollars per year. Each member of said bureau shall be entitled to and shall receive his necessary expenses incurred in the performance of his duty. In computing the period of service above referred to, the service rendered by any member of said bureau prior to

Section 9  
amended.

Salary of  
members.

Increase of  
salary.

Promotion.

Further  
increase.

Expenses  
met.

Period of  
service.

April first, one thousand nine hundred and seventeen, shall not be considered. The salaries and expenses of the members of said bureau shall be payable monthly in the same manner as the compensation of other employees of said Department of Labor; the fees received by the commissioner for such licenses shall be paid into the State treasury.

20. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 214.

An Act to amend an act entitled "A supplement to an act entitled 'An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a civil service commission, and defining its powers and duties,' approved April tenth, one thousand nine hundred and eight," which supplement was approved March sixteenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 3  
amended.

Use of  
records in  
promotion or  
abolishing  
position.

1. Section three of the act designated in the title of this act is hereby amended to read as follows:

.3. The efficiency records herein referred to shall be used by the Civil Service Commission as a basis for the determination of the relative efficiency of the candidates seeking promotion to the higher grades of the service, and whenever it is sought to abolish any positions, or to separate any employees from service for a limited time, for reasons of

economy the position of the person or persons shown to be the least efficient, by a comparison of such efficiency records for the period of one year immediately preceding the proposed abolition of the position or positions or separation of such employee or employees from service, in the class and grade in which the reduction of the force is to be made, shall be abolished. When the efficiency record shall show no difference in the relative efficiency of the employees, the position of those most recently appointed shall be the first to be abolished.

Priority.

4. All acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 4, 1918.

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## CHAPTER 215.

An Act to enable the Board of Commerce and Navigation to acquire title to riparian lands in the name of the State of New Jersey and to provide for the use and occupation of such lands together with the adjacent lands under tide water.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The Board of Commerce and Navigation shall have the power to acquire title in fee simple, in the name of the State of New Jersey, to any riparian lands in the State of New Jersey of such area and extent, which, in the discretion of such board, may be deemed necessary and advisable, and to take title to such lands in the name of such State. All such lands when so acquired shall be subject in all

Title to  
riparian  
lands.

Jurisdiction.

Approval by governor.	respects to the jurisdiction and control of the Board of Commerce and Navigation and the use and occupation thereof, together with all the improvements thereon, may be granted by lease or grant by such board to any person or persons, corporation or corporations, upon such terms and covenants and for such periods of time not exceeding sixty years as may be required and directed by said board. Any such grant or lease shall be approved, before the same shall take effect, by the Governor of the State of New Jersey. The grant or lease of riparian lands shall be authorized and permitted only in conjunction with the grant or lease of the adjacent lands under tide water and only to the same party or parties and for the same period of time.
What lands to be acquired.	2. No riparian lands shall be acquired under the provisions of this act except only such as are adapted to and can be used with, and are necessary for the development and improvement or use of lands under tide water owned by the State of New Jersey.
Grant of riparian lands for use of former owners.	3. The Board of Commerce and Navigation shall have the power, as a consideration for the transfer of title of any riparian lands to the State of New Jersey, to enter into an agreement with the owner or owners of such riparian lands and to lease and grant the use and occupation of such riparian lands, after the transfer thereof to the State of New Jersey, together with the use and occupation of the adjacent lands under tide water, to such owner or owners, or to any party designated by said owner or owners, whereby such lands, both riparian and under tide water, shall be improved and developed at the expense of the grantee or lessee, in such manner, under such plans and specifications, at such minimum cost and within such time as may be required by such board. The said board shall also require that after such improvements have been made and constructed, the lessee or grantee shall conduct, maintain and operate, during the life
Agreement as to improvements.	
Maintenance.	



of such grant or lease upon said premises, such enterprise, commercial operation, business, or venture, as such improvements are designed for, at the sole cost and expense of the lessee or grantee. The operation and maintenance thereof shall be under the supervision and jurisdiction of the Board of Commerce and Navigation and in lieu of rent reserved in cash, for the grant or lease of said riparian lands and lands under tide water; the said board shall have the power to require and receive as rental, under such grant or lease and for the full term thereof, an annual percentage of the income of the lessee or grantee received from the use and occupation of the said premises and the business or enterprise conducted thereon. Such income shall be calculated and adjusted in such manner as the board shall determine and such annual percentage shall not be less than 33 1-3 per centum, and all of said requirements shall be set forth in detail in the grant or lease. All moneys received by the Board of Commerce and Navigation under the provisions of this act shall be subject to the provisions of law applicable to the receipts from grants or leases of land under tide water. At the expiration of the term of the grant or lease, the title to all improvements, railways, buildings, docks, wharves, bulkheads, machinery, stock, and equipment and all chattels of every kind and nature whatsoever comprising the fixtures located upon such land and premises and then in the operation or maintenance of the enterprise, business, or venture conducted upon such premises, together with the title and good will of such business or enterprise, shall vest in the State of New Jersey and the lease or grant shall provide and contain in detail the mode and manner and subject matter of the transfer to the State of New Jersey.

4. All grants or leases granted under the provisions of this act shall be subject to the provisions

Supervision.

Rental.

Amount.

At end of lease, all improvements, etc., to vest in State.

Laws applicable.

of existing laws so far as the same are not inconsistent with the terms of this act.

5. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 216.

A Supplement to an act entitled "An act relating to the propagation, planting, preservation and gathering of clams and oysters in the tidal waters of this State, and enlarging and defining the powers and duties of the Board of Shell Fisheries," approved March twenty-fourth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Not dig  
clams or  
oysters at  
night.

1. It shall be unlawful to take or catch or to assist in taking or catching any clams or oysters from any of the lands lying under the tidal waters of this State before sunrise or after sunset.

Penalty.

2. Any person violating the provisions of this act shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 217.

An Act to amend an act entitled "An act relating to the propagation, planting, preservation and gathering of clams and oysters in the tidal waters of this State, and enlarging and defining the powers and duties of the Board of Shell Fisheries," approved March twenty-fourth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section one of the act to which this act is an amendment is hereby amended to read as follows: Section 1  
amended.

1. The Board of Shell Fisheries shall have power to lease to applicants therefor any of the lands of the State under the tidal waters thereof, to be exclusively used and enjoyed by such lessee for the planting and cultivating of oysters and clams; *provided, however*, that no lease or leases shall be hereafter granted to any person or persons who shall not be at the time of granting such lease or leases, and shall not have been for twelve months next preceding a citizen and actual resident of this State, but this restriction shall not apply to renewals of any lease or leases heretofore granted; *and provided, further*, that no lands shall be leased above the southwest line in the Delaware bay, nor in any creeks tributary to Delaware bay, nor any other lands under the waters of Delaware bay, Raritan bay, or Sandy Hook bay, which by any existing law of this State it is not now made lawful to lease for such purposes, nor the beds at the mouth of the Tuckahoe and Great Egg Harbor rivers, nor the graveling beds at the mouth of Lease land.  
  
Proviso.  
  
Proviso.

Mullica river, Parker's beds in Parker's cove, Forked river beds, Cedar creek beds and Sloop creek beds in Barnegat bay, nor Shrewsbury river and both branches thereof below Geuyon's Point, on the north branch, and Little Silver on the south branch.

2. This act shall take effect immediately.

Approved March 4, 1918.

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## CHAPTER 218.

A Supplement to an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Special  
elections.

Notices.

How election  
conducted.

1. In every case in which a referendum vote of the legal or qualified voters of any municipality is authorized by the act to which this is the supplement it shall be lawful for such vote to be taken at a special election to be held in such municipality on a day to be specified in a resolution of the governing body thereof; and when a resolution shall be adopted by said governing body specifying a day for such special election, and notice thereof shall be given to the proper officer, he shall cause notice of such special election to be published once in a newspaper published or circulating in said municipality at least ten days before the election. Such election shall be held, conducted and canvassed as other elections in such municipality, and the same shall be as valid and effectual as if such vote had been taken at a general election where

so provided in the act to which this is a supplement, and all subsequent proceedings may be taken as provided in said act, as if said vote had been taken at a general election.

2. This act shall take effect immediately.

Approved March 4, 1918.

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### CHAPTER 219.

An Act extending the time for the completion of certain water works, pipes, mains and conduits.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever the time limit for the commencement or completion of any water works, or of any pipes, mains or conduits for supplying water, authorized to be constructed within this State under any law of this State, has expired or shall expire before the thirty-first day of December, one thousand nine hundred and eighteen, such time for the commencement of the construction of such water works, pipes, mains or conduits shall be and the same is hereby extended for the further period of one year from the passage of this act, and the time for the completion of the same shall be and is hereby extended for the period of two years thereafter.

Extension of  
time for  
completing  
water  
system.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 220.

An Act to provide for the opening of an entrance to the inland waterways of the State through the Manasquan inlet, on the basis of payments contingent upon results secured, and for the appropriation of money therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Plans, specifications,  
contracts.

1. The Board of Commerce and Navigation be and it is hereby authorized and empowered to cause plans and specifications to be prepared, to advertise for bids in the manner provided by law and enter into contract with any responsible person or persons, firm or corporation, under a guarantee by such person or persons, firm or corporation of results to be secured, for the creation, fixing or deepening, by means of any structure or structures, device or devices, a channel through the outer bar at the Manasquan inlet, between Monmouth and Ocean counties in this State, of such widths and depths and upon such terms and conditions as the said board may prescribe.

Appropriation.

2. The Board of Commerce and Navigation is hereby authorized to expend the sum of eighty-four thousand dollars, or so much thereof as may be necessary, for the purpose of carrying into effect the provisions of this act; *provided*, such sum is appropriated for such purpose in any annual or supplemental appropriation act.

Proviso.

3. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 221.

An Amendment to an act entitled "An act to provide a budget system and to provide a method of ascertaining the financial condition of the State and the appropriations necessary for the various departments, institutions and other agencies of the State, approved March first, one thousand nine hundred and sixteen."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section eleven of the act to which this act is an amendment be and the same is hereby amended so it shall read as follows:

Section 11  
amended.

11. The Governor shall not recommend to the Legislature appropriations in excess of the estimated State funds available for disbursement during the fiscal year to which such recommendations are applicable. Should he believe that additional appropriations are necessary he shall, if he deems it advisable, suggest plans for raising revenue to meet such appropriations.

No recom-  
mendation in  
excess of  
revenue.

2. Section fifteen of the act to which this act is an amendment be and the same is hereby amended so that it shall read as follows:

Section 15  
amended.

15. In order that the same degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any future act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall

Transfer  
of items.

consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any other purpose.

Proviso.

Section 2 as amended.

Requests for appropriations presented to governor.

3. Section two of the act to which this act is an amendment so that it shall read, "Each department of the State government, board, commission, charitable or correctional institution, or any other State agency, requiring an annual appropriation from the State, shall present a request therefor to the Governor on or before October fifteenth of each year. Any organization, body, committee or person intending to request an appropriation from the Legislature for any particular object or purpose or for any new annual expenditure, shall likewise present such request to the Governor on or before October fifteenth."

Section 7 as amended.

Financial statement furnished governor—what to show.

Sources and income shown.

4. Section seven of the act to which this act is an amendment so that it shall read, "On October fifteenth of each year, and thereafter as required, the Comptroller and State Treasurer shall jointly transmit to the Governor, in such form as he shall direct, a summary of the financial condition of the State. This report shall show, in condensed form, the financial condition of the State for the fiscal year ending June thirtieth preceding, the amounts expended and the amounts received, the sources and amounts of income, and the free balance in the treasury. He shall also furnish a similar information, as nearly as the same can be ascertained, for the current year. The report shall likewise show the probable sources of revenue and the probable estimate of the State's income available for appropriations for the next fiscal year for which the Legislature will be requested to make appropriations."

Approved March 4, 1918.



## CHAPTER 222.

An Act to amend an act entitled "An act concerning the militia of the State," approved March twentieth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section one of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 1  
amended.

1. Composition of the Militia.—The militia shall consist of all able-bodied male citizens of this State and all other able-bodied males who have or shall have declared their intention to become citizens who shall be more than eighteen years of age and residents of this State and, not more than forty-five years of age, and said militia shall be divided as follows: The National Guard, National Guard Reserve, National Guard Retired, State Militia, Naval Militia and Unorganized Militia, which shall constitute the military forces of the State. Militia; how  
composed.  
  
Age.  
  
Classified.

2. Section four of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 4  
amended.

4. Powers of the Governor.—The Governor shall have power in case of actual or threatened insurrection, invasion, tumult, riot or breach of the peace or imminent danger to public safety to order into the active service of the State all or any part of the military forces that he may deem necessary, and to maintain the same in service until the exigency shall have passed. When the military forces or any part thereof, are called forth under the laws of the State or the Constitution and laws of the Powers of  
governor.

United States, the Governor shall order for service such part thereof as may be necessary.

**Organization.**

The Governor shall have the power to organize the militia into departments, brigades, corps, regiments, battalions, squadrons, companies and other units as may from time to time be considered necessary, all to be formed and organized in conformity with the laws governing the Army of the United States and the regulations issued by the Secretary of War, and to make changes in such organizations from time to time as may be necessary to maintain conformity with the similar units of the Regular Army or Navy of the United States.

**Section 5  
amended.**

3. Section five of the act of which this act is amendatory be and the same is hereby amended to read as follows:

**Governor's  
staff.**

5. Staff of the Governor.—The staff of the Governor shall consist of:

Administrative: One adjutant general, with the rank of brigadier general; one quartermaster general, with the rank of brigadier general; one inspector general of rifle practice, with the rank of brigadier general; one inspector general, with the rank of lieutenant colonel; one judge advocate general, with the rank of lieutenant colonel; one chief of ordnance, with the rank of major; one surgeon general, with the rank of lieutenant colonel.

**Personal  
aides to  
governor.**

Personal: Six personal aides-de-camp whose terms of service, unless sooner terminated, shall expire with that of the Governor who shall have appointed them, one of whom may be appointed by the Governor with the rank of colonel, the other five shall be detailed by order of the Governor from the commissioned officers of the military forces holding commissions on the active or reserve lists of a grade below that of colonel, and their detail shall operate as an assignment to duty as aides-de-camp, but shall not change the rank or grade of the officers so detailed; aides-de-camp shall not be relieved from assignment with their

respective organizations or from routine duty therewith when not actually performing duty as aides-de-camp.

4. Section six of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 6  
amended.

6. Rules and Regulations.—The laws of Congress of the United States, the articles of war, regulations, forms, precedents and usages relating to and governing the Army and Navy, respectively, of the United States, and National Guard of the States, shall, in so far as the same are applicable and not inconsistent with the Constitution of this State, apply to and govern the active military forces of this State, and in addition thereto the Governor shall have the power to issue from time to time such rules and regulations for the government of the military forces as he may deem necessary.

Rules and  
regulations.

5. Section seven of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 7  
amended.

7. Organization of the Military Forces.—The organization of the military forces shall consist of the regularly enlisted militia between the ages of eighteen and forty-five years, organized, armed and equipped as hereinafter provided, and of the commissioned officers between the ages of twenty-one and sixty-four years.

Organization  
of military  
forces.

6. Section eight of the act of which this act is amendatory be and the same is hereby amended to read as follows:

8. The Active Military Forces.—The active military forces shall consist of the adjutant general's department, quartermaster corps, department of rifle practice, inspector general's department, judge advocate general's department, medical department, ordnance department, and such brigades, regiments, battalions, squadrons, companies, naval militia units and other units as now exist or may hereafter be authorized by the Governor, all to be

Active mili-  
tary forces.

organized in accordance with the laws of the United States and regulations issued for the Federal forces.

Section 10  
amended.

7. Section ten of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Duties of  
adjutant  
general.

10. Duties.—The Adjutant General shall be the chief of the administrative staff of the military forces of the State, and is, under the direction of the Governor, charged with the supervision of all matters pertaining to the command, discipline, training and administration of all departments, corps and troops; he shall keep in his office a record of all officers and enlisted men, and all records and papers required by law or regulations to be filed therein; make to the Governor of the State, and to the Secretary of War and Secretary of the Navy of the United States, such returns and reports as may be required; record, authenticate and communicate to troops and individuals in the military service all orders, instructions and regulations issued by the Governor; cause to be procured, printed and circulated to those affected and concerned the military laws, regulations, orders, books, blank forms and other publications governing the military forces, as promulgated by authority of the laws of the State and the United States, and as may be required, from time to time, to carry into full effect the provisions of this act and the proper administration of the military forces of the State; have an appropriate seal, and affix an impression of the same to all certificates of record issuing from his office; shall be the custodian of all military records of the State and be responsible for the filing, indexing and proper safe-keeping thereof; have charge of the historical military records and business of the military forces of the State, including all pensions, pay and other business pertaining to the military or medical histories of former officers and enlisted men; prepare and issue commis-

sions to all officers properly certified and qualified therefor; supervise the recruiting service and all matters pertaining to the enrollment and drafting of all or any part of the militia; investigate and report on all questions affecting the efficiency of the military forces; be responsible for the preparation of plans for the mobilization of the military forces of the State; render professional aid and assistance to the Governor, and perform such other military duties not otherwise assigned by law, as may be ordered by the Governor.

The archives of the Adjutant General's department shall include all military records of the Revolutionary War, the records of all officers and men, and movements and operations of troops of New Jersey in the wars of the United States since the Revolutionary War, the medical and military hospital records of the State, all reports of physical examination of recruits, and all enlistment identification cards.

Archives of  
department.

Copies of any books, records, papers or documents in the office of the Adjutant General certified by him under the seal of his office, or when his office is vacant, by the officer acting as the Adjutant General for the time, shall be admitted in evidence equally with the original thereof.

Copies in  
evidence.

8. Section twelve of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 12  
amended.

12. Duties.—It shall be the duty of the Quartermaster General and of officers of the quartermaster corps assigned to such duty under the direction of the Governor to requisition, purchase and distribute to the military forces all necessary military stores and supplies; to require a proper accounting for the stores so issued, and to issue regulations for the care, safe-keeping and periodical accounting for same; furnish all public animals for use in the service, either by purchase or hire including forage, housing, shelter, veterinary

Duties of  
quartermaster  
general and  
corps.

medicines and supplies; exercise supervision over the transportation and supplies, including the purchase, hire, operation, maintenance and repair of such wagons, carts, automobiles auto trucks and other vehicles as are or may be required for the transportation of troops and supplies for official military, garrison or camp purposes; provide the labor and materials for the repair of military stores, and secure, apportion and expend moneys appropriated for these purposes; and to care for all matters connected with the military operations which are not expressly assigned to some other department.

Section 16  
amended.

9. Section sixteen of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Paying  
troops, etc.

.16. Appropriations.—The Quartermaster General is charged with the pay of troops, and with the expenditure and accounting for all moneys appropriated by the Legislature for the support and maintenance of the military forces. Expenses thus incurred shall be certified to the Comptroller of the Treasury for payment in accordance with existing law and regulations; *provided, however*, that moneys appropriated as an annual allowance for the support, maintenance and incidental expenses, and for the leasing, heating and upkeep of the drill halls for existing departments, corps and organizations of the military forces shall be paid by the Comptroller of the Treasury on the first Monday of April of each year to the Quartermaster General, and by him deposited to the official credit of disbursing officers designated by the Governor, for the payment of expenses incurred by the several departments, corps and organizations of the military forces, subject to such rules and regulations governing the disbursement and accounting for such moneys as the Quartermaster General may prescribe. In like manner the several amounts annually appropriated for heating,

Proviso.

Expenses  
met.

Expenses of  
naval militia.

lighting and maintaining armories, and for the pay of shipkeepers, maintenance and expenses of the Naval Militia and cruises thereof, shall be paid by the Comptroller to the Quartermaster General for settlement of bills certified as correct and necessary for the proper maintenance and expenses of State armories; ships and armories of the Naval Militia.

10. Section eighteen of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 18  
amended.

18. Responsibility for Public Property.—The Governor shall designate, subject to the approval of the Secretary of War, an officer of the quartermaster corps for duty as property and disbursing officer for the United States, who shall receipt and account for all funds and property belonging to the United States in possession of the military forces of the State, and shall make such returns and reports concerning the same as may be required by the Secretary of War. Every officer and enlisted man to whom public property has been or may hereafter be issued, shall be financially and personally responsible to the State or the United States, as their interests may appear, for its good condition and safe-keeping, and in case of the loss, damage or destruction of said property, shall not be relieved from such responsibility, except it be shown to the satisfaction of the Governor that the loss, damage or destruction was unavoidable and in no way the fault of the person or persons responsible for the property. In all other cases the value of the property lost, damaged or destroyed shall be charged against the person or persons at fault or the organization to which it has been issued, and such persons or organization shall pay upon demand the value of such property to the Quartermaster General or to the property and disbursing officer, as may be determined by the evidence presented, and the moneys thus secured shall be used

Property and  
disbursing  
officers.

Responsi-  
bility for  
property.

Lost, etc.,  
property  
chargeable  
to person  
at fault.

Survey to determine value.	in replacing the lost, damaged or destroyed property. The value of the lost, damaged or destroyed property, and the person, persons or organization to be charged with the value thereof, shall be determined by a surveying officer, appointed by order of the Governor, who shall file a report of his findings and recommendations with the Governor, through proper channels, for administrative action. Should payment for the full value of the lost, damaged or destroyed property not be made by the person at fault, or by his surety within sixty days after demand, the Quartermaster General shall proceed to recover the assessed value by the methods now prescribed by law for the recovery of moneys due the State in civil court.
Recovery of value at law.	
Section 19 amended.	11. Section nineteen of the act of which this act is amendatory be and the same is hereby amended to read as follows:
Military property exempt from process.	19. Military Property Exempt from Process of Law.—The uniforms, arms and equipments and other military property furnished members of the military forces of the Government of the United States and of this State shall be exempt from every process of law, except such as may be issued in pursuance of the sentence of a court-martial.
Section 28 amended.	12. Section twenty-eight of the act of which this act is amendatory be and the same is hereby amended to read as follows:
Reward for marksmanship.	28. Small-Arms Practice Insignia.—To encourage marksmanship the Governor is authorized to offer annually a State decoration to officers and enlisted men who shall excel in marksmanship, and such other troop, battery, company, separate battalion, regimental and brigade prizes as he may, from time to time, consider expedient.
Section 29 amended.	13. Section twenty-nine of the act of which this act is amendatory be and the same is hereby amended to read as follows:
State rifle team.	29. State Teams.—The Governor is authorized, whenever he may deem it proper, to organize a



rifle team for members of the military forces to compete for excellence in rifle practice, either within or outside the State, and to provide ammunition, subsistence and transportation therefor.

14. Section thirty-one of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 31  
amended.

31. Duties.—The Inspector General shall be the chief of that department, and when ordered shall make, or cause officers of his department to make, inspections and reports, through the chief of that department, to the Adjutant General on the condition of the military forces.

Duties of  
inspector  
general.

15. Section thirty-two of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 32  
amended.

32. State Military Property.—The Inspector General shall, when ordered to do so, exercise a comprehensive observation over all that pertains to the discipline and efficiency of officers, enlisted men and organizations of the military forces, particularly the condition and sufficiency of supplies of all kinds, of arms and equipments, funds, records and accounts, and of all State military property wherever located.

Observation  
of efficiency  
of men and  
equipment.

16. Section thirty-three of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 33  
amended.

33. Annual Inspection and Muster.—An annual inspection and muster of the organizations of the active military forces may be made upon such days in each year as ordered by the Governor, at which inspection there shall be furnished by each organization commander to the inspecting officer muster rolls, in triplicate, of the organization; said muster rolls shall be examined by the inspecting officer and by him certified; he shall also endorse on each muster roll such comments and criticisms as he may deem advisable regarding the condition of the command. The officer or officers making these in-

Annual  
inspection  
and muster.

Muster  
rolls.

spections shall be entitled to the transportation and allowances, and receive the rate of pay of their rank as is provided for officers of similar rank in the United States Army for the number of days actually on duty while making said inspection.

Section 34  
amended.

17. Section thirty-four of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Investiga-  
tions.

34. Investigations.—Officers of the inspector general's department shall conduct inquiries and investigations regarding any matters in connection with the personnel or military property of the military forces from time to time, when ordered by the Governor to do so, and shall make report as to the results thereof. In the conduct of such inquiries and investigations officers of the inspector general's department are authorized to administer oaths and take testimony on subjects pertaining to the matter being investigated.

Section 35  
amended.

18. Section thirty-five of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Judge advo-  
cate general's  
department.

35. Judge Advocate General's Department.—The judge advocate general's department is the bureau of military justice and shall consist of one judge advocate general, with the rank of lieutenant colonel, and such other officers as may, from time to time, be authorized by the Governor for duty thereon.

Section 36  
amended.

19. Section thirty-six of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Duties of  
judge advo-  
cate general.

36. Duties.—The judge advocate general shall be the chief of that department, and is charged with the supervision, care and management of all things relating to the administration of law and justice. When ordered to do so the officers of that department shall act as judge advocates at courts-martial; render opinions upon legal questions when

called upon to do so by authority of the Governor; review and make reports upon the proceedings of trials of courts-martial of officers and enlisted men; report upon applications for pardon or mitigation of sentence; prepare and review charges and specifications prior to trial, and instruct judge advocates in regard to the conduct of prosecutions; advise and report as to the framing of bills, forms of procedure; prepare opinions upon questions relating to the appointment, promotion, rank, pay and allowance of officers and enlisted men; as to their amenability to military jurisdiction and discipline; upon the civil rights, liabilities and relations of military persons and the exercises of the civil jurisdiction over them; upon the employment of the military forces in the execution of the laws; upon the discharge of minors, deserters and on habeas corpus; upon the administration of military commands, care and government of military reservations, and the extent of the United States and the State jurisdictions over such reservations or other lands of the United States or the State; and upon the proper construction of appropriation acts and other statutes.

20. Section thirty-eight of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 38  
amended.

38. Duties.—The medical department, under the direction of the Governor, is charged with the duty of performing all acts necessary in the administration of that department, including the hospital service; camp and field sanitary service; care of the sick and wounded, and all other matters pertaining to the maintenance of the highest state of health efficiency. The surgeon general is charged with the observation and general supervision of all matters pertaining to the personnel and the duties of the dental and veterinary corps; he shall submit recommendations, from time to time, concerning the appointments and promotions of officers in the

Duties of  
medical  
department.

Annual report.	medical department and for their assignment to stations and duties; exercise supervision over all matters pertaining to the discipline, instruction and training of all organizations and units within the department; and submit to the Adjutant General annually a report, covering the operations and history of the medical department, for the year, not later than November fifteenth, for the year ending October thirty-first next preceding.
Section 40 amended.	21. Section forty of the act of which this act is amendatory be and the same is hereby amended to read as follows:
Staff officers.	40. Staff Officers.—Staff officers, including officers of the pay, inspection, subsistence and medical departments hereafter appointed shall have had previous military experience and shall hold their positions until they shall have reached the age of sixty-four years, unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court-martial legally convened for that purpose, and that vacancies among said officers shall be filled by appointment of officers of the active military forces.
Section 41 amended.	22. Section forty-one of the act of which this act is amendatory be and the same is hereby amended to read as follows:
Chaplains.	41. Chaplains.—The Governor is authorized to appoint chaplains at the rate not to exceed one for each regiment or separate battalion. No person shall be appointed as chaplain until he has furnished proof that he is a regularly ordained minister of some religious denomination, in good standing at the time of his appointment, together with the recommendation for such appointment from some authorized ecclesiastical body, or from not less than five accredited ministers of such denomination. No person shall be appointed a chaplain who shall have passed the age of forty or until he shall have established his fitness as required by existing law. Chaplains shall have the rank of
Eligibility.	
Rank.	

captain, and shall have the same status as other officers as to tenure of office and retirement. The Governor may, from time to time, select any chaplain having not less than ten years' service in the grade of captain, who shall have been commended as worthy of special distinction for exceptional efficiency by a regimental or separate battalion commander with whose command he has served as chaplain and may promote such chaplain with the grade, pay and allowances of major; every such promotion being made with a view to active service until the statutory age for the compulsory relinquishment thereof, except in cases of physical disability; *provided*, that all persons who may hereafter be appointed as chaplains shall have the grade, pay and allowances of first lieutenant, mounted, until they shall have completed seven years of service, and thereafter they shall have the grade, pay and allowances of captain, mounted. Chaplains may be assigned to such stations as the Governor shall direct, and they may be transferred, as chaplains, from one organization to another by the Governor, without further commission.

Promotion.

Proviso.

Assignment.

23. Section forty-two of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 42 amended.

42. Qualifications for Officers.—On and after the passage of this act no person shall be commissioned as an officer of the military forces unless he shall have been selected from the following classes and shall have taken and subscribed to the oath of office prescribed in section forty-four of this act: Officers or enlisted men of the National Guard or State Militia, active; officers on the reserve or retired list of the National Guard; officers active or retired and former officers of the United States Army, Navy and Marine Corps; graduates of the United States military and naval academies and graduates of schools, colleges and universities where military science is taught under the super-

Officers' qualifications.

vision of an officer of the Regular Army of the United States, and, for technical branches and staff corps or departments, such other civilians as may be especially qualified for duty therein.

Exceptions  
to act.

The provisions of this act shall not apply to any person hereafter commissioned an officer of the military forces unless he first shall have successfully passed such tests as to his physical, moral and professional fitness as may, from time to time, be prescribed in orders. The examination to determine such qualification for commission shall be conducted by a board of three commissioned officers appointed by the Secretary of War from the Regular Army or by the Governor from the military forces, or both.

Fitness de-  
terminable at  
any time.

At any time the moral character, capacity and general fitness for the service of any officer may be determined by an efficiency board appointed by the Governor, consisting of three commissioned officers, senior in rank to the officer whose fitness for service shall be under investigation. If the findings of such board be unfavorable to such officer and be approved by the Governor, he shall be retired or discharged. Commissions of officers shall be vacated upon resignation, absence from the State without leave for more than two months or pursuant to the sentence of a court-martial. Officers rendered surplus by the reduction or disbandment of any department or organization of the National Guard shall be placed in the National Guard Reserve; of the State Militia or Naval Militia, on the retired list; officers of the National Guard may, upon their own application, after three years' commissioned service, be placed in the National Guard Reserve.

Section 43  
amended.

24. Section forty-three of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Units of  
organization.

43. Organization of Units.—The organization of the active military forces, and the composition of

all units thereof, shall consist of such departments, corps, brigades, regiments, battalions, squadrons, companies or other units as the Governor may, from time to time, authorize to be formed, all to be organized in accordance with the laws governing the Regular Army of the United States; the regulations issued by the Secretary of War, and the laws governing this State; and the Governor may prescribe the particular unit or units as to the branch or army of service to be maintained.

25. Section forty-four of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 44  
amended.

44. Commissioned Officers.—Appointments, Elections, Examinations, Resignations, Retirements:

Officers:

Appointments: The appointment of all department and administrative staff officers shall be made by the Governor, upon the recommendation of the chiefs of the respective departments. The appointment of the authorized staff officers of brigades, regiments, battalions, squadrons and naval militia shall be made by the commanding officers of the respective organizations.

Appoint-  
ments;

Elections: All elections shall be by ballot, and a majority of all the votes cast shall be necessary to a choice. Notice of the time and place of election shall either be served personally or deposited in a United States post office, addressed to the persons entitled to vote, at their last known place of abode, with postage thereon paid, at least five days in advance of said election. No person otherwise qualified to vote shall be permitted to cast a ballot at any election provided to be held by this act unless such person shall have, during the twelve months immediately preceding the date of such election, performed at least sixty per centum of the duty required of him.

Elections:

Whenever there is a vacancy in the office of brigadier general, field or line officer of infantry, cavalry, field artillery, signal corps or naval militia,

Vacancies:

notice shall be given of an election to fill such vacancies as follows: For brigadier general, by the Governor; for field officers of an organization attached to a brigade, by the brigade commander; for line officers (captain and lieutenant) of infantry or cavalry, by the regimental, separate battalion, or squadron commander; for officers of the naval militia, except commander, by the battalion commander; in all other cases, by the Governor. The officer designated to hold an election shall certify the results to the Adjutant General.

Examina-  
tions;

Examinations: No person hereafter commissioned as an officer shall be recognized as such under any of the provisions of this act unless he shall have successfully passed the tests prescribed in regulations ordered by the Governor as to his physical, moral and professional fitness, and shall have taken and subscribed to the following oath of office: "I, ....., do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of New Jersey, against all enemies, foreign and domestic; that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey, that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of ..... in the National Guard of the United States and (State Militia or Naval Militia) of the State of New Jersey upon which I am about to enter, so help me God."

Oath;

Commission  
not delivered  
until officer  
equipped;

No commission shall be delivered to the person elected or appointed until he shall be uniformed and equipped according to the regulations prescribed therefor. Should any person so elected or appointed neglect or refuse so to uniform and equip for one month from the time of his election or appointment, the commission shall be returned to the Adjutant General, with the cause of its re-



turn indorsed upon it and the election or appointment shall thereupon be void.

Resignations: Any officer desiring to resign his commission may do so by making formal statement and tender thereof in writing, to the Adjutant General, through proper channels, and upon acceptance thereof his service shall terminate.

Retirements: The Governor may, upon the application in writing of any citizen of this State who is a member of the active military forces and who shall have faithfully served as a commissioned officer therein for a period of more than ten years, or who shall be incapacitated, place him upon the retired list; any officer on the retired list is subject to military law and regulations, and may be detailed for duty by the Governor in time of war; in time of peace he may be so detailed only on his own request.

Brevets: The Governor, by and with the advice and consent of the Senate, may confer upon any citizen who may have served more than twenty years as a commissioned officer in the active military forces brevet rank of not more than one grade higher than the highest rank held by him during his term of service.

26. Section forty-five of the act to which this act is amendatory be and the same is hereby amended to read as follows:

45. Seniority and Rank.—All officers hereafter appointed shall be commissioned in the arm of the service in which appointed or elected, and shall take rank from date thereof, except that an officer commissioned to another office of the same grade, or of a lower grade, shall take rank from the date of his original commission in the grade in which appointed or elected; *provided*, that his service shall have been continuous from the date of such original commission. When the commission of two or more officers of the same grade bear equal date, or when periods of service are equal, precedence

Resignations:

Retirements:

Brevet rank.

Section 45  
amended.Seniority  
and rank.

Proviso.

Precedence  
determined:

will, except when fixed by merit on examination, be determined.

By rank;

(a) By rank, in the service under prior commission when appointed or elected, and in the case of enlisted men commissioned by length of prior service.

By former rank and service.

(b) By former rank and service in the army, navy, marine corps, volunteer forces of this or any other State.

Assignments.

Assignments, Transfers and Details to the Staff.—Officers may be transferred from the line to the staff of any brigade, regiment, battalion or squadron, or from the staff of any of these organizations to the line, if elected, without prejudice to their rank.

Section 47 amended.

27. Section forty-seven of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Period of enlistment in national guard.

47. Enlisted Men.—Enlistments, Transfers, Discharge, Furlough to Reserve: Hereafter the period of enlistment shall be

(a) In the National Guard for six years, the first three of which shall be in an active organization, and the remaining three in the National Guard Reserve; the qualifications for enlistment shall be the same as those prescribed for admission to the regular army, and all persons enlisting for service shall sign the following oath and contract of enlistment:

Oath.

“I do hereby acknowledge to have voluntarily enlisted this.....day of.....19.., as a soldier in the National Guard of the United States and of the State of New Jersey, for the period of three years in service and three years in the reserve, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of New Jersey, and that I will serve them honestly and faithfully against all their

enemies whomsoever, and that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey, and of the officers appointed over me according to the law and the rules and articles of war."

(b) In the State Militia for the period of the present war and one year thereafter. The qualifications for enlistment shall be prescribed by the Governor, and all persons enlisted for service shall sign the following oath and contract of enlistment:

Period of  
enlistment in  
state militia.

"I, ....., do hereby acknowledge to have voluntarily enlisted in ..... Company, ..... Battalion, of ..... county, of the New Jersey State Militia, to serve during the present war with the Imperial Government of Germany, and for one year thereafter, or any emergencies that may arise therefrom, and I further agree to enter into the service of the United States for duty solely within the State of New Jersey when ordered by the Governor to do so, unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the government established in the State of New Jersey and of the United States of America, under the authority of the people, and that I will serve them honestly and faithfully against all their enemies or opposers whomsoever, and that I will promptly respond to any call for duty issued by the Governor of the State for service anywhere within the boundaries of the State of New Jersey, at any time and for any length of time considered necessary by the Governor, and that I will at all times obey the regulations and orders issued to govern the New Jersey State Militia and the orders of the Governor, and of the officers appointed over me, so help me God."

Oath.

Fraudulent enlistment: The receipt of any pay or allowance under a fraudulent enlistment are hereby declared a military offense and punishable by court-martial under section fifty-five of this act.

Fraudulent  
enlistment.

**Transfer  
of men.**

Transfers of enlisted men: Transfers of enlisted men will be made for cogent reasons only, and will be effective as follows: From one regiment to another within a brigade, by the brigade commander; within a regiment, separate battalion or squadron, by the commanding officer; in all other cases by order of the Governor.

**Causes of  
discharge.**

Discharge: Enlisted men will not be discharged before the expiration of period of enlistment, except:

(a) By order of the President or Secretary of War.

(b) By sentence of a general court-martial.

(c) By direction of the Governor; on account of disability; on account of sentence of imprisonment by a civil court, whether suspended or not; on account of bona fide change of residence to another State, and for the purpose of enlisting in the army, navy or marine corps of the United States.

(d) In compliance with an order of one of the United States Courts, or a justice or judge thereof, on a writ of habeas corpus.

**Discharge  
certificate.**

An enlisted man shall receive a discharge certificate in writing in such form and with such classification as shall be prescribed by the Governor.

**Furlough  
to reserve.**

Furlough to reserve: Enlisted men of the National Guard shall be furloughed to the reserve prior to and upon expiration of the period of active service, under such regulations as the Governor may prescribe from time to time.

**Section 50  
amended.**

28. Section fifty of the act of which this act is amendatory be and the same is hereby amended to read as follows:

**Disband-  
ment;  
disposition of  
officers  
and men.**

50. Disbandment.—When any organization of the active military forces shall fall below the standard of members required by law, order or regulations, or shall be found guilty of mutinous conduct, or is detrimental to the service, the Governor may,

(a) If a unit of the National Guard, with the concurrence of the Secretary of War, cause such organization to be disbanded and the officers and enlisted men thereof transferred to other commands, or furloughed to the Reserve.

(b) If a unit of the State Militia cause such organization to be disbanded and the officers discharged and the enlisted men thereof transferred to other commands or discharged from the service.

29. Section fifty-two of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 52  
amended.

52. Clothing Allowance.—Commissioned officers of the active military forces and warrant officers of the Naval Militia shall provide themselves with the arms, uniforms and equipments prescribed by the uniform regulations of this State, and there shall be allowed annually for expenditures for such uniforms and equipments a sum not exceeding twenty dollars for such officers and warrant officers; said allowance to be paid on vouchers of expenditures for such uniforms and equipments, duly verified by affidavit.

Allowance  
for clothing.

30. Section fifty-four of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 54  
amended.

54. Boards of Officers.—There shall be a board of officers in each regiment, separate battalion, squadron and battalion of naval militia, to consist of all the commissioned officers, to be presided over by the senior officer present; it shall perform such duties as may properly come within its province, subject to the approval of the organization commander.

Board of  
officers.

31. Section fifty-five of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 55  
amended.

55. System of Courts-Martial.—Courts-martial shall be of three kinds namely: general courts-martial, special courts-martial and summary

Courts-  
martial;  
three kinds.

**How consti-  
tuted and  
powers.**

courts-martial. They shall be constituted like and have cognizance of the same subjects and possess like powers as similar courts provided for by laws and regulations governing the army of the United States, and the proceedings of courts-martial shall follow the forms and modes of procedure prescribed for said similar courts.

**General  
courts-  
martial.**

General courts-martial may be convened by orders of the Governor, and such courts-martial shall have the power to impose fines not exceeding two hundred dollars; to sentence to forfeiture of pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of noncommissioned officers to the ranks; or any two or more of such punishments may be combined in the sentences imposed by such courts.

**Special  
courts-  
martial.**

The commanding officer of each garrison, post, camp or other place, brigade, regiment, separate battalion or detached command may appoint special courts-martial for his command; but such special courts-martial may in any case be appointed by superior authority when by the latter deemed advisable; special courts-martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the United States or of this State, and such special courts-martial shall have the same powers of punishment as do general courts-martial, except that fines imposed by such courts shall not exceed one hundred dollars.

**Summary  
courts-  
martial.**

The commanding officer of each garrison, port, camp, or other place, regiment, corps, separate battalion, company or other detachment may appoint for such place or command a summary court to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of laws governing such organizations; and said court, when satisfied of

the guilt of such soldier, may impose fines not exceeding twenty-five dollars for any single offense; may sentence noncommissioned officer to reduction to the ranks; may sentence to forfeiture of pay and allowances. The proceedings of such court shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the army of the United States.

All courts-martial, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed; *provided*, that such sentences of confinement shall not exceed one day for each dollar of fine authorized.

Sentence in lieu of fine.

Proviso.

No sentence of dismissal from the service or dishonorable discharge, imposed by a courts-martial, shall be executed until approved by the Governor.

Approval by governor.

Presidents of courts-martial and summary court officers shall have power to issue warrants, to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convened authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoena duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer, as provided for in actions before civil courts.

Warrants, arrests, subpoenas

All processes and sentences of said courts shall be directed to and executed by any sheriff, constable or other ministerial officer of any county or municipality of this State, and it shall be the duty of any such sheriff or his duly appointed deputy, constable or other ministerial officer to execute all processes and sentences and make return thereof to the officer issuing or imposing the same.

Execution of processes and sentences.

32. Section fifty-six of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 56 amended.

Liability  
for acts done  
in service.

56. Relief from Civil or Criminal Liability.—  
Security for Costs.—Members of the military forces ordered in the active service of the State by proper authority, shall not be liable, civilly or criminally, for any act or acts done, pursuant to law, while engaged in the performance of their official duties. When a suit or proceeding shall be commenced in any court by any person against any officer or enlisted man for any act done by such officer in his official capacity in the discharge of any duty under this act, or against any person acting under the authority of such officer, or by virtue of any warrant issued by him pursuant to law, the defendant may require the person prosecuting or instituting the suit or proceedings to file security for the payment of the costs that may be awarded to the defendant therein, and the defendant, in all cases, may make a general denial and give the special matter in evidence. In case the plaintiff shall be nonsuited, or have a verdict or judgment rendered against him, the defendant shall recover treble costs.

Section 57  
amended.

33. Section fifty-seven of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Right of  
way of  
military.

57. Right of Way.—Freedom from Interference.—The commanding officer of any organization parading or performing any military duty in any street or highway may require any or all persons in such street or highway to yield the right of way to such troops; *provided*, the carriage of the United States mail, the legitimate function of the police, and the progress and operations of hospital ambulances, fire engines and apparatus, and auxiliary patrols shall not be interfered with thereby; all others who shall hinder, delay or obstruct any portion of the military forces, wherever parading or performing any military duty, or shall attempt to do so, shall be guilty of a misdemeanor.

Proviso.

Penalty.



34. Section fifty-nine of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 59  
amended.

59. Exemptions.—From Civil Process.—No person belonging to the military forces of the State shall be arrested on any civil process while going to, remaining at or returning from any place at which he may be required to attend for military duty.

Exemption  
from civil  
process.

35. Section sixty of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 60  
amended.

60. From Jury Duty.—Every member of the active military forces shall be exempt from all jury duty; *provided*, he shall furnish certificate of his immediate commanding office that he has performed the duties required of him for the year immediately preceding a summons to act as jurymen; and every such member who shall have received a full and honorable discharge shall be exempt from all jury duty.

Exempt from  
jury duty.

Proviso.

36. Section sixty-one of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 61  
amended.

61. Unlawful Conversion of Military Property.—Unlawful Wearing of Uniforms and Devices Indicating Rank.—Any person who shall secrete, sell, dispose of, offer for sale, purchase, retain after demand made by a commissioned officer, or in any manner pawn or pledge any arms, uniforms, equipments or other military property, issued under the provisions of this act, shall be guilty of a misdemeanor, and any person who shall wear any uniform or any device, strap, knot or insignia of any design of character used as a designation of grade, rank of office, such as are by law or by general regulations duly promulgated, prescribed for the use of the military forces, except members of the Army and Navy of the United States and the military forces of this or any other State, recognized military

Unlawful  
use of  
uniforms,  
equipment  
and insignia.

Penalty.

academies, members of associations wholly composed of soldiers honorably discharged from the services of the United States and members of the Order of Sons of Veterans, shall forfeit to the people of this State one hundred dollars for each offense, to be sued in the name of the people by a judge advocate; all moneys received by any action or proceeding under this section shall be paid to the Quartermaster General, who shall apply the same to the use of the active military forces.

37. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 223.

A Supplement to an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Ordinances  
to carry out  
decrees of  
court imme-  
diately  
effective.

1. Whenever any injunction, order or decree has heretofore been made, or may hereafter be made, by the Court of Chancery of New Jersey, directing any municipality of this State to cease from polluting any of the potable waters of this State, all ordinances adopted by such municipality for the purpose of obeying such injunction, order or decree, and providing for the constructing, reconstructing, enlarging, altering, operating or maintaining of a system or works for the sanitary disposal of sewage or drainage, and for the necessary sewers or drains in connection therewith, shall be-

come operative immediately upon the final passage thereof.

2. The title of any municipality of this State to any lands heretofore purchased by such municipality for the purpose of constructing thereon a system or works for the sanitary disposal of sewage or drainage shall be valid, notwithstanding that said lands were purchased by virtue of a resolution passed by such municipality and not by ordinance, and the action taken by such municipality by resolution shall be in all respects as valid, so far as the same shall affect the title to lands heretofore purchased by the municipality for the purpose aforesaid, as if said action had been taken by ordinance. Title to land valid.

3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 4, 1918.

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#### CHAPTER 224.

A Supplement to an act entitled "An act providing for the enlargement of sewers and for the building of additional or relieving sewers in towns of this State," approved April twenty-second, one thousand nine hundred and two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any town in this State may purchase, condemn or otherwise acquire any land or real estate, or any right or interest therein, useful or necessary for the enlarging of such sewer or sewers, and Bond issue for sewers.

for the building and constructing of such additional or relieving sewer or sewers, and may raise the money necessary to pay for any such land or real estate, or any right or interest therein, so acquired, by issuing and selling bonds, as provided in the above-entitled act.

Temporary  
loans by  
promissory  
notes.

2. In order to meet the expenses of enlarging such sewer or sewers, and for building and constructing such additional or relieving sewer or sewers, and for acquiring such land or real estate or any right or interest therein that may be useful or necessary for such improvements, the council or other governing body of any town in this State may borrow the money necessary therefor, temporarily, upon the promissory notes of such town; and said notes shall bear interest at a rate not exceeding six per centum per annum, and shall be payable at the expiration of not more than two years from the date of issue.

Proceedings  
validated.

3. All proceedings heretofore taken and all contracts heretofore made by any town in this State, in substantial conformity with the requirements of the act to which this act is a supplement, be and the same are hereby validated, notwithstanding that the resolution required to be adopted by the votes of a majority of all the members of the council or other governing body of such town does not contain a declaration that any sewer or sewers in such town is or are insufficient for the proper sewage or drainage of such town, or any part or section thereof, and notwithstanding any defect in the advertisement for bids or otherwise.

4. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 225.

An Act to validate and provide for notice of liens of taxes of nineteen hundred and seventeen on real estate in townships, counties and other municipalities, except cities having charter provisions for a public record of tax liens on land, where the list of unpaid taxes has not been filed in the time otherwise required by law.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. When in the year nineteen hundred and seventeen the collector of taxes in any taxing district in this State, except the cities having charter provisions for a public record of tax liens on lands, has not received the tax duplicate in time to lawfully demand payment of the tax from each taxpayer in person or by notice, so as to have given each taxpayer sixty days' notice on or before the twentieth day of December, nineteen hundred and seventeen, and any such collector has, therefore, been unable to file with the clerk of his county on or before the first Tuesday of February, nineteen hundred and eighteen, a list of all unpaid taxes assessed the preceding year on real estate in his taxing district, then in each and every such case such tax collector, having received such tax duplicate of unpaid taxes if he shall file in the manner otherwise required by law such list of unpaid taxes on or before the first Tuesday in May, nineteen hundred and eighteen, with the proper county clerk setting forth therein the proper jurisdictional facts, then and in such case the said list, when filed, and the record thereof, shall be constructive notice of the existence of the tax lien for two years from the said first Tues-

Filing  
duplicate of  
unpaid taxes.

Tax list  
effective.

day in May, nineteen hundred and eighteen, and in all respects otherwise as effective as if said list had been filed and notice of such lien for taxes had begun to run from the first day of February, nineteen hundred and eighteen.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 4, 1918.

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## CHAPTER 226.

A Supplement to an act entitled "An act concerning mortgages" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Form of  
mortgage.

1. A mortgage may be made in the following form or to like effect:

"This mortgage, made the.....day of....., 19.., between..... (here insert name and residence of mortgagor) Mortgagor, and ..... (here insert name and residence of mortgagee) Mortgagee.

Witnesseth, that to secure the payment of an indebtedness in the sum of.....dollars, lawful money of the United States, to be paid on the ..... day of....., 19.., with interest thereon to be computed from..... at the rate of.....per centum per annum and to be paid....., according to a certain bond or obligation bearing even date herewith, and in

consideration of one dollar, the Mortgagor.....  
hereby mortgages to the Mortgagee

(Here describe the property)

(Here insert covenants, if any)

In witness whereof the said Mortgagor.....  
has hereunto set.....hand.....and seal  
.....the day and year first above written.

Signed, sealed and delivered in the }  
presence of .....” }

The above form or words to like effect shall be  
construed to have the same force and effect as the  
following: Superseded  
form.

“This indenture, made the.....day of.....,  
in the year of our Lord one thousand nine hundred  
and.....,

Between....., of the .....  
of....., in the county of ..... and  
State of....., party of the first part;

And....., of the.....of  
....., in the county of .....and  
State of....., party of the second part;

Whereas, the said.....is justly  
indebted to the said party of the second part, in  
the sum of.....dollars, lawful money of the  
United States of America, secured to be paid by his  
certain bond or obligation, bearing even date with  
these presents, in the penal sum of..... dollars,  
lawful money as aforesaid, conditioned for the pay-  
ment of the said first mentioned sum of.....  
dollars, lawful money as aforesaid, to the said  
party of the second part, his executors, adminis-  
trators or assigns, on the.....day of.....,  
which will be in the year one thousand nine hundred  
and....., and interest thereon, to be computed  
from.....at and after the rate of.....  
per centum per annum, and to be paid.....;

Now this indenture witnesseth, that the said  
party of the first part, for the better securing the

payment of the said sum of money mentioned in the condition of the said bond or obligation, with interest thereon, according to the true intent and meaning thereof, and also for and in consideration of the sum of one dollar to him in hand paid by the said party of the second part at and before the en-sealing and delivery of these presents the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, release, convey and confirm unto the said party of the second part, and to his heirs (or successors) and assigns forever,

(Description of the property)

Together with all and singular the buildings, improvements, ways, trees, waters, water courses, rights, liberties, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in and to the same, and every part and parcel thereof.

To have and to hold the above granted and described premises, with the appurtenances, unto the said party of the second part, his heirs and assigns, to his and their own proper use, benefit and behoof forever. *Provided always*, and these presents are upon this express condition, that if the said party of the first part, his heirs, executors, administrators, successors or assigns, shall well and truly pay unto the said party of the second part, his executors, administrators, successors or assigns, the said sum of money mentioned in the condition of the said bond or obligation, and the interest thereon, at the time and times and in the manner mentioned in the said condition, according to the



true intent and meaning thereof, that then these presents, and the estate hereby granted, shall cease, determine and be void.

In witness whereof, the said party of the first part ha.... hereunto set.....hand.....and seal.....the day and year first above written.

Signed, sealed and delivered in the {  
presence of .....” {

2. A covenant in any mortgage in the words “That the mortgagor warrants the title to the premises” shall be construed to have the same force and effect as the following words: That he.....  
.....covenants with the said mortgagee.....  
that he is..... seized of an indefeasible estate in fee simple in said premises, and will warrant and forever defend the title thereof unto the said mortgagee, his executors, administrators, successors and assigns, against all lawful claims whatsoever.

Simplified  
covenant.

3. A covenant by the mortgagor in a mortgage “That no owner of the mortgaged property shall be entitled to any credit by reason of the payment of any tax thereon,” shall be construed to mean that the mortgagor, for himself, his heirs, executors, administrators, successors and assigns, covenants with the holder of the mortgage that he and they will not, by reason of the payment of any tax, assessment or other municipal charge or imposition, claim any credit on account of the principal or interest due or to grow due on said mortgage or the bond or obligation intended to be secured thereby, and that should said mortgagor, his heirs, executors, administrators, successors or assigns, fail to pay any tax, assessment or other governmental charge, then and in that event the holder of the mortgage may at his option pay such tax, assessment or other governmental charge and the amount when so paid shall be added to and become part of the principal sum then due upon the bond or

Covenant by  
mortgagor  
simplified.

obligation referred to in said mortgage, and be secured by said mortgage and shall be payable on demand with legal interest.

Certain  
wording of  
covenant  
simplified.

4. A covenant in any mortgage in the words "That ..... will pay the indebtedness as hereinbefore provided" shall be construed to have the same force and effect as the following words:

"And the said ..... for himself, his heirs, executors, administrators or successors covenants and agrees to pay unto the said party of the second part, his heirs, executors, administrators, successors or assigns, the said sum of money and interest, as mentioned above and expressed in the conditions of the said bond."

Certain  
wording of  
covenant  
construed.

5. A covenant in any mortgage in the words, "That the buildings on the premises shall be kept insured against loss by fire for the benefit of the holder hereof," shall be construed to have the same force and effect as the following words: "And it is agreed by and between the parties to these presents that the said mortgagor for himself, his heirs, executors, administrators, successors and assigns, shall and will keep the buildings erected and to be erected upon the lands described in said mortgage insured against loss or damage by fire by insurers and in an amount both approved by the mortgagee his executors, administrators, successors or assigns, and assign and deliver the policy or policies and the certificates thereof to the said mortgagee, his executors, administrators, successors or assigns, and in default thereof it shall be lawful for the said mortgagee, his executors, administrators, successors or assigns, to effect such insurance, and the premium and premiums paid for effecting the same shall be a lien on said mortgaged premises added to the amount of said bond or obligation and secured by these presents, payable on demand with legal interest thereon from the time of the payment of such premium or premiums."

6. A covenant in any mortgage in the words  
“That the whole of the principal sum shall at the  
option of the holder of the mortgage become due  
after default in the payment of any installment  
of principal or interest for (number to be inserted)  
days, or after default in the payment of any tax,  
water rate or assessment for (number of days to  
be inserted) days, or in default in keeping the  
buildings insured against loss by fire for the bene-  
fit of and to the satisfaction of the holder of the  
mortgage,” shall be construed to have the same  
force and effect as the following:

Certain  
language in  
covenant  
construed.

“Should any default be made in the payment of  
any installment of principal or any part thereof, or  
of the said interest or any part thereof, on any day  
whereon the same is made payable, as above ex-  
pressed, or should any tax, assessment, water rate  
or other municipal or governmental rate, charge,  
imposition or lien be hereafter imposed or required  
against the premises described in this mortgage  
and become due and payable, and should the said  
interest or installment of principal remain unpaid  
and in arrears for the space of (number inserted)  
days, or should said tax, assessment, water rent or  
other municipal or governmental rate, charge, im-  
position or lien, or any or either of them, remain  
unpaid and in arrears for the space of (number  
inserted) days, then and from thenceforth, that is  
to say, after the lapse or expiration of either of  
said periods, as the case may be, the whole princi-  
pal sum with all arrearages of interest thereon,  
shall at the option of the mortgagee, his heirs, ex-  
ecutors, administrators, successors or assigns, be-  
come due and payable immediately thereafter, al-  
though the period above limited for the payment  
thereof may not then have expired, anything herein-  
before contained to the contrary thereof in anywise  
notwithstanding.”

7. A covenant in any mortgage in the words,  
“That the mortgagor within (number to be in-

Certain  
wording  
construed.

serted) days, upon written request of the holder hereof, will furnish at the expense of said holder a statement of the amount due on this mortgage," shall be construed to have the same force and effect as the following words:

"The mortgagor and any subsequent owner of the premises herein, upon written request served personally by the holder hereof, shall at the latter's expense certify to such person as the holder may designate, by writing duly acknowledged, the amount of principal and interest then owing on this mortgage, and whether any offsets or defences exist against the mortgage debt; upon failure to furnish such certificate after the expiration of (number inserted) days this mortgage shall, at the option of the holder hereof, become due and payable anything herein contained to the contrary in anywise notwithstanding, provided said notice shall include a copy of this provision of this statute."

8. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 227.

An Act to regulate the keeping of employment agencies.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

**Definitions:**

1. Definitions.

**"Person."**

(a) The term "person" when used in this act shall mean and include any individual company, association or corporation, or their agents.

**"Fee."**

(b) The term "fee" when used in this act shall mean and include any payment of money, or the

promise to pay money, or the excess of money received by any person furnishing employment or employees over what he has paid for transportation, transfer or baggage or lodging for any applicant for employment; it shall also mean and include the difference between the amount of money received by any person who furnishes employees and performers for any entertainment, exhibition or performance, and the amount paid by him to said employees or performers.

(c) The term "privilege" as used in this act shall mean and include the furnishing of food, supplies, tools or shelter to contract laborers, commonly known as missionary privileges. "Privilege."

(d) The term "employment agency" when used in this act shall mean and include the business of procuring or offering to procure help or employment, or the giving of information as to where help or employment may be procured, whether such business is conducted in a building or on the street or elsewhere; or the business of keeping an intelligence office, employment bureau, or shipping agency, nurses' registry, or agency for procuring engagements for vaudeville or theatrical performers, or other agency or office for procuring work or employment for persons, where a fee or privilege is exacted, charged or received directly or indirectly for procuring or assisting or promising to procure employment, work, engagement or a situation of any kind, or for procuring or providing help or promising to provide help for any person, whether such is collected from the applicant for employment or the applicant for help. "Employment agency."

## 2. Application.

The provisions of this act shall not apply to employment agencies which procure employment for persons as teachers or in technical or executive positions exclusively in recognized institutions, or to registries conducted by duly incorporated associations or registered nurses, or employment

Act does not apply to certain employment agencies.

bureaus of registered medical institutions or incorporated hospitals, nor shall it apply to departments maintained by persons, firms, corporations or associations for the purpose of securing help for themselves where no fee is charged the applicant for employment, or to departments maintained by either Federal, State, municipal or charitable agencies where no fee is charged.

### 3. License.

Agencies  
licensed.

(a) No person shall open, keep or carry on any employment agency as defined above unless such person shall procure a license therefor from the Commissioner of Labor. Such license shall be posted in a conspicuous place in said agency. Any person who shall open or conduct such an employment agency without first procuring said license, or who shall conduct such an agency after revocation of such license, shall be liable to a penalty of not less than fifty dollars and not more than two hundred and fifty dollars.

Penalty.

Application  
to be made.

(b) An application for such license shall be made in writing to the Commissioner of Labor, and shall state the name and number of the building and place where the employment agency is to be conducted. The application for such license shall be filed not less than one week prior to the granting of said license, and the Commissioner of Labor shall act upon such application within thirty days from the time of such application.

Proof  
required.

(c) Every such applicant shall be required to furnish satisfactory proof of good moral character in the form of affidavits by at least two reputable citizens of the State, and any person may protest against the issuance or the transfer of any license.

Investigation  
of applicant.

The Commissioner of Labor, or his representative, shall investigate, or cause to be investigated, the character and responsibility of the applicant, and shall examine, or cause to be examined, the premises designated in such application as the place in which it is proposed to conduct such agency.

(d) Such license shall contain the name of the person licensed, a designation of the city, street and number of the house in which the person licensed is authorized to carry on the said employment agency, and the number and date of such license. Such license shall not be valid to protect any other than the person to whom it is issued and shall not authorize the carrying on of any such agency at any place other than that designated in the license, and it shall not be transferred or assigned to any other person unless consent is obtained from the Commissioner of Labor and no such agency shall be conducted in rooms used for living purposes, or where boarders or lodgers are kept, or where meals are served, or where persons sleep, or in connection with a building or on the premises where intoxicating liquors are sold to be consumed on the premises, except in office buildings containing cafés and restaurants. If said licensed person shall conduct a lodging house for the unemployed, separate and apart from such agency, it shall be so designated in the license. Unless sooner revoked by the Commissioner of Labor, such license shall run to the first day of January next ensuing the date thereof and no longer.

What license  
to show.

Transfer.

Where kept.

Expiration.

(e) Every person licensed under the provisions of the act to carry on the business of an employment agency shall pay the Commissioner of Labor a license fee according to the population of the municipality as shown by the last preceding Federal census, viz.:

Schedule of  
license fees.

In cities of 150,000 and upwards, \$100.00;

In cities of 100,000 and upwards, \$75.00;

In cities of 50,000 and upwards, \$50.00;

In cities of less than 50,000, \$25.00.

Before such license is issued he shall also deposit with the Commissioner of Labor a bond in the penal sum of one thousand dollars, with two or more sureties, or a duly authorized surety company, as

Surety  
given.

surety, to be approved by the Commissioner of Labor.

Conditions  
of bond.

(2) The bond executed as provided in the preceding subdivisions of this section shall be payable to the people of this State and shall be conditioned that the person applying for the license will comply with this act and shall pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud or deceit, or any unlawful act or omission of any licensed person, his agents or employers, while acting within the scope of their employment, made, committed or omitted in the business conducted under such license, or caused by any violation of this act in carrying on the business for which such license is granted. In case of a breach of the condition of any such bond, application may be made to the Commissioner of Labor by the person injured by such breach for leave to sue upon such bond, which leave shall be granted by the Commissioner of Labor if it be proven to his satisfaction that the condition of such bond has been breached and the party applying has been injured thereby. The person obtaining such leave to sue may take the bond from the files of the said commissioner and institute suit thereon in his own name for the recovery of damage sustained by such breach.

If bond  
broken.

Suit may  
be instituted.

If sureties  
irresponsible.

New bond.

(3) If at any time, in the opinion of the Commissioner of Labor, the sureties on any such bond, or any of them, shall become irresponsible, the person holding such license shall, upon notice from the Commissioner of Labor, give a new bond, subject to the provisions of this section. The failure to give a new bond within ten days after such notice, in the discretion of the Commissioner of Labor, shall operate as revocation of such license, and the license shall be thereupon returned to the Commissioner of Labor, who shall destroy the same.

4. Register.



(a) It shall be the duty of every such licensed person to keep a register, approved by the Commissioner of Labor, in which shall be entered, in the English language, the date of the application for employment, the name and address of the applicant to whom employment is promised or offered, the amount of the fee received, and, whenever possible, the name and address of former employers or persons to whom such applicant is known. Such licensed person shall also enter in a separate register, to be approved as aforesaid, in the English language, the name and address of every applicant accepted for help, the date of such application, kind of help requested, the names of the persons sent, with the designation of the one employed, the date of employment, the amount of the fee received and the rate of wages agreed upon. The aforesaid register of applicants for employment and for help shall be open during office hours to inspection by the officers of the Department of Labor. No such licensed person, his agent or employees, shall make any false entry in such registers.

Register of  
applicants.

Register of  
help  
accepted.

Registers  
open to  
inspection.

(b) It shall be the duty of every licensed person, whenever possible, to communicate orally or in writing with at least one of the persons mentioned as reference by every applicant for work in private families or employed in a fiduciary capacity, and the result of such investigation shall be kept on file in such agency; *provided, however,* that if the applicant for help voluntarily waives, in writing, such investigation of references by the licensed person, failure on the part of the licensed person to make such investigation shall not be deemed a violation of this act.

Communicate  
with  
reference.

Proviso.

#### 5. Fees.

(a) Every employment agent shall file with the Commissioner of Labor, for his approval, a schedule of fees proposed to be charged for any services rendered to employers seeking employees,

Schedule of  
fees charged  
filed.

No gratuities or division of fees.	and persons seeking employment, and all charges must conform thereto. The schedule of fees may be changed only with the approval of the Commissioner of Labor. No registration or other fees in lieu thereof shall be charged or received by such employment agent. No such licensed person shall receive or accept any valuable thing or gift as a fee or in lieu thereof. No such licensed person shall divide, directly or indirectly, fees with any person securing help, or his agents, or other employees, or any one in their employ to whom applicants for employment are sent, nor shall any licensed person offer to so divide any fees.
Repayment of fee.	(b) In case the applicant shall not accept or obtain help or employment through such agency, then such licensed person shall on demand repay the full amount of the said fee, allowing three days' time to determine the fact of the applicant's failure to obtain help or employment. If an employee
If employee does remain.	furnished an applicant for help fails to remain one week in the situation, or if such employee is discharged for cause, a new employee shall be furnished if said applicant for help so elects, or three-fifths of the fee returned within four days
Proviso.	of demand; <i>provided, however</i> , that said applicant for help notifies said licensed person within thirty days of the failure of the applicant for employment to accept the position, or of the applicant's discharge for cause.
If employee discharged.	If the employee is discharged within one week without said employee's fault, another position shall be furnished, or three-fifths of the fee returned to the applicant for employment if he so elects. Failure of said applicant for help to notify said licensed person that such help has been obtained through means other than said agency shall entitle said licensed person to retain or collect three-fifths of the said fee.
Applicant must have bona fide order.	No such licensed person shall send out any applicant for employment without having obtained,

either orally or in writing, a bona fide order therefor, and if it shall appear that no employment of the kind applied for existed at the place to which said applicant was directed, the said licensed person shall refund to such applicant, within three days of demand, any sums paid by said applicant for transportation in going to and returning from said place, and all fees paid by said applicant.

6. Receipts.

It shall be the duty of such licensed person to give to every applicant for employment from whom a fee shall be received a receipt, in which shall be stated the name of said applicant, the date and the amount of the fee, and the purpose for which it was paid, and to every applicant for help a receipt stating the name and address of said applicant, the date and amount of the fee, and the kind of help to be provided. Every such receipt shall have printed on the back thereof a copy of sections five and six of this act in the English language, or in any language which the person to whom the receipt is issued can understand.

Receipt  
for fee.

Every such licensed person shall also give to each applicant for employment a card or printed paper containing the name of the applicant, name and address of such employment agency, and the written name and address of the person to whom applicant is sent for employment.

Information  
supplied  
applicant.

7. Employment Contract.

No such person shall induce or attempt to induce any domestic employee to leave his employment with a view of obtaining other employment through such agency. Whenever such licensed person, or any other acting for him, agrees to send one or more persons to work as contract laborers in any one place outside the city in which such agency is located, said licensed person shall file with the Commissioner of Labor, within five days after the contract is made, a statement containing the following items: Name and address

Not cause  
servant to  
leave place.

Contract  
laborers.

of the employee; nature of the work to be performed, hours of labor, wages offered, destination of the persons employed and terms of transportation. A duplicate copy of this statement shall be given to the applicant for employment in a language which he is able to understand.

8. Character of Employer: Fraud.

Not send  
servants to  
immoral  
places.

(a) No such licensed person shall send or cause to be sent any female to become a servant or inmate or to enter any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes, or to a place resorted to for the purpose of prostitution, or to a gambling house. No such person shall knowingly permit any person of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent such agency.

Children not  
accepted.

(b) No such licensed person shall accept any application for employment made by or on behalf of any child under the age of sixteen years, or shall place or assist in placing any such child in any employment whatever.

No force  
used.

(c) No licensed person, his agents, servants or employees, shall induce or compel any person to enter such agency, for any purpose, by the use of force or by taking forcible possession of said person's property.

As to  
saloons.

(d) No such person shall procure or offer to procure help or employment in rooms or on premises where intoxicating liquors are sold to be consumed on the premises, except as heretofore provided in subdivision (d), section three, whether or not dues or a fee or privilege is exacted, charged or received directly or indirectly.

False  
advertising.

(e) No such licensed person shall publish or cause to be published any false or fraudulent or misleading notice or advertisement; all advertisements of such employment agency by means of cards, circulars or signs, or in newspapers and other publications, and all letterheads, receipts

and blanks shall contain the name and address of such employment agency, and no such licensed person shall give any false information, or make any false promise or false representation concerning employment to any applicant who shall register for employment or help. Any person who shall violate any provisions of this section shall be liable to a penalty of not less than fifty dollars and not more than two hundred and fifty dollars.

9. Every such licensed person shall post in a conspicuous place in each room of such agency sections five, six, seven and eight of this act, which shall be printed in large type in language which persons commonly doing business with such office can understand. Such printed law shall also contain the name and address of the Commissioner of Labor.

Portions of  
this act  
posted in  
agency.

#### 10. Enforcement.

The enforcement of this act shall be entrusted to the Commissioner of Labor, who shall cause to be made at least bimonthly visits to every such agency. Said inspectors shall have a suitable badge, which they shall exhibit on demand of any person with whom they may have official business, and said inspectors shall see that all the provisions of this act are complied with. The said Commissioner of Labor may refuse to issue and may revoke any license for any good cause shown within the meaning and purpose of this act, and when it is shown to his satisfaction that any licensed person is guilty of any immoral or illegal conduct in connection with the conduct of said business, it shall be his duty to revoke the license of such person; but notice of the charge shall be presented and reasonable opportunity shall be given said licensed person to defend himself. Whenever for any cause such license is revoked, a license shall not be issued to said licensed person or his representative, or to any person with whom he is to be associated in the business of furnishing employment; nor

Enforcement  
of act.

Duties of  
inspectors.

Revocation  
of license.

Renewal  
of license.

shall a license be granted to anyone for conducting an employment agency at said place of business within the space of twelve months following date of revocation of said license.

**Penalty.**

11. The violation of any provision of this act, except as provided in sections two and eight, shall be punishable by a penalty of not less than twenty-five dollars and not more than fifty dollars.

**Bringing  
proceedings.**

**Summons.**

All proceedings brought under the provisions of this act shall be by action of debt, in the name of the Commissioner of Labor, to be instituted in any District Court of a city or judicial district, recorders' courts of cities, or before any justice of the peace having due jurisdiction, and the first process shall be by summons, which process shall be served on the owner or owners, person or persons, or any of them, owning the place or operating the business wherein the alleged violation of law has taken place; if such owner or owners, person or persons, reside in the county where the offense was committed, or if the owner or owners, person or persons, as aforesaid, do not reside in the county where the offense was committed, then said process shall be served on the superintendent, foreman or person in charge of the business or place; service upon a corporation shall be made upon the president, vice-president, secretary or any director, and if none of them reside in the county where the offense was committed, then service may be made upon the superintendent, foreman or person in charge of the business or place; in case the owner or owners of a building reside within the limits of the county, then service of the process may be made upon the agent in charge of said building, and if there be no such agent, then service of the process may be made by affixing a copy thereof to the main door of such building at least ten days before the return day thereof; all proceedings thereafter shall be the same as in an action of debt in said court; the finding of the

**Proceedings  
as action  
in debt.**

court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution or one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all money collected under the provisions of this act shall be paid into the treasury of the State of New Jersey.

Execution.

Discharge.

The Commissioner of Labor shall have the power to appoint such inspectors, department clerks, or other assistants, for carrying on the work required by this act as may in his judgment be necessary, and shall fix the salaries to be paid. Such inspectors, department clerks, or other assistants may be used for such other work of the Department of Labor as the Commissioner of Labor shall deem fit, and shall be entitled to necessary traveling expenses.

Assistants  
to carry  
out act.

12. All inspectors, department clerks, or other assistants appointed under this act shall be appointed by the Commissioner of Labor, and all inspectors, department clerks, or other assistants shall be appointed, hold their offices and perform their duties subject to the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand

Appointment  
of inspectors,  
etc.

Salaries and  
expenses.

nine hundred and eight, and amendments thereof and supplements thereto. All salaries and expenses necessary to carry out the provisions of this act shall be paid in semimonthly installments from the funds of the State, out of the moneys appropriated for that purpose by the Treasurer, upon warrant of the Comptroller, upon presentation of proper vouchers for the same, approved by the Commissioner of Labor.

Repealer.

13. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 228.

A Supplement to an act entitled "An act regulating the appointment of members of the Board of Medical Examiners, pursuant to an act entitled 'An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof,' approved May twenty-second, one thousand eight hundred and ninety-four; members of the Board of Architects, pursuant to an act entitled 'An act to regulate the practice of architecture,' approved March twenty-fourth, one thousand nine hundred and two; members of the Board of Undertakers and Embalmers, pursuant to an act entitled 'An act to regulate the practice of embalming, burial and disposal of dead human bodies, to license undertakers and embalmers, and to punish persons violating the provisions thereof,' approved May twelfth, one thousand nine hundred and six; members of the State



Board of Veterinary Medical Examiners, pursuant to an act entitled 'An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of New Jersey, to license veterinarians, and to punish persons violating the provisions thereof,' approved March seventeenth, one thousand nine hundred and two; members of the New Jersey State Board of Optometrists, pursuant to an act entitled 'An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof' approved April seventeenth, one thousand nine hundred and fourteen; members of the State Board of Registration and Examination in Dentistry, pursuant to an act entitled 'An act to regulate the practice of dentistry in the State of New Jersey, and to repeal certain acts now relating to the same,' approved March thirty-first, one thousand nine hundred and fifteen; members of the State Board of Examiners of Nurses, pursuant to an act entitled 'An act to regulate the practice of nursing in the State of New Jersey, to register nurses with the privilege of using the abbreviation "R. N.," and to punish persons violating the provisions thereof,' approved April first, one thousand nine hundred and twelve, and the various acts supplementary and amendatory of the acts hereinabove recited, and to fix the compensation and allowances to members of said board," approved March thirty-first, one thousand nine hundred and seventeen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. The secretary of each of the boards mentioned in the title of the act to which that act is a supplement shall, whether a member of such board or not, be entitled to receive such reasonable salary

Salary of  
secretary of  
various  
boards.

Proviso.

or compensation for his services as secretary as shall be fixed by such board, which salary or compensation shall be paid by said board from its receipts; *provided, however*, that in case an appropriation is made for the expenses of said board, such salary or other compensation shall not in that case be paid from the receipts of said board, but from such appropriation.

2. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 229.

An act to amend an act entitled "An act to secure the purity of the public supplies of potable waters in this State," approved March seventeenth, one thousand eight hundred and ninety-nine.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Prohibiting  
pollution of  
potable  
waters.

1. No excremental matter, domestic, factory, workshop, mill or slaughter house refuse, creamery or cheese factory waste, garbage, dye stuff, coal tar, sawdust, tan bark or refuse from gas houses, or other polluting matter shall be placed in, or discharged into, the waters or placed or deposited upon the ice of any river, brook, stream or any tributary or branch thereof, or of any lake, pond, well, spring or other reservoir, above the point from which any city, town, borough, township or other municipality shall or may obtain its supply of water for domestic use; nor shall any such excre-

mental matter, domestic, factory, workshop, mill or slaughter house refuse, creamery or cheese factory waste, garbage, dye stuff, coal tar, sawdust, tan bark or refuse from gas houses, or other polluting matter, be placed or suffered to remain upon the banks of any such river, brook, stream or of any tributary or branch thereof, or of any lake, pond, well, spring or other reservoir, above the point from which any city, town, borough, township or other municipality shall or may obtain its supply of water for domestic use, as aforesaid; and any person or persons, or private or public corporation, which shall offend against any of the provisions of this section, shall be liable to a penalty of one hundred dollars for each offense; and each week's continuance, after notice by the Department of Health of the State of New Jersey, the local board of health having jurisdiction over the place where such offense was committed, the local board of health of any municipality the potable water supply of which is or may be affected by such offense, or any corporation engaged in the business of supplying water for sale for potable purposes, whose supply of potable water is or may be affected by such offense, to abate or remove the same, shall constitute a separate offense; *provided, however,* that nothing in this section contained shall be construed to repeal, modify or otherwise affect any law or statute now conferring upon any local board of health the power or authority to institute any proceedings in any court of this State for the recovery of any penalty for, or obtaining any injunction against, the pollution of any of the waters of this State.

Penalty.

Proviso.

2. Section two of the act of which this act is amendatory be and the same hereby is amended so that it shall read at follows:

Section 2 amended.

2. Any penalty incurred under any of the provisions of the first section of this act may be recovered, with costs, in a summary proceeding in the

Enforcement of penalty incurred.

name of the Department of Health of the State of New Jersey, the local board of health having jurisdiction over the place where such offense was committed, the local board of health of any municipality the potable water supply of which is or may be affected by such offense, or any corporation engaged in the business of supplying water for sale for potable purposes, whose potable water supply is or may be affected by such offense; it shall be the duty of any health inspector, or member of any local board of health, who shall know or be informed of any violation of any of the provisions of the first section of this act whereby any penalty may have been incurred, to make, and any other person having such knowledge may make, under oath or affirmation, a complaint against the person or persons, or private or public corporation incurring such penalty, setting forth the facts of such violation, which complaint shall be filed in the office of the clerk of the District Court, or with any justice of the peace of the county within which the offense may have been committed, or with any police justice or recorder of the township, city or other municipality within which any local board bringing suit shall have jurisdiction; and the District Court, justice of the peace, police justice or recorder with whom any complaint shall be filed as aforesaid, setting forth facts sufficient to show that the penalty prescribed by the first section of this act has been incurred, is hereby authorized and required to issue process either in the nature of a summons or warrant, which process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five nor more than fifteen days; on the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the peace, police justice or recorder shall proceed to hear the testimony of witnesses and the proofs in the case, and

Complaint.

Process issued.

Hearing.

to determine and give judgment in the matter without the filing of any pleadings, and, if judgment shall be given in favor of the plaintiff, execution shall forthwith issue against the goods and chattels of the defendant for the amount of the penalty, with costs; and all judgments so rendered shall have the same force and effect as other judgments in civil actions before civil courts and officers, and may be docketed in like manner in the office of the clerk of the Court of Common Pleas; the officers to serve and execute any process or execution issued as aforesaid shall be the constables of the counties, which service and execution, in the case of any execution issued out of the District Court, shall be made in the same manner and under the same liabilities as other executions issued out of said court are served and executed; the officers to serve and execute any process or execution issued by a justice of the peace, police justice or recorder shall be the constables of the county, which service and execution shall be made in the same manner and under the same liabilities as prescribed in cases of the service and execution and processes and executions by the act entitled "An act constituting courts for the trial of small causes" and the supplements thereto; when the plaintiff in any such proceeding is the Department of Health of the State of New Jersey, or any corporation engaged in the business of supplying water for sale for potable purposes, the moneys, when recovered, shall be paid to the Department of Health, and by such department into the treasury of the State of New Jersey; when the plaintiff in any such proceeding is the local board of health of any such municipality, the moneys recovered shall be paid into the treasury of such municipality.

Judgment.

Officers to  
serve and  
execute.Disposition  
of moneys  
recovered.

3. Section four of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 4  
amended.

Violations  
prohibited  
by injunction.

4. If any person or persons, corporation or corporations, city, town, borough, township or other municipality of this State, or any municipal or township authority, shall violate any of the provisions of the first section of this act, it shall be lawful for the said Department of Health of the State of New Jersey, whether or not the penalty above prescribed shall have been sued for or recovered, to file a bill in the Court of Chancery, in the name of the State, on the relation of said Department of Health for an injunction to prohibit the further violation of the said section, and every such action shall proceed in the Court of Chancery according to the rules and practice relating to bills filed in the name of the Attorney-General on relation of individuals; it shall also be lawful for the local board of health having jurisdiction over the place where such offense was committed, or the local board of health of any municipality, the potable water supply of which is or may be affected by such offense, or any corporation engaged in the business of supplying water for sale for potable purposes, whose supply of potable water is or may be affected by such offense, whether or not such penalty shall have been sued for or recovered, to file a bill in the Court of Chancery, in the name of such board or corporation, for an injunction to prohibit the further violation of said section; and cases of emergency shall have precedence over other litigation pending at the time in the Court of Chancery, and may be heard on final hearing within such time and on such notice as the Chancellor shall direct.

Approved March 4, 1918.

## CHAPTER 230.

A Supplement to an act entitled "An act for the incorporation of cities and providing for their officers, government and powers," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The excise commissioners now holding office under the act to which this is a supplement shall continue in said office until the first day of January, one thousand nine hundred and nineteen, on which day their terms of office shall end. The successors of said excise commissioners now in office shall be nominated by the mayor and confirmed by the common council; in making the first appointment one shall be appointed until the first day of January, one thousand nine hundred and twenty; one until the first day of January, one thousand nine hundred and twenty-one, and one until the first day of January, one thousand nine hundred and twenty-two, and thereafter, except to fill vacancies, one shall be appointed annually on the first day of January for three years.

Terms of  
excise  
commis-  
sioners.

Successors.

2. All acts and parts of acts inconsistent with this act shall be and hereby are repealed, and this act shall take effect immediately.

Repealer

Approved March 4, 1918.

## CHAPTER 231.

Supplement to an act entitled "An act for the incorporation of cities and providing for their officers, government and powers," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Penalties  
for enforce-  
ment of  
excise  
regulations.

1. The board of excise commissioners provided for in the act to which this act is a supplement shall have power to prescribe and enforce penalties, either by fine (not exceeding five hundred dollars) or imprisonment (not exceeding thirty days) for the violation of any of the ordinances, rules or regulations passed by the said board of excise commissioners, which said penalty shall be enforced and collected in the same manner as other penalties are enforced and collected in the city within and for which said board of excise commissioners may be appointed.

Repealer.

2. All acts and parts of acts inconsistent with this act shall be and hereby are repealed, and that this act shall take effect immediately.

Approved March 4, 1918.



## CHAPTER 232.

An Act to abolish the payment of fees for searches and transcripts of records of the birth of children for use as proof of age to obtain them employment.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In all cases where application is made for search and transcript of record of birth of any child for the object of obtaining employment in any mercantile establishment or permission to work in any factory, workshop, mill or place where the manufacture of goods of any kind is carried on, or in any place where employment of children of certain ages is prohibited, the medical superintendent of the Bureau of Vital Statistics of the State of New Jersey, or any officer having by law the authority to keep records of births in this State or in any county, town or city applied to, shall make or cause to be made such search and furnish, under seal, such transcript of the record of birth of any child, and no fee for such search, or for the issuance of such transcript under the seal of the said medical superintendent of said bureau, or of any such officer in this State, or any county, town or city having authority and the custody of such records as aforesaid, shall be charged against, or be paid by, such applicant for such purpose, when the medical superintendent of said bureau, or such officer, shall be satisfied that the purpose of said application is for the object herein set forth.

Searches and transcripts of birth records free for children at work.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 4, 1918.

## CHAPTER 233.

An Act to repeal an act entitled "An act concerning cities of this State," approved March twenty-seventh, one thousand eight hundred and eighty-four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Act repealed.

1. The act entitled "An act concerning cities of this State," approved March twenty-seventh, one thousand eight hundred and eighty-four, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved March 4, 1918.

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CHAPTER 234.

An Act to amend an act entitled "A supplement to an act entitled 'An act to define the duties and fix the salary of the Attorney-General,' approved February twenty-fourth, one thousand eight hundred and fifty-four," which said supplement was approved March twenty-fifth, one thousand nine hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Second  
assistant.

1. It shall be lawful for the Attorney-General to appoint a counselor-at-law of this State, in good standing, as second assistant Attorney-General.

Such appointee shall receive an annual salary of four thousand eight hundred dollars, to be paid out of the treasury of this State as the salaries of other State officers are paid, and shall not be removed from his office except in accordance with the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a civil service commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and the acts amendatory thereof and supplementary thereto. Said second assistant Attorney-General shall, in conjunction with the Attorney-General and assistant Attorney-General, assist in the performance of all the duties cast upon the office of Attorney-General.

Salary.

Duties.

2. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 235.

An Act to create within the Department of Labor a Migrant Welfare and Employment Bureau, fixing the compensation of the chief and defining the duties of said bureau.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created within the Department of Labor a Migrant Welfare and Employment Bureau, consisting of a bureau chief, who shall be appointed by the Commissioner of Labor, for a term of three years, and who shall receive a salary

Bureau of  
migrant wel-  
fare and  
employment.

- Assistants.** of twenty-five hundred dollars per annum. The Commissioner of Labor may appoint such clerks, stenographers and other assistants for said bureau as may be deemed necessary, which appointments shall be made in accordance with the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, nineteen hundred and eight, and the acts amendatory thereof and supplemental thereto.
- Provision for expenses.** 2. The necessary expenses incurred by the chief or any of the assistants of this bureau shall be paid from the funds of the State, out of moneys appropriated for that purpose, upon presentation of proper vouchers approved by the Commissioner of Labor.
- Duties of bureau.** 3. Said bureau shall investigate the conditions under which migrants are living and working in this State, shall instruct them in the rules of sanitation and sanitary living, shall endeavor to procure proper housing facilities and assist in securing suitable employment for migrants. The chief of said bureau shall perform his duties under the direction and supervision of the Commissioner of Labor.
- Removal of employees.** 4. Any member or employee of said bureau may be removed by the Commissioner of Labor for sufficient cause in the same manner as any other employee of the Department of Labor.
5. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 236.

An Act for the assessment and collection of taxes

(Revision of 1918).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

## ARTICLE I.

## DEFINITIONS.

101. The term "taxing district" as used in this acts shall be construed to include every political division less than a county whose inhabitants, governing body or officers have the power to levy taxes. "Taxing district."

The term "assessor" shall be construed to include all officers, boards or commissions charged with the assessment of taxes. "Assessor."

The term "collector" shall be construed to include all officers charged with the collection of taxes. "Collector."

## ARTICLE II.

## PERSONS AND PROPERTY TO BE TAXED..

201. An individual tax of one dollar, to be known as a poll tax, shall be assessed upon every male inhabitant domiciled within this State of the age of twenty-one years or more, except paupers, idiots and insane persons; subject, however, to the exemptions hereinafter provided; *provided*, however, that nothing in this act shall be construed to repeal the act entitled "An Act to amend Poll tax.  
Proviso.

an act entitled 'An Act for the assessment and collection of taxes,' approved April 8, 1903," which amendment was approved February fourth, one thousand nine hundred and eighteen. Such tax shall be assessed upon such person in the taxing district where he resides on the first day of October in each year.

Property  
subject to  
taxation.

202. All property, real and personal, within the jurisdiction of this State, not expressly exempted by this act or excluded from its operation, shall be subject to taxation annually under this act at its true value, and shall be valued by the assessors of the respective taxing districts. Property omitted by the assessors may be assessed as hereinafter provided. All property shall be assessed to the owners thereof with reference to the amount owned on the first day of October in each year, and the persons so assessed for personal property shall be personally liable for the taxes thereon.

Date of  
assessment.

Exemptions:

203. The following property shall be exempt from taxation under this act, namely:

U. S.  
securities:

(1) (a) The bonds and other securities of the United States (other than circulating notes of national banking associations and United States legal tender notes and other notes and certificates of the United States, payable on demand and circulating or intended to circulate as currency, and gold, silver or other coin);

State,  
county, etc.

(b) All bonds, securities, improvement certificates and other evidences of indebtedness, heretofore or hereafter issued by this State or by any county thereof, or by any taxing district or school district of this State;

Personal  
property  
outside state:

(c) The personal property owned by citizens or corporations of this State situate and being out of the State upon which taxes shall have been actually assessed and paid within twelve months next before October first, being the day prescribed by law for commencing the assessment.

(2) The property of the United States and of the State of New Jersey; property of the respective counties, school districts, and taxing districts, when located therein and used for public purposes, but this exemption shall not include real property bought in for debts or on foreclosures of mortgages given to secure loans out of public funds or out of money in court, which property shall be taxed unless devoted to public uses.

Public  
property:

(3) Any real estate or personal property owned and used for military purposes by any organization under the jurisdiction of this State, or of the United States, on condition that all income derived from said property above the expense of its maintenance and repair, shall be used exclusively for such military purposes..

Property  
used for  
military  
purposes:

(4) All buildings actually used for colleges, schools, academies, or seminaries; all buildings actually and exclusively used for public libraries, religious worship, or asylums or schools for feeble-minded or idiotic persons and children; all buildings used exclusively by any association or corporation formed for the purpose and actually engaged in the work of preventing cruelty to animals; all buildings actually and exclusively used in the work of associations and corporations organized exclusively for the moral and mental improvement of men, women or children, or for religious, charitable or hospital purposes, or for one or more of such purposes; the building actually occupied as a parsonage by the officiating clergyman of any religious corporation of this State, and owned by said corporation, to an amount not exceeding five thousand dollars; the land whereon any of the buildings hereinbefore mentioned are erected, and which may be necessary for the fair enjoyment thereof, and which is devoted to the purposes above mentioned and to no other purpose, and does not exceed five acres in extent; the furniture and personal property in

Schools,  
colleges,  
churches,  
libraries, etc.:

said buildings if used in and devoted to the purposes above mentioned; *provided, however*, in the case of all of the foregoing, that said buildings, or the lands on which they stand, or the associations, corporations, or institutions using and occupying the same as aforesaid, are not conducted for profit, except that the exemption of the buildings and lands used for charitable, benevolent or religious purposes shall extend to cases where the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of beneficiaries using or occupying the said building, provided the building is wholly controlled by and entire income therefrom is used for said charitable, benevolent or religious purposes; *provided, further*, that the foregoing exemptions shall apply only where the association, corporation or institution claiming the exemption owns the property in question and is incorporated or organized under the laws of this State and authorized to carry out the purposes on account of which such exemption is claimed; the funds of all charitable and benevolent institutions and associations collected and held exclusively for the sick and disabled members thereof, or for the widows of deceased members, or for the education, support or maintenance of the children of deceased members, and all endowments and funds held and administered exclusively for charitable, benevolent, religious or hospital purposes within this State.

Corporation  
stock;

(5) The shares of stock of any corporation of this State which by contract with the State is expressly exempted from taxation, and the shares of stock of any corporation of this State the capital or property whereof is made taxable to and against said corporation.

Burying  
grounds;

(6) Graveyards not exceeding ten acres of ground, and cemeteries and buildings for cemetery use erected thereon.



(7) The real and personal property of any exempt firemen's association, firemen's relief association and volunteer fire company incorporated under the laws of this State, and which is used exclusively for the purposes of such corporation.

Fire  
companies;

(8) All offices and franchises, and all property used for railroad and canal purposes, the taxation of which is provided for by any other law of this State.

Railroads  
and canals;

(9) All persons enrolled as active members of any organized volunteer fire department of any taxing district or fire district under the control of any township committee, common council or other authorized public body; all exempt firemen of any taxing district; all honorably discharged soldiers and sailors who have served in the army or navy of the United States during any war; all members of the National Guard during their term of service, and all persons engaged in any branch of the military or naval service either of this State or of the United States during the period of the present war, shall be exempt on proper claim made therefor from poll taxes; the right to claim exemption shall extend to cases where it has accrued before and exists on the first day of October. Sufficient evidence to the assessor or collector of taxes of the right to the exemptions in this section authorized shall be as follows: in the case of active and exempt firemen, the certificate of the proper public official in charge of the records showing that the claimant is such fireman, which shall be furnished without charge, and in the case of honorably discharged soldiers or sailors, an honorable discharge, which shall be the last discharge, or the certificate of the Adjutant-General of this State, and in the case of commissioned officers of the National Guard the certificate of the Adjutant-General of this State, and in the case of other members of the National Guard and persons engaged in any branch of the military or

Poll taxes  
for firemen,  
soldiers and  
sailors;

Evidence of  
right of  
exemption;

naval service either of this State or of the United States, other than commissioned officers, the certificate under oath of the commander of their company, battery or band; in the case of commissioned officers in the military or naval service of the United States, a certificate signed by the commanding officer of such commissioned officers. Such certificates, where two or more claimants are entitled in the same taxing district, may be in the form of a list, certified, and verified by oath and filed with the assessor or collector at or before the time when taxes are payable.

**Mortgages;**

(10) Mortgages or debts secured by mortgage on any property which is by the provisions of this act exempt from taxation.

**Property used  
by crippled  
soldiers;**

(11) Any personal property or real estate not exceeding two hundred and fifty acres in extent, owned and actually and exclusively used by any corporation organized under the laws of New Jersey to provide instruction in agricultural pursuits for soldiers and sailors of the United States who have been permanently crippled while in active service in time of war; *provided*, that all income derived from said property and the products thereof in excess of the expense of its maintenance and operation, shall be used exclusively for the benefit of such crippled soldiers and sailors.

**Proviso.****Household  
goods;**

(12) Household furniture and effects, to a value not exceeding one hundred dollars in amount, when located and used in the residence of the owner thereof.

**Bank stock;**

(13) Shares of the capital stock of banks, banking associations and trust companies the taxation of which is provided for by any other law or laws of this State.

**Turnpikes.**

(14) The turnpike road of any turnpike company used by the public without the payment of tolls.

## ARTICLE III.

## ASSESSMENT OF PERSONAL PROPERTY.

301. The tax on all tangible personal property in this State and on all taxable personal property of non-residents of this State shall be assessed in and for the taxing district where such property is found. The tax on other personal property shall be assessed on each inhabitant in the taxing district where he resides on the first day of October in each year. Personal property in the possession or under the control of any person as trustee, guardian, executor or administrator, shall be assessed in his name as such, separate from his individual assessment, or in the name of any one of several joint trustees, guardians, executors or administrators, if the one of them having actual control or possession cannot be ascertained by the assessor; but the personal property belonging to the estate of any decedent shall be assessed in the taxing district wherein the decedent resided at the time of his death, except such part of the tangible property thereof as may be actually located in some other taxing district in this State and assessed therein.

Assessment  
of personal  
property.Where  
assessed.Assessment  
of estates.

302. The assessor shall each year ascertain by diligent inquiry and by the oath of persons to be assessed and others, according to the best of his ability and judgment, the names of all the persons taxable in his district and the true value of all the personal property therein. Every inhabitant of the taxing district, and every owner of personal property located in said district shall, on application of the assessor, forthwith render a true account of his name and personal property, money, effects and credits, and the assessor shall set down in a list in proper columns the names, the value of the personal estate assessed to each one, including the amount of the collectible debts due to

Assessor to  
ascertain per-  
sons and  
property  
taxable.Account  
rendered.

Poll and  
dog tax.

him, except debts secured by mortgage on real estate in New Jersey, the amount allowed by the assessor as a deduction from said value for debts due and owing by the taxpayer, and for exemptions, and the net value of personal property assessed to each person. The assessor shall also ascertain and enter in the list in the appropriate column opposite each name, the poll tax and the dog tax, if any, chargeable against such person. In case any inhabitant of the taxing district shall refuse to be sworn, or to answer in regard to the particulars of his property when required by the assessor, or shall render a false statement, or in case such inhabitant cannot be found by the assessor after diligent effort, the assessor shall estimate his personal property at the highest value he has reason to suppose it may be placed.

Deductions  
for debts.

303. After making the valuation of the personal property for which any person shall be assessed, the assessor may deduct from such valuation all debts bona fide due and owing from such person to creditors residing in the State, but no such deduction shall be made unless the debtor shall make claim therefor in writing under oath and therein set forth the debts owing by him, when incurred, to whom owing and where the creditor resides, and also the total amount of personal property of the claimant, including debts owing to him from solvent debtors, and also that no part of such debt was incurred for the purpose of reducing the taxes of the claimant, and that the stated value of the personal property of such claimant includes not only that to which he holds title or possession, but also that to which any other person holds title or possession for such claimant, whether in trust or not; such claim on behalf of a corporation shall be subscribed and sworn to by the president or principal officer. *Provided, however,* that no deduction for debt shall be allowed from the assessed value of any tangible goods and chattels in which the

Proviso.

value inheres in and is supported by the thing or article itself. No allowance or deduction shall be made for personal property or securities claimed to be exempt from taxation, unless a sworn claim therefor shall be made, setting forth a detailed list of the securities and personal property claimed to be exempt, and the dates when the same were purchased, and that they were not purchased with the intent to escape taxation. No mortgage on personal property, or on both personal and real property, or the debts secured by such mortgage, shall be assessed for taxation unless a deduction therefor shall have been claimed by the owner of such mortgaged property and allowed by the assessor. The governing body of any taxing district in this State may regulate and fix the time within which statements of taxable property shall be made and delivered to the assessors.

Sworn  
statement  
claiming  
exemption.

Mortgages.

304. The assessor shall have power to examine under oath any person or officer of a corporation touching the taxable property of himself, the corporation or others, or touching the truth of the matters contained in the claim for deduction or exemption of any person or corporation, and may compel the attendance of such persons and other witnesses and the production of books and papers by his order therefor, designating the time and place for such attendance and production, which order shall be served on such person, witness or corporation at least two days before the time named, either personally or by leaving it at the residence of the person or witness or at the office of the corporation. In case of failure to comply with such order, the assessor may apply to the circuit or county court which shall award process of subpoena for such appearance and production, and may punish for contempt any person disregarding such process. The oath which the assessor shall administer shall be of the following or like tenor: "I, ....., do swear

Examination  
by assessor.

Subpoena.

Oath to be  
administered.

(or affirm) that I will true answer make to all such questions as shall be put to me touching the taxable property of myself (or A. B.) and therein I will speak the truth, the whole truth and nothing but the truth." The powers conferred by this section upon assessors are also hereby vested in the county boards of taxation and the State Board of Taxes and Assessment, or other reviewing authority, in the exercise of their duties.

Taxation of  
corporations.

Foreign  
corporations.

Proviso.

Taxation of  
life insurance  
companies.

305. Corporations of this State shall be regarded as residents and inhabitants of the taxing district where their chief office is located, and their personal property shall be taxed the same as that of an individual, except as in this act otherwise provided; all corporations regularly doing business in this State and not being corporations of this State shall be assessed and taxed for and in respect of the business so done by them, and all such companies other than insurance companies shall be assessed for the amount of capital usually employed in this State in the doing of such business, and not otherwise taxed as real property or tangible personal property by virtue of this act, and such assessment shall be made in the taxing district where such business is most usually carried on and transacted; mortgages owned by corporations shall be exempt from taxation to the same extent as when owned by natural persons, and the value thereof shall be deducted from the value of the capital stock or personal property in ascertaining the valuation subject to taxation; *provided*, that this shall not affect or reduce any franchise tax.

306. (1) Associations or corporations of this State whose business is that of the assurance on lives shall be assessed and taxed upon the full amount or value of their property (exclusive of real estate situate in this State, and exclusive of securities to the value of five hundred thousand dollars), deducting from such amount or value the amount of their debts and liabilities; to ascertain

the said amount a statement of the amount or value of the property and of the debts and liabilities of such association or corporation as they existed on the thirty-first day of December next preceding such statement shall be annually made to the assessor or taxing officer or officers in the township, city or taxing district where the principal office of the association or corporation is located, upon the oath of the president, secretary or treasurer, or other officer of such association or corporation; in stating the liabilities on policies the basis of such statement shall be the value of such policies at the date above mentioned in this section and not the gross amount insured thereby, and such value shall be according to the computation of the same by the Commissioner of Banking and Insurance of this State by such standard of valuation as may be adopted and used by him at the time such computation shall be made according to law; the real estate of such corporation shall be separately assessed and taxed where the same is located, and no tax shall be assessed against such association or corporation on personal property in any other taxing district; in ascertaining the tax imposed by virtue of this act no deduction shall be made for nontaxable or exempt securities, but deductions shall be made of the real estate located in this State according to the amount of the same contained in the statement of the amount of value of property above mentioned, and such real estate shall be assessed and taxed in the taxing district where the same is located; in case any such association or corporation shall claim any deduction for nontaxable property or for property exempt from taxation, then no deduction shall be made or allowed for debts and liabilities; the capital stock in any such company shall not be regarded for the purpose of this act as a liability, and shall not be deducted from the amount of property and valuable assets in making the statement hereby required, and the

Liabilities  
on policies.

Real estate.

As to capital  
stock.

person or persons or corporations holding the capital stock of such association or corporation shall not be assessed or taxed therefor; *provided, however*, that this section shall not apply to any funds collected by any lodge, council, society, or fraternal beneficial association as defined in the act of March eleventh, anno Domini one thousand eight hundred and ninety-three, from its members for the purpose of paying sick, funeral or death benefits.

Proviso.

Repealer.

Proviso.

(2) All acts and parts of acts inconsistent with the provisions of this section are hereby repealed; *provided, however*, that this section shall not in any way or manner be construed so as to repeal or modify chapter 76 of the Laws of 1892, or chapter 7 of the Laws of 1891.

Taxation of  
fire and stock  
insurance  
companies.

307. Every fire insurance company and every stock insurance company other than life insurance shall be assessed in the taxing district where its office is situate, upon the full amount of its capital stock paid in and accumulated surplus; the real estate belonging to every such corporation, however, shall be taxed in the taxing district where such real estate is situated, and the amount of assessment upon said real estate shall be deducted from the amount of any assessment made upon the capital stock and accumulated surplus, as herein provided for; no franchise tax shall be imposed upon any such fire insurance company or other stock insurance company included in this section.

Dog tax.

308. Every person who shall keep or harbor a dog (above the age of six months) in any of the taxing districts, except cities, of this State, shall be taxed yearly for one dog so kept or harbored the sum of fifty cents, and for every additional dog (above the age of six months) the sum of one dollar; in addition thereto there may be annually levied when legally ordered a further dog tax to be assessed and collected in the same manner and at the same time as other annual taxes raised for the use of the State, county or taxing districts are assessed and



collected. Every inhabitant who shall refuse or wilfully neglect to deliver to the said assessor, when by him required, a true account of the number and age of the dog or dogs made taxable under this section and owned or harbored by him as aforesaid, shall, for every such refusal or neglect, forfeit and pay the sum of five dollars, to be recovered, with costs, by the collector of the taxing district wherein the offense shall be committed, for its use.

#### ARTICLE IV.

##### ASSESSMENT OF REAL PROPERTY.

401. (1) The assessor shall ascertain the names of the owners of all real property situated in his taxing district, and shall, after examination and inquiry, determine the full and fair value of each parcel of real property situated in the taxing district at such price as, in his judgment, such parcel would sell for at a fair and bona fide sale by private contract on the first day of October next preceding the date on which the assessor shall complete his assessments, as hereinafter required, and said assessor shall make a list in tabular form of the names of the owners, and set down in proper column opposite each name the description and area of each parcel sufficient to ascertain its location and extent and the value of each parcel as determined by the assessor. Property held in trust shall be assessed in the name of one or more of the trustees as such, separately from his individual assessment. If the name of the owner of any parcel shall be unknown, it shall be so entered in the list of names, and where an owner is not known to reside in the taxing district, the list shall describe him as nonresident. When the line between taxing districts divides a tract of land, each part shall be assessed in the taxing district where located. In listing the name of owners and properties the as-

Assessment  
of real estate.

Basis of  
valuation.

List of  
owners.

If owner  
unknown.

Property in  
different  
districts.

Rules to be followed.	sessors shall follow such forms and methods as may be prescribed by the State Board of Taxes and Assessment, and said board may by rule direct the assessor in any taxing district to determine the true value of each parcel of real estate assessed by him without the buildings and improvements and to note the same on the list, and to determine and note separately the true value of every building and other structure on each parcel, and add and carry out the same as the assessed value of the parcel, and in such case the receipt given for the payment of the tax shall contain such separate valuations. Said board may also by rule direct
Character of land entered.	the assessor in any taxing district to enter on his list separately the number of acres of arable land, of meadow pasture land, of woodland, and of uncultivated upland and swamp land in each parcel as near as can be. The assessor shall enter in a separate list a description of all cemeteries, churches, public buildings and other real property exempt from taxation, and all exempted personal
List of exempted property.	property, with the name of the owner, and shall value such land and buildings and personal property at their true value in the same manner as other real and personal property, and in each case he shall state the ground of exemption, and where the compensation of the assessor is a fixed sum per name, he shall receive the same compensation per name for such exemption.
Assessments by block system or house number.	(2) In taxing districts having adopted block assessment maps, it shall be the duty of the assessor in making assessment for taxes to describe the real property by block and lot numbers as shown upon the assessment map. In taxing districts having a system of numbering houses by street numbers, it shall be the duty of the assessors to add to any other description of real property required to be made, the proper street number of such real property.

(3) In all taxing districts, whether assessment maps have been adopted or not, when any change of ownership of real estate occurs, the new owner may present his deed or other evidence of title to the assessor or other proper custodian of the assessment maps, if any there be, which officer shall properly note and record on the books and maps, if any, the proper change of ownership, and shall certify that he has done so upon the deed or other instrument of transfer and in case no such certificate shall appear on such deed or instrument, it shall be the duty of the county clerk or register of deeds, with whom such deed or instrument is filed for record, within one week thereafter, to present an abstract of such deed or instrument to such assessor, or other custodian as aforesaid, who shall properly note and record the change. And the county clerk or register of deeds shall not receive such deed or instrument for record unless he is paid the fee of twenty cents for such abstract, and he shall not require any fee from the assessor or custodian for the certification and abstract as aforesaid.

Transfer of  
ownership of  
real estate.

402. No mortgage or debt secured by mortgage on real property which is taxed in this State shall be listed for taxation; and no deduction from the assessed value of real property shall be made by the assessor on account of any mortgage debt, but the mortgagor or owner of the property paying the tax on mortgaged real property shall be entitled to credit on the interest payable on the mortgage for so much of the tax as is equal to the tax rate applied to the amount due on the mortgage, except where the parties have otherwise agreed, or where the mortgage is an investment of funds not subject to taxation, or where the parties have lawfully agreed that no deduction shall be made from the taxable value of the lands by reason of the mortgage. Bonds issued by any railroad company of any State shall be exempt from taxation while

Taxation of  
mortgages.

Bonds held  
by savings  
banks.

owned by any savings bank or institution for savings of this State.

Examination  
of owner of  
real estate.

403. Every owner of real property of the taxing district shall, on application of the assessor, render a full and true account of his name and real property and produce his title papers, and he may be examined on oath by the assessor, in substantially the same form hereinbefore prescribed in the case of personal property, and if he shall refuse so to do, or to testify on oath when required, or shall render a false or fraudulent account, the assessor shall estimate his property at the highest value he has reason to suppose it may be placed.

## ARTICLE V.

### COMPLETION AND REVIEW OF ASSESSMENTS.

Period for  
assessing.

Assessor's  
duplicate.

Affidavit by  
assessor.

501. The assessor shall begin the work of making assessments upon real and personal property upon the first day of October in each year and shall complete the same by the tenth day of January following, on which date he shall attend before the county board of taxation and file with said board his complete assessment list, and a true copy thereof, to be called the assessor's duplicate, properly made up and legibly written in ink, to be by said board examined, revised and corrected as hereinafter provided. The assessor shall annex to his assessment list and duplicate so filed his affidavit in substantially the following form: "I..... assessor of the.....of.....do swear (or affirm) that the foregoing list contains the valuations made by me, to the best of my ability of all the property liable to taxation in the taxing district in which I am the assessor, and that I have valued the same, without favor or partiality, at its full and fair value, at such price, as in my judgment it would sell for at a fair and bona fide sale by private contract on the first day of October

last, and have made such deduction only for debts and exemptions as are prescribed by law." Every assessor who shall fail to file his assessment list and duplicate with the county board of taxation at the time herein prescribed or within such further time as the board may allow, shall be subject to a penalty of ten dollars for such failure, and to an additional penalty of ten dollars for each additional day he shall fail to file the same, said penalties to be collected by a civil suit against such assessor at the instance of the county board of taxation, in any court of competent jurisdiction, the amount of such penalties when collected to be paid into the treasury of the county. In case of the failure of any assessor to file his assessment list and duplicate as aforesaid the county board of taxation may summarily remove such assessor from office, and itself make or cause to be made and filed the said assessment list and duplicate.

Penalty for failure to file returns.

Removal of assessor.

502. It shall be the duty of every assessor, before filing the complete assessment list and duplicate with the county board of taxation, and before annexing thereto his affidavit as required in section five hundred and one of this article, to give public notice by advertisement in at least one newspaper circulating within his taxing district of a time and place when and where the assessment list may be inspected by any taxpayer for the purpose of enabling such taxpayer to ascertain what assessments have been made against him or his property and to confer informally with the assessor as to the correctness of the assessments, to the end that any errors may be corrected before the filing of the assessment list and duplicate.

Inspection of assessment list.

503. The State Comptroller shall, on or before the first day of February in each year, transmit to the State Board of Education and to the county collector of each county a statement of the amount of tax appropriated by the State for that year and

Notification by state comptroller of amount for schools.

<p>Apportionment.</p> <p>Amount of state tax to be raised by counties.</p> <p>Amount of state tax to be raised by taxing districts.</p> <p>Total amount in counties.</p>	<p>to be raised by taxation for the public schools; the State Comptroller shall apportion said tax among the several counties in proportion to the amount of taxable real and personal property of said counties respectively as shown by the last annual abstracts of ratables prepared by the State Board of Taxes and Assessment and transmitted by said board to the State Comptroller; the State Comptroller shall also, on or before the first day of February annually, transmit to each county collector a statement of the amount, if any, necessary to be raised by general taxation for State purposes in said county, which the State Comptroller shall apportion in the same manner as the school tax, adding thereto the deficiency, if any, of the previous year; the county collector shall lay said statements before the county board of taxation of his county on or before the tenth day of February in each year, and said board shall apportion the amount required among the taxing districts, as in this act directed, charging the deficiency, if any, to the deficient taxing districts; the taxing districts shall be liable to make good to the State and county any deficiency arising from the default of their collecting and disbursing officers or otherwise, and the counties shall be liable to make good to the State any deficiency arising from the default of their respective county collectors, by apportioning the same in the next tax among the taxing districts.</p> <p>504. The county collector of each county shall, on or before the first day of March in each year, transmit to the county board of taxation a statement of the total amount appropriated by the board of chosen freeholders to be raised for current expenses, debt and interest, public works and for all other county purposes, and all amounts otherwise required by law to be raised by taxation in that year for county purposes. The county board of taxation shall apportion the tax among the taxing districts as in this act directed.</p>
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505. The municipal clerk or other proper officer of each taxing district shall, on or before the first day of March in each year, transmit to the county board of taxation a copy of the annual taxing ordinance or resolution, or other evidence showing the amount to be raised by taxation for the purposes of the taxing district. When any execution shall be issued upon judgment against any taxing district, and there shall be found no property sufficient to satisfy the same by levy, the officer shall serve a copy of his execution upon the county board of taxation having jurisdiction over said taxing district, and it shall be the duty of the county board of taxation to add the amount due upon said execution, with interest to the first day of June following, to the amounts certified to it to be raised by taxation in said taxing district, and the amount of said execution and interest shall thereupon also be raised by taxation in said taxing district and paid by the collector thereof on or before the fifth day of June following: *provided, however,* that if the copy of said execution shall not be served upon the county board of taxation before said board shall have determined and fixed the rate for said taxing district for the year, then the amount shall be included by said board in the amount to be raised by taxation in the next following year, and the interest shall be calculated to the first day of June of such year, unless the amount of such execution and interest shall have been included in the taxing ordinance or resolution with the other amounts to be raised by taxation in said taxing district, or unless the execution shall have been satisfied otherwise.

Amount in  
each taxing  
district.

If not  
sufficient  
property to  
satisfy levy.

Proviso.

506. The clerk or other proper officer of each school district in this State in which the annual appropriations for school purposes, to be raised by taxation, are voted by the inhabitants of said school district, shall, on or before the first day of March in each year, transmit to the county board

Amount in  
school  
districts.

of taxation a certified statement of the amount of moneys appropriated for school purposes, to be raised by taxation in said school district.

Revising tax  
lists and  
duplicates.

507. Upon the filing of the assessment lists and duplicates by the assessors with the county board of taxation as hereinbefore provided, said board shall meet for the purpose of examining, revising and correcting said tax lists and duplicates. Any assessor shall attend before said board at such time and place as it may direct, and shall, under the direction and supervision of such board, make up and prepare corrected tax lists and duplicates. Such board may adjourn from time to time in the discharge of its duties, and shall have the power, after investigation, to revise, correct and equalize the assessed value of all property in the respective taxing districts; to increase or decrease the assessed value of any property not truly valued, to add to said lists and duplicates any property which has been omitted or overlooked, at its true value, and in general to do and perform all acts and things necessary for the taxation of all property in said county equally and at its true value. Such county board of taxation shall enter all changes or additions on the various tax lists and duplicates, and shall, upon ascertaining the total amount of tax to be raised, fix and adjust the amount of State school, State and county tax to be levied in each taxing district in the county in proportion to the respective values thereof, and the amount to be levied in each taxing district for local purposes as certified to said board, and shall cause each assessor to enter in appropriate columns upon the said tax lists and duplicates for his respective taxing district the net corrected value assessed to each person for both real and personal property, and to enter the addition of the items of each column at the foot thereof, on every page; the rates per dollar, which shall be such as according to the valuation on the

Tax list as  
revised.



duplicate will be sufficient to produce the sum required, and to extend on the duplicates the amount of tax computed on each assessment at said rate.

508. The county board of taxation shall, on or before the tenth day of March, fill out a table of aggregates copied from the duplicates of the several assessors and enumerating the following items: (1) The total number of acres and lots assessed; (2) the value of the land assessed; (3) the value of the improvements thereon assessed; (4) the total value of the land and improvements assessed, exclusive of second class railroad property; (5) the value of second class railroad property; (6) the value of the personal property assessed; (7) the total amount of deductions for debts claimed and allowed in each taxing district; (8) the total net valuation taxable; (9) the total amount deducted under the provisions of Chapter 57 of the Public Laws of 1910 as amended by Chapter 188 of the Public Laws of 1912, or any amendments or supplements or other enactments governing the same subject; (10) the total amount added under any of the laws mentioned in subdivision (9) of this section; (11) the total amount added for equalization under the provisions of Chapter 31 of the Public Laws of 1917, or any subsequent enactment governing the same subject; (12) the amount of polls assessed; (13) the amount of dog taxes assessed; (14) the net valuation on which county, State and State school taxes are apportioned; (15) the total valuation of property exempt from taxation in each taxing district, specifying particularly and by separate items; (a) the amount of public school property; (b) the amount of other school property; (c) the amount of public property other than school property; (d) the amount of church and charitable property; (e) the amount of cemetery property and graveyards; (f) the amount of personal property exempted under the provisions of

Table of  
aggregates.

Items.

subdivision (12) of Section two hundred and three of this act; (g) the amount of exempted property not included in any of the foregoing classifications, giving a general heading or statement of the nature of such property; (h) the total value of exempt property in each taxing district; (16) the amount apportioned to each taxing district for State road tax; (17) the amount apportioned to each district for State school tax; (18) the amount to be raised in each taxing district for any other State tax not enumerated herein; (19) the total amount to be raised in each taxing district for local purposes; (20) the amount apportioned to each taxing district for county expenses; (21) the amount of bank stock tax apportioned to each district; (22) the tax rate per one hundred dollars of valuation in each taxing district. The blanks for filling out these tables of aggregates shall be provided by the State Board of Taxes and Assessment, and sent by said board to the county collectors of the several counties, to be by them transmitted to the county boards of taxation. Such table of aggregates shall be correctly added by columns, and shall be signed by the members of the county board of taxation, and shall, within three days thereafter be transmitted to the county collector, who shall file the same and forthwith cause it to be printed in its entirety, and shall transmit a certified copy of the same to the State Comptroller, the State Board of Taxes and Assessment, and the clerk of each municipality in such county.

509. The county board of taxation shall, on or before the first day of April in each year, cause the corrected, revised and completed duplicates, certified by said board to be a true record of the taxes assessed, to be delivered to the respective collectors of the various taxing districts in their respective counties, and the said tax lists shall remain in the office of such board as a public record.

Blanks.

Table of  
aggregates  
sent to  
collector.

Copies  
transmitted.

Duplicates  
delivered to  
collectors of  
taxing  
districts.

510. It shall be the duty of the county boards of taxation in apportioning the amount of money to be raised in the various taxing districts for State, State schools or county purposes, after having received the tax lists and duplicates of the local assessors, and after having revised, corrected and equalized the assessed value of all the property in the respective taxing districts as hereinbefore provided, to deduct from the total valuations of each taxing district as so revised, corrected and equalized an amount equal to the ratables of the preceding year or years of such district represented by the reduction or all reductions made in the assessments of such districts subsequent to the apportionment of the preceding year or years in consequence of any appeal or appeals to the county board of taxation or to the State Board of Taxes and Assessment, or by reason of the decision of any court, and the total valuations as ascertained after the assessments in the various assessment lists and duplicates have been revised, corrected and equalized, and after the deductions herein provided for shall have been made, shall form the basis for the apportionment of said State, State school or county taxes; *provided, however*, that where any assessment has been reduced on appeal and the decision on such appeal has been further appealed, no deduction as herein provided for shall be made with respect to such appealed assessment until such further appeal has been finally determined.

Apportionment of moneys for State, school, and county purposes; deductions to be made.

Proviso.

511. It shall further be the duty of the county boards of taxation upon proof of the discovery of any clerical error in the reported ratables of any taxing district, after the State, State school or county taxes have been apportioned for a given year, to add to or deduct from the ratables of such taxing district reported for the following year an amount equal to the ratables represented by such error before the State, State school or county taxes shall be apportioned for said following year, and

Allowance for clerical errors.

the ratables as so corrected shall form the basis for the apportionment of any State, State school or county taxes.

As to  
certiorari.

Court may  
review and  
reduce  
assessment.

Rules  
applicable.

As to tech-  
nicalities.

512. No assessment of taxes shall hereafter be set aside upon any certiorari, because the State, county, town, township, borough, ward or city taxes, or any of them, are blended together, nor because the aggregate amount of money levied or assessed in any taxing district for taxes is greater than called for by the law or resolutions granting the same, nor because any such assessment is made upon any person or property at a rate higher than authorized by the law, ordinance or resolutions granting the money for which the said assessment of taxes is made; if it shall appear to the satisfaction of any court wherein any certiorari is or may be brought, that any assessment of taxes reviewed thereby is at a rate higher than authorized by the law or resolution authorizing such assessment, or that the value of taxable property, for which any person is therein assessed, is too great, said court shall amend such assessment and reduce the same to the proper and just amount, and thereupon affirm the same according to such amendment and reduction and reverse the same as to the excess only; and the court shall have power to adopt such rules and proceedings as may enable them to make the said amendment, and carry into effect the true intent and meaning of this act; no return of taxes or list of delinquents made by any collector, nor the proceedings touching or concerning such return, nor any tax warrant, shall be set aside or reversed on certiorari, or otherwise, for any lack of form which does not impair the substantial rights of the plaintiff in certiorari.

513. No tax or assessment imposed or levied in this State shall be set aside or reversed in any court of law or equity in any action, suit or proceeding for any irregularity or defect in form, or illegality in assessing, laying or levying any such

tax or assessment, or in the proceeding for collecting the same if the person against whom or the property upon which such tax or assessment is assessed or laid is, in fact, liable to taxation or assessment in respect to the purposes for which such tax or assessment is levied, assessed or laid; and the court in which any action, suit or proceeding is or shall be pending to review any such tax or assessment is required to amend all irregularities or errors, or defects, and is empowered, if need be, to ascertain and determine for what sum such person or property was legally liable to taxation or assessment, and by order or decree to fix the amount thereof; and the sum so fixed shall be the amount of tax or assessment for which such person or property shall be liable, and the same shall be and remain a first lien or charge upon the property and persons, and collectible in the manner provided by law, the same as if such tax or assessment had been legally levied, assessed or imposed in the first instance by the city, town, township, commissioner, board or other authority attempting to make, impose or levy the same; it shall be the duty of the court to make a proper levy, imposition or assessment in all cases in which there may lawfully be an assessment, imposition or levy; and such court is hereby given full and ample authority to make a lawful levy, assessment or imposition.

Court may  
fix tax.

Tax a first  
lien.

514. Upon the sale and transfer, for a valuable consideration, of any real estate in this State, unless otherwise provided in a written agreement between the seller and purchaser, or unless otherwise expressly stipulated in the deed of conveyance, the seller shall be liable for the payment of such proportion of the taxes for the current year upon the property to be conveyed as the time between the first day of December previous and the date of the delivery of the deed by the seller to the purchaser bears to a full calendar year. If the amount of the taxes for the current year shall not

Paying taxes  
on property  
sold.

Liens not  
affected.

have been determined at the time of the delivery of the deed of conveyance, then the amount of the taxes last previously assessed against such real estate shall be used as the basis for computing the apportionment herein provided. The liability of the seller herein provided shall exist only between him, his heirs, executors, administrators and assigns, and the purchaser and his heirs, executors, administrators and assigns, and shall in no way affect the lien of the municipality or taxing district for unpaid taxes upon the real estate.

#### ARTICLE VI.

##### COLLECTION OF TAXES.

Delivery of  
tax bills.

601. As soon as the tax duplicate is delivered to the collector of the taxing district, as hereinbefore provided, he shall at once begin the work of preparing, completing, mailing or otherwise delivering tax bills to the individuals assessed, and shall complete such work on or before the fifteenth day of May. The validity of any tax or assessment, or the time at which the same shall be payable, shall not be affected by the failure of any taxpayer to receive a tax bill, but all taxpayers are put upon notice to ascertain from the proper official of the respective taxing districts the amount which may be due for taxes or assessments against any such taxpayer or property.

When taxes  
payable.

602. Taxes shall be payable, one-half of the amount thereof on the first day of April, which if not paid on or before the first day of June will become delinquent on that date, and the taxpayer or property assessed will be subject to the penalties hereinafter prescribed. The remaining half of said taxes shall be paid on or before the first day of December, after which date, if unpaid, they shall become delinquent and the taxpayer or property subject to the same penalties.

603. The governing body of each municipality shall have power to fix by resolution the rate of discount to be allowed for the payment of taxes or assessments previous to the date on which the same would become delinquent, which rate of discount shall not exceed six per centum per annum, and shall be allowed only in case of payment on or before the thirtieth day previous to the date on which the said taxes or assessments would become delinquent; and also the rate of interest to be charged for the nonpayment of taxes or assessments on or before the date when the same would become delinquent, which rate for nonpayment as aforesaid shall not exceed the rate of nine per centum per annum, nor be less than seven per centum per annum.

Discount for  
prepayment.

Tax added  
for delin-  
quency.

604. The collector shall enter the date and amount of each payment on his duplicate in the proper column opposite the items of tax on accounts of which the payment is made, and shall also enter the same in a proper cash book credited to the taxpayer, and shall also enter therein a designation of the property on which said tax was paid, the total amount of the tax and the discount allowed or the interest and penalty charged. The cash book shall be provided by the collector at the expense of the taxing district, and shall be the property of the taxing district and be open at all reasonable times to public inspection. In taxing districts having a public building, an office therein shall be set apart for the collector who shall attend there on such days in each week during the months next preceding the month in which taxes become delinquent, as the governing body may by resolution designate.

Payments  
entered.

Cash book.

Office of  
collector.

605. It shall be the duty of the collector or other officer having the custody of the collected taxes on or before the fifteenth day of June in each year to pay to the county collector of the county one-half of the amount of the county taxes required to be

Payments by  
district  
collectors to  
county  
collector.

Payments to custodian of school moneys.	assessed and raised in his taxing district; and on or before the first day of July to pay to the custodian of school moneys, in the case of school districts in which appropriations for school purposes are made by the inhabitants of the school district, one-half of the amount required to be assessed and raised in his taxing district for school purposes; and on or before the fifteenth day of December to pay to the county collector the remaining one-half of the county taxes, and also all of the taxes required to be assessed and raised in his taxing district for State school, and other State taxes; and on or before the fifteenth day of December to pay to the custodian of school moneys aforesaid the remaining one-half of the moneys required to be assessed and raised for school purposes in his taxing district. The county collector shall pay the State taxes assessed in the taxing districts of his county to the treasurer of the State on or before the twentieth day of December. The remaining taxes in the hands of the collector of the taxing district shall be disposed of for the use of the taxing district, and he shall report his collections to the governing body of the taxing district on the first day of each month, and oftener if they shall require, and pay the amount collected to the treasurer or other officer authorized to receive the same. On any part of the taxes payable to the county collector or to the custodian of school moneys by the taxing district, and on any part of the taxes payable to the State by the county collector, which shall remain unpaid after the time within which they are required to be paid by this act, the taxing district or county so in arrears shall pay to the county, school district or State, as the case may be, interest at the rate of six per centum per annum.
Balance paid.	
Payments to state treasury.	
Use of amount remaining in districts.	
Interest on arrears in taxing districts.	
Enforcement of payment.	606. It shall be the duty of the collector, in person or by deputy, forthwith after the first day of December to enforce the payment of all taxes on



personal property and poll taxes and dog taxes by distress and sale of any of the goods and chattels of the delinquent in the county; where the tax is upon real estate the person assessed may be relieved from the levy by showing that he was not the owner at the time when the tax became a lien; if goods and chattels of the delinquent cannot be found, or not sufficient to make all the money required to pay taxes on personal property and poll tax and dog tax, then it shall be the duty of the collector in person or by deputy, to take the body of the delinquent and unless the tax is at once paid, with costs, to deliver the same to the sheriff or jailer of the county, to be kept in close and safe custody until payment be made of the amount due on said taxes, with costs, but there shall be no arrest or imprisonment for default in payment of taxes on real estate; a copy of the entry of the tax assessed against the delinquent, certified by the collector to be a copy truly taken from his duplicate, shall be a sufficient warrant for the distress and sale or arrest and imprisonment authorized by this act; and the authority of any person to act as deputy shall be conferred by the collector in writing upon said copy of the tax entry and signed by the collector; the collector shall not be liable for deficiencies in collection happening without any neglect, fraud or default on his part.

Arrest for  
non-payment  
of personal  
tax.

Sufficiency  
of warrant.

607. Where goods and chattels have been distrained, the collector shall give public notice of the time and place of sale and of the property to be sold, the name of the delinquent and the amount of his tax in default, at least five days previous to the day of sale by advertisement posted in at least five public places in the taxing district where such sale is to be made; such sale shall be at public auction and, if practicable, no more property shall be sold than is sufficient to pay the tax, interest and costs due, and any surplus shall be returned to the owner; if there shall be no purchaser for the goods

Advertise-  
ment of  
sale of  
property  
for taxes.

and chattels exposed for sale, they may be purchased for the benefit of the taxing district by any officer authorized; for serving warrant or notice thereof the collector shall receive fifty cents; for levying, seventy-five cents; for advertising sale, fifty cents; for selling, one dollar; for making an arrest, fifty cents, and in addition such per centum of the amount of taxes collected, not exceeding five, as the governing body shall fix by resolution, all of which shall be added to and collected with the tax, and not otherwise.

Collector's  
fees.

Further  
action to  
secure  
amount of  
tax due.

Collector  
of arrears.

Bond given.

Powers, etc.

Warrant for  
collection.

608. If sufficient shall not be realized by the first distress and sale, it shall be lawful for the collector to make further seizures and sales from time to time in the same manner, and the governing body may, after the collector has made his return of uncollected taxes, appoint by resolution some person other than the collector to be collector of arrears and to make such distress and sale or arrest and imprisonment, which resolution shall name the delinquents and the amounts to be made either specifically or by reference to the collector's list or other specific list thereof on file with the clerk, and said body shall fix the amount of and approve the bond for the faithful performance of his duties which such collector of arrears shall give with sureties before he shall act; he shall have the same powers, and shall receive the same compensation, except as hereinafter provided, and be subject to the same liabilities with respect to the delinquent taxes as the collector, and shall account to the body appointing him, and pay the money collected within sixty days after his appointment to the collector, who shall give proper credit therefor on the duplicate to the delinquents, but shall have no commission on the collection, and shall have no power to collect from taxpayers the delinquent taxes referred to said collectors of arrears during said term of sixty days; it shall be the duty of the collector to deliver to the collector of arrears a copy

of the tax entry against each delinquent certified by the collector to be a copy truly taken from his duplicate, which shall be a sufficient warrant to the collector of arrears for his collection, distress, sale, arrest and imprisonment. No person appointed collector of arrears under this section shall receive compensation for the payment of taxes in arrears where such taxes shall be paid as a result of litigation instituted by or on behalf of the taxing district, except the distress, sale or imprisonment proceedings in this and the preceding section mentioned; and the appointment of such person shall not prevent the governing body of the taxing district from directing the collection of any particular delinquent taxes by the law officer of such taxing district; and the appointment of such person as collector of arrears shall be subject to revocation by the governing body at any time.

Chattels  
liable for tax  
on lands.

609. The goods and chattels of the tenants or other persons in possession or having the care of any real property shall be liable for the payment of the taxes on the land, and on payment may recover the same from the landlord or by action on contract or by deducting the sum so paid out of the rent then or afterwards due, unless otherwise provided by his contract with the landlord; where the delinquent taxes assessed upon unimproved or untenanted land, or on land tenanted by one not able to pay the tax, it shall be the duty of the collector in person or by deputy to levy such tax by distress and sale or so much of the timber, wood, herbage, or other vendible property of the owner on the premises as will be sufficient to pay the same, with costs; notices of the sale shall be put up in five of the most public places in the taxing district at least thirty days before such sale, and published at least four weeks successively, once in each week, setting forth the name of the delinquent, the amount of the tax, the day and hour of the sale, which shall be between the hours of

Recovery.

Sale of  
vendible  
property to  
pay tax.

Notice  
of sale.

Right of entry.

twelve and five of the said day, and the place, which shall be on the said premises; such advertisement shall be published in a newspaper circulating within the taxing district; the purchaser may enter on the premises to sever and carry away the property purchased for the space of two months next after the sale and no longer.

Annual report by district collectors.

Statement of unpaid taxes, etc.

Examination of delinquent list.

610. On the thirty-first day of December, annually, in all taxing districts, except cities, the collector shall file with the treasurer or chief financial officer of the taxing district a statement of the amount of his receipts of taxes for the year, and of the amount of taxes remaining unpaid. On or before the fifteenth day of January the collector shall file with the governing body of the taxing district a competent account verified by oath, of his receipts and disbursements as collector during the preceding year ending December thirty-first. On the first day of March the collector shall file with the governing body a statement of the amount of taxes then remaining unpaid, the names of the delinquents, and the amount due from each, a description of the property assessed, and the reason why the tax has not been collected, and if the collector believes that any of the delinquent taxes are not collectible by reason of a fictitious or double or other palpably erroneous assessment, or that any poll tax, dog tax or tax on personal property is not collectible by reason of the removal, absence, death or insolvency of the taxpayer, he shall present his statement of such uncollectible taxes in a separate list. It shall be the duty of the governing body, within ten days after the filing of the delinquent list, to carefully examine the same in the presence of the assessor and collector, and they may summon and examine witnesses, and adjourn their examination from time to time and shall complete their examination on or before the first day of April, and on being satisfied that any of the taxes listed as uncollectible are, in fact,

such, it shall be their duty, by resolution, to release the collector from the collection thereof; any taxes not so released, if not collected, shall be again listed and reported for further investigation and action on the first day of March of the ensuing year.

Release of  
collector.

611. In first class cities the comptroller, and in all other municipalities the collector or other officer charged with the duty of the collection of taxes, shall annually, in the month of March, unless otherwise directed by vote of one more than a majority of the governing body, publish a list of the names of all delinquents for personal taxes and the amounts due in a newspaper published in said city or other municipality, or where none is published therein a newspaper circulating in said city or other municipality, and a second publication shall be made two weeks after the first of the same list, omitting the names of those who have paid the tax in the interval; ten cents per name for each insertion shall be paid to the publisher and added to the tax.

List of  
delinquents  
published.

612. Each tax bill shall have printed thereon a brief tabulation showing the distribution of the amount raised in the taxing district by taxation, in such form as to disclose the number of cents in each dollar paid by the taxpayer which is to be used for the payment of State school taxes, other State taxes, county taxes, local school expenditures and other local expenditures. The last named item may be further subdivided so as to show the amount for each of the several departments of the municipal government.

Brief state-  
ment on tax  
bills to indi-  
cate expendi-  
tures.

## ARTICLE VII.

### APPEALS.

701. Any taxpayer feeling aggrieved by the assessed valuation of his property, or feeling that he is discriminated against by the assessed valuation of any other property in the county, or any

Appeals may  
be taken.

taxing district which may feel discriminated against by the assessed valuation of property in said taxing district, or by the assessed valuation of property in any other taxing district in such county, may on or before the fifteenth day of June file with the county board of taxation a petition of appeal to the county board of taxation, a copy of which shall also be filed with the clerk or attorney of the taxing district, setting forth the cause of complaint, the nature and location of such assessed property and the relief sought. Said petition of appeal shall be signed and sworn to by the petitioner or his agent, and shall be in such form and contain such further information as may be from time to time prescribed by rule of the board, for the better understanding and determination of the appeal. Such board shall thereupon make such order respecting the time and manner for hearing such appeal as it may deem just, and shall summarily hear and determine such appeals, and revise and correct such assessment in accordance with the true value of such taxable property. Such board shall have the power to compel the attendance of witnesses, the production of books and papers before them, to examine witnesses or cause witnesses to be examined under oath before them, which oath may be administered by a member of said board. In case of the willful failure of any person to obey any such order of such board, or to answer any inquiry properly put to him upon such examination, said board shall immediately certify the facts to the Court of Common Pleas of the county for which said board was appointed, and the judge holding the said Court of Common Pleas shall thereupon issue a citation requiring such person to appear before him and show cause why he should not be punished for his refusal to comply with such order or to answer such inquiry and in case the said judge shall determine upon such hearing that the said refusal to obey such order

Petition.

Notice of hearing.

Witnesses.

Witness may be cited by court.

or to answer such inquiry was willful and without justification, the said court shall punish such person so offending as for a contempt of said court. Any person making a false statement to such board under oath shall be deemed guilty of perjury and liable to the punishment therefor. A majority of the members of any board shall constitute a quorum for the transaction of business, and an adjustment agreed to by such majority shall be taken to be the action of such board.

Perjury.

Quorum.

702. The county board of taxation shall hear and determine all such appeals on or before the first day of September following, and shall keep a record of its judgments thereon in permanent form, and shall transmit a memorandum of its judgment to the taxpayer, and in all cases where the amount of tax to be paid shall be changed as a result of an appeal, to the collector of the taxing district.

Time for  
determining  
appeals;  
record kept.

703. Any taxpayer who shall file an appeal from an assessment against him may pay to the collector of the taxing district such portion of the taxes assessed him as he would be required to pay in the event of his appeal being sustained, and the collector shall accept such amount, when tendered, and receipt for the same and credit the taxpayer therewith, and such taxpayer shall have the benefit of the same rate of discount on the amount paid as he would have on the whole amount.

Payment  
pending  
appeal.

704. Any appellant who is dissatisfied with the judgment of the county board of taxation upon his appeal, may further appeal from said judgment to the State Board of Taxes and Assessment by filing a petition of appeal to said State Board of Taxes and Assessment, in manner and form to be by said board prescribed, on or before the first day of October, following the judgment of the county board, and the State board shall proceed similarly to hear and determine all such appeals, and render its judgment thereon as soon as may be. A copy of all such appeals shall be served by the appellant

May appeal  
to State  
board of  
taxes and  
assessment.

Service of  
appeal.

upon the county board of taxation, whose judgment is appealed from, or its secretary, and upon the clerk or attorney of the taxing district; the service of such copies shall be evidenced by affidavit upon the original petition of appeal filed with the State Board of Taxes and Assessment, or service thereon acknowledged; a copy of the judgment of the State board shall be sent to the taxpayer, and where the judgment causes a change in the amount of taxes to be paid, to the collector of the taxing district.

#### ARTICLE VIII.

##### EFFECT.

**Act effective.** 801. This act shall take effect on the first day of October, nineteen hundred and eighteen, and its provisions shall extend to proceedings thereunder on and after that date, relating to taxes assessed for the year nineteen hundred and nineteen and subsequent years, but not to proceedings relating to taxes assessed in prior years. All acts, general and special, inconsistent with the provisions of this act are hereby repealed, but this repealer shall not extend to proceedings or remedies relating to taxes assessed for the year nineteen hundred and eighteen, or prior years.

**Repealer.**

Approved March 4, 1918.



## CHAPTER 237.

An Act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon (Revision of 1918).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey.*

1. This act shall be known as the "Tax Sale Revision." Name of act.

2. The term "land" or "lands" when used in this act shall be taken to include all real property of whatever nature. "Lands."

3. The term "municipality" when used in this act shall be taken to include every taxing district having the machinery for the assessment and collection of taxes. "Municipality."

4. The term "municipal liens" when used in this act shall include all liens mentioned in this act, and shall include all existing liens of like character. "Municipal liens."

5. The term "person" when used in this act shall include persons, firms and corporations. "Person."

6. All unpaid taxes on lands, with interest, penalties and costs of collection, shall be a lien on the land on which they are assessed on and after the first day of December of the year in which they fall due. Unpaid taxes, etc., a lien.

7. All assessments for benefits for municipal improvements shall be a lien on the land on which they are assessed on and after the date fixed in the act authorizing the assessment; and if no such date is so fixed, then on and after the date on which the same are payable. Assessments for municipal benefits a lien.

When liens  
effective.

8. All other municipal charges which are liens on real property shall become liens on the respective dates now or hereafter fixed by law.

Municipal  
liens  
paramount.

9. Each and every municipal lien shall be and remain a first lien on such land and paramount to all prior or subsequent alienations and descents of said lands or encumbrances thereon, except subsequent municipal liens; no writ of certiorari or other suit shall operate to stay the enforcement of any municipal lien, unless the court shall so order, nor unless due notice of said order describing the land and naming the owner shall be filed as a notice of lis pendens in the office of the register of the county where said lands are situate, or if there be no register, then in the office of the county clerk.

Examination  
of unpaid  
municipal  
liens.

10. The governing body of each municipality shall, from time to time, by resolution, designate some bonded official of such municipality to make examinations of its records as to unpaid municipal liens and to certify the result thereof. The official so designated, and each new incumbent of said office, shall thereafter be vested with the power to make official certificates of searches for municipal liens until a new official has been designated for such purpose, and no other official than the one so designated shall make any such official certificate.

Searches.

Certificate as  
to taxes,  
liens, etc.

11. Upon receipt of the fees hereinafter mentioned, and of a written application from any person or corporation, containing a diagram showing the location and dimensions of the tract of land to be covered by the certificate, and the name or names of the owner or owners of said tract, such official shall make an examination of the records of the municipality; and within fifteen days after receipt of the application, such official shall issue a certificate certifying what taxes, assessments or other municipal liens or charges, if any, have been levied or assessed against the property described in the application, and are liens thereon at the date of the certificate, and shall include all unpaid installments

of any assessment theretofore levied and in force whether due or not.

12. The official appointed as aforesaid shall be entitled to demand and receive, for each certificate issued by him, reasonable fees, not in excess of those hereinafter mentioned:

Schedule  
of fees:

(a) When the property described in the application is shown on the assessment map of the municipality subdivided into city lots, and does not exceed five thousand square feet in area, the sum of two dollars, and for each additional five thousands square feet in area, or fraction thereof, an additional sum of twenty-five cents.

City lots:

(b) When the property is shown on the assessment map of the municipality as acreage, or is so assessed, and lies wholly within the limits of a single block, the sum of two dollars, and if within the limits of two or more blocks, an additional sum of fifty cents for each block.

Acreage or  
block lots:

(c) Whenever the property described in the application is, or has been subdivided and assessed as more than one item, an additional fee of fifty cents shall be allowed for each subdivision separately assessed.

Several  
items:

(d) No charge in excess of five dollars shall be made for a certificate covering lands lying wholly within one block, as shown on the assessment map of the municipality, unless there is a subdivision of proprietorship indicated by the assessment.

Not exceed  
\$5 a block:

(e) Whenever the holder of a certificate issued as aforesaid shall, within three years from the date thereof, apply for a continuation thereof, the fees charged therefor shall not be in excess of fifty cents per year.

Continuation.

13. All searches so made shall be certified to as correct by the designated official, and the fees collected shall be paid by such official to the governing body of the municipality. Said official shall keep a duplicate copy of each certificate, consecutively

Certified  
searches.

Duplicates  
kept.

numbered, showing the fees charged, and bound in book form as a permanent record of his office.

Reliance on  
search.

14. Any person who shall acquire for valuable consideration an interest in any lands covered by any such official tax search, in reliance on said tax search, shall hold such interest free from any municipal lien held by the municipality and not shown on such search.

If official  
fail to make  
search.

15. If any such official shall fail to issue such tax search at his office as here provided, within the time herein provided, or if the clerk of such municipality upon written demand upon him shall fail within fifteen days to state the name and place of office of an official of said municipality duly designated to make such tax searches, then any person acquiring an interest in lands described in such application or demand and relying thereon shall hold said lands free from any municipal lien existing and held by the municipality at the date of such application or demand.

Sale of  
property to  
enforce lien.

16. When any municipal lien, or part thereof, on real property remains in arrears on the first day of July in the year following the date when the same became in arrears, the collector, or other officer charged by law in the municipality with that duty, shall enforce such lien by selling such property in the manner set forth in this act. The term "collector" as hereinafter used shall be taken to include any such officer, and the term "officer" shall be taken to include the collector.

List of lands  
to be sold.

17. The collector, or other officer, shall make a list of the lands so subject to sale, describing the same in accordance with the last tax duplicate, including the name of the owner as shown on duplicate, amplifying the description in the duplicate if necessary to better identify the parcel. He shall enter on such list all taxes, assessments and other municipal charges which were a lien on such property on said first day of July. He shall also add to such list any unpaid installments of assessments

Unpaid  
installments  
added.

for benefits theretofore levied and existing as immediate or direct benefits, whether then payable or not, so that such list shall be a complete statement of all municipal charges against such property existing on said first day of July, together with all interest and costs on all of the items of said list computed to such first day of July.

18. Such list shall be bound in book form as a permanent record of said office. Said list may be made up in one or more sections, and the term "list" as hereafter used shall apply to any such section. After completing said list or section thereof, the collector shall give public notice of the time and place of sale, stating the description of land and the owner's name as contained in said list, together with the total amount due thereon as computed to said first day of July, and stating that said land will be sold to make the amount chargeable against said lands on said first day of July as computed in said list, together with interest on said amount from said first day of July to the date of sale, and the costs of sale. No other statements need be included in such notice.

Lists bound  
for preserva-  
tion.

Notice of  
sale.

19. Copies of such notice shall be set up in five of the most public places in the municipality, and a copy of such notice shall be published in a newspaper circulating in said municipality, once in each of the four calendar weeks preceding the calendar week containing the day appointed for the sale. If ordinances of said municipality are required to be published in any special newspaper or newspapers, said notice shall be published in the same paper or papers.

Notices  
posted and  
advertised.

20. Where the owner's name appears in said list and the post-office address of such owner is known to the said officer, he shall mail to said owner at such address, postage prepaid, a copy of such notice. Failure to mail such notice shall not invalidate any proceeding hereunder.

Notice to  
owner.

Adjournment  
of sale.

21. At the time and place fixed for the sale and from time to time thereafter, the collector may adjourn the sale in his discretion, either for want of bidders or at the request of persons interested, or for any other reason satisfactory to him, from day to day or from week to week, on making public announcement thereof, and noting such adjournment on said list. Such adjournments shall not be made for more than eight weeks in all, after which new public notice must be given as hereinbefore provided if further sale is to be made.

Payment  
before sale.

22. At any time before sale, said officer shall receive payment of the amount due on any property, with the interest and costs incurred up to the time of payment.

Notice of  
sale attached  
to list.

23. At or before the time advertised for sale, said officer shall attach to said list or section thereof a copy of the notice of sale, with affidavits of the advertisement, posting and mailing thereof.

Auction sale.

24. At the time and place specified in the notice of sale or adjournment, said officer shall sell at public auction each parcel of real property which has been so advertised upon which the municipal liens remain unpaid, unless some error is found requiring readvertisement. Such sale shall be made

Amount.

for the amount for which said parcel was advertised, unless such amount is found to be in excess of the correct amount, and then for the correct amount, together with the interest thereon from said first day of July, and the costs of sale. Such sale shall be made in fee to such person as will purchase the same, subject to redemption at the lowest rate of interest, but in no case in excess of eight per centum per annum. The payment for the sale shall be made before the conclusion of the sale, or the property shall be resold.

Sale subject  
to redemption.

Payment at  
time of sale.

Purchase by  
municipality.

25. Said officer shall strike off and sell to the municipality in fee for redemption at eight per centum any parcel of real property for which there shall be no other purchaser, and the municipality

shall have the same remedies and rights as other purchasers, including the right to bar or foreclose the right of redemption.

26. As each sale is concluded, said officer shall enter on his list the word "sold," the date of sale, the name and address of the purchaser, the items of cost and interest since said first day of July, and the total for which the sale is made and the rate of redemption. .

Entries on  
list.

27. The collector or other collecting officer shall in red ink note the fact of sale and the date thereof on the appropriate line or lines of the tax duplicate received by him next after the date of sale, and also on the next following tax duplicate, unless the sale is earlier redeemed; and until redemption shall, with every tax bill made out for such property taken from either of said duplicates, include a notice in substantially the following form:

Entries on  
duplicates.

Property described in the annexed bill was sold for taxes on.....and the right of redemption may be barred in two years thereafter. Until barred, redemption may be made at this office.

Notice  
included in  
tax bills.

Failure to comply with this section shall not affect the validity of the sale, or of any proceedings taken under the sale.

Failure not  
to affect sale.

28. Said officer shall deliver to the purchaser a certificate of sale under his hand and seal, duly acknowledged by him as a conveyance of land, which shall set forth that the property therein described was sold by said officer to the purchaser, setting up the date of sale, the amount paid by the purchaser, the description of the land, the name of the owner and the items of the several municipal liens or charges, interest and costs, all as contained in said list, the rate of redemption for which sold, the date to which liens are included, and the time when the right to redeem will expire. No other statements need be included in said certificate.

Certificate of  
sale delivered  
to purchaser.

29. Said certificate shall be substantially in the following form:

Form of  
certificate.

I, ....., collector of taxes of the city of ....., hereby certify that on..... 19.., I sold to .....for ..... dollars, the lands in said municipality described as ..... on the tax duplicate of said municipality, and assessed thereon to ..... as owner. (Followed by amplified description if desired.) The amount of sale was made up of the following items (followed by the items, including interest and costs). Said sale is subject to redemption on repayment of the amount of the sale, together with interest thereon at the rate of..... per centum per annum from the date of sale, and the costs incurred by the purchaser. Said sale is subject only to municipal liens accruing after July 1, 19... The right to redeem will expire in six months after the service of notice to redeem, except that the right to redeem shall in all cases extend for two years from the date of sale.

Witness my hand and seal this..... day of ..... 19... (Followed by acknowledgment.)

Property  
included in  
certificate;

when  
delivered.

Fees for  
service.

30. Each certificate shall cover only such property as is assessed as one parcel; and shall be prepared ready for delivery to the purchaser within ten days after the sale, or the purchaser may refuse to accept the same and shall be entitled to repayment of the purchase price, whereupon the lien shall be vested in the municipality and a certificate of sale shall be made to it as if originally struck off to it. The certificate shall not be invalid because delivered after the expiration of said period.

31. Such officer shall receive for his services: For giving notice of sale, twenty-five cents for each parcel of land advertised; for selling, twenty-five cents for each parcel sold; for each certificate, fifty cents, besides necessary disbursements for printing, postage, advertisement and acknowledgments. All fees and expenses shall form part of the



tax lien and be paid by the purchaser at the tax sale. In all taxing districts where the officer making sale is compensated by salary, the said fees shall be paid into the treasury of the municipality.

32. Where a parcel of land is held by the municipality under a sale not redeemed, then until the right of redemption is barred, all subsequent taxes, assessments for benefits and other municipal charges shall be assessed in the name of the owner, as if no sale had been made, and shall be and remain additional liens on the land and be added to the amount of the sale, and shall be paid before the land can be redeemed from the sale. No further sale of any parcel while held by the municipality shall be made for subsequent municipal liens, unless directed by resolution of the governing body of the municipality. In such case the officer shall enter said property on his tax sale list, and shall make up a new calculation to the first day of July preceding the time of the proposed sale, in the manner hereinbefore directed, the amount included in the former sale to be entered in said calculation as a sale, as if it were an independent lien originating on the date of the sale, the interest thereon to be computed from such date; so that whenever a sale is held to enforce any municipal lien, such sale shall include all municipal liens or charges against the property in existence on the first day of July mentioned in the notice of sale.

33. Where the official charged with the duty of selling lands for municipal liens shall not have custody of the records of all municipal liens, every municipal officer having custody of any such liens shall on the demand of the selling official certify to him all such liens as are required by this act to be included in the list heretofore mentioned. After sale, the selling officer shall make an appropriate report to every other officer who had made any such certificate. The governing body of the municipality may make such regulations respecting such

Land held by municipality assessed in name of owner.

No sale while held by municipality.

New calculation.

All municipal liens included in sale.

All liens certified to officer selling land.

Report of sale.

Detailed  
account of  
proceedings.

Officer may  
be removed  
for failure.

Certificate  
of sale  
recorded as  
mortgage.

Indexed in  
mortgage  
book.

Unless re-  
corded void  
as against  
purchaser.

Certificate  
of sale  
presumptive  
evidence.

certificates and reports and the allowances of proper credits to the officers concerned as may be necessary. Whenever required by the governing body of the municipality, the collector or other officer charged with the duty of selling lands for municipal liens, shall present to such governing body such an account in detail of his proceedings in respect to delinquent municipal charges as may be directed by the governing body. The failure of any municipal officer to comply with any of the provisions of this section shall not invalidate any proceedings theretofore or thereafter taken by the selling official. Any municipal officer may be removed from office by the governing body of the municipality after hearing, for failure to comply with any reasonable direction provided for in this section, or for failure to comply with any other duties imposed on him by this act.

34. The purchaser may record the certificate of sale in the office of the clerk or register of the county where the land lies as a mortgage of land, and thereupon shall be entitled to the immediate possession of the property sold and described in the certificate, and to all the rents and profits thereof from and after the date of record until redemption. The register of the county, or the county clerk, if there is no register, shall index such certificate in his index of mortgages in the name of the delinquent owner, as set up in the certificate, and shall also index the same in a separate block index, to be kept in said office, under the block and lot number as shown in the certificate, if the property is described by lot and block.

35. Unless the certificate is so recorded as a mortgage within three months of the date of sale, it shall be void as against any bona fide purchaser, lessee or mortgagee whose deed, lease or mortgage is recorded before the recording of the certificate.

36. The certificate of sale shall be presumptive evidence in all courts in all proceedings by and

against the purchaser, his representatives, heirs, and assigns, of the truth of the statements therein, of the title of the purchaser to the land therein described, and the regularity and validity of all proceedings had in reference to said sale. After two years from the record of said certificate of sale, no evidence shall be admitted in any court to rebut such presumption, unless the holder thereof shall have procured the same by fraud, or had previous knowledge that the same was fraudulently made or procured.

37. The owner, mortgagee, occupant or other person having an interest in lands sold for municipal liens, may redeem the same at any time within two years from the date of sale, or at any time thereafter until the right to redeem has been cut off in the manner herein set forth, by paying to the collector, or to the collecting officer of delinquent taxes on lands of the municipality where the land is situate, for the use of the purchaser, his heirs or assigns, the amount required for redemption as hereinafter set forth.

Right of  
redemption  
by owner.

38. Such collecting officer on receiving such payment in full shall (except as provided in the following section) execute and deliver to the person redeeming a certificate of redemption which may be recorded with the register of the county, or with the county clerk if there is no register, and such county clerk or register shall on request note on the record of the original certificate of sale a reference to the record of the certificate of redemption, and shall be entitled therefor to the same fees as provided respectively for the cancellation of mortgages and for the record of discharges thereof; or at the option of the person redeeming, such collecting officer shall procure and deliver to the owner the certificate of sale receipted for cancellation by endorsement in the manner required by law to satisfy or cancel a mortgage, whereupon the record of the certificate of sale shall be cancelled by the

Record of  
redemption.

Cancellation  
of certificate  
of sale.

county clerk or register in like manner and for the same fees as in the case of mortgages.

Assignment  
of certificate  
of sale by  
mortgagee.

39. Where the redemption is made by a mortgagee, or other person not primarily liable to pay the municipal lien, and having a lien or interest in or on the land, the person so paying if he so elect shall succeed to the municipal lien paid by him, and the purchaser, on receipt of the redemption moneys in full from the collector or other officer in the foregoing section mentioned, shall, at the option of the party making the payments, assign the certificate of sale by assignment under seal and acknowledged as a conveyance of land to the person redeeming.

Notification  
and settle-  
ment with  
purchaser.

40. The collecting officer shall at once, on receipt of the redemption money, mail notice thereof to the purchaser, if his address can be ascertained, and shall pay all redemption moneys to such purchaser, or his assigns, on his surrender of the certificate of sale and compliance with the provisions of the preceding two sections of this act.

Amount  
required  
to redeem.

41. The amount required to redeem within ten days from the date of sale shall be the sum paid at the sale, with interest from the date of sale at the rate of redemption for which the same was sold. After ten days from the date of sale, the amount required for redemption shall be the amount set out in this section, together with the expenses incurred by the purchaser hereinafter mentioned, and subsequent municipal liens, as provided in the following two sections.

Subsequent  
liens  
included.

42. In case the certificate of sale is held by the municipality, the amount required for redemption shall include all subsequent municipal liens, with interest and costs.

If certificate  
not held by  
municipality.

43. In case the certificate of sale is not held by the municipality, the amount required for redemption shall include all sums for subsequent municipal liens, and interest and costs thereon, actually paid by the holder of the tax title, or his pre-

decessor therein, together with interest on the amount so paid at the rate chargeable by the municipality; *provided*, the holder of such title shall have made and filed with such collecting officer an affidavit showing the amount of such payment, which affidavit may be taken before such officer.

Proviso.

44. The holder of such tax title, upon compliance with the following section, shall be entitled for his expenses to such sums as he may have actually paid out for recording fees, fees for service purchaser, if his address can be ascertained, and fees and expenses in ascertaining the person or persons interested in the premises so sold, but such fees and expenses shall not exceed in all the sum of ten dollars, beside the fees actually paid for recording the certificate, and fees actually paid for necessary advertising in a newspaper under this act.

Holder of title entitled to expenses.

45. No fees or expenses incurred as aforesaid shall be collectible, unless the holder of the tax title shall have made and filed with such collecting officer affidavits showing the amount or amounts of such expenses actually disbursed or incurred, affidavits of service, including copies of the notices served, and certificates of the searches made in the form of an abstract of title covering a period of not less than twenty years.

Expenses filed with collector.

46. The holder of the tax title may at any time within twenty years after the purchase give notice in writing to all persons interested in the land of their right to redeem. If such notice is served within eighteen months after the sale, it shall state that their right to redeem will be barred, unless they do so within the term of two years after the sale. If the notice is not served within said eighteen months, it shall state that their right of redemption will be barred, unless they do so within six months after the service of said notice. This notice shall be served personally on the persons

Notice of right to redeem.

Service of notice.

interested who reside in the municipality, and on others it may be served personally, or by mailing to their post-office address, if the same can be ascertained, or by posting on the premises sold, if their post-office address cannot be ascertained, but if not served personally, a copy shall be published once in a newspaper in which ordinances of the municipality may be published.

When  
redemption  
barred.

47. If there shall be no redemption within the said term limited by the notice provided in the preceding section; or if there shall be no redemption within twenty years after the purchaser has entered into open possession, since continued, under the sale; then in either case, the right of redemption shall be barred.

If no re-  
demption,  
procedure.

48. After the time to redeem has expired without redemption, the purchaser, or his heirs or assigns, may annex the notice and affidavits of service to the certificate of sale, together with an affidavit that the sale has not been redeemed, an official certificate showing that no redemption has been made, for which the collector or other officer shall be entitled to a fee of one dollar, and an official tax search showing that all subsequent municipal liens have been paid, and record and file the same therewith in the office of the county clerk or register where the same shall be recorded as a deed or conveyance, and the said notice and affidavits and the record thereof shall be presumptive evidence of the service and facts therein stated. Said county clerk or register shall index the same in the alphabetical index of grantors in the name of the delinquent owner, as shown by said certificate, and in the name of every person who has been served with notice as an interested party, as shown by said affidavit. Said county clerk or register shall also note in the margin of the original record of said certificate in the books of mortgages a reference to the place where said certificate and affidavits have been re-recorded as a deed. Such

Recorded  
as deed.

Index name  
of delinquent  
owner as  
grantor.

record shall be notice to all the world, and at the expiration of two years from date of making such record shall, in the absence of fraud, be conclusive evidence of the service and facts therein stated, and in the absence of fraud no writ of certiorari shall be allowed, and no action shall be brought to contest or set aside said certificate of sale, notice and affidavit of service so recorded as a deed, or to recover possession of the lands so conveyed, after the expiration of two years from the date of their record.

Record a notice to all concerned.

No action to set aside sale.

49. The purchaser, or his heirs or assigns, in addition to the foregoing remedy, and at any time after the expiration of the term of two years, whether notice to redeem has been given or not, may file a bill in equity to foreclose the right of redemption, but on filing such bill the right to redeem shall exist and continue until barred by the decree of the Court of Chancery, but no foreclosure decree shall be entered unless evidence is produced in the foreclosure suit that all subsequent municipal liens have been paid to the time of the commencement of the suit; *provided, however*, that if any delinquent owner or lienor shall be, at the time of the expiration of the time limited for the redemption of the real estate in which such delinquent is interested, an infant under the age of twenty-one years, or an idiot or then shall have been judicially declared a person of unsound mind, then the right to redeem shall not be barred by service of notice as hereinbefore provided so long as such impediment shall continue, but shall be barred only by bill in equity to foreclose and decree thereon after proceedings have been taken according to the rules and practice of that Court for the protection of the rights of such person.

Bill to foreclose right of redemption.

Proviso.

50. The filing of affidavits under this act shall be deemed a legal proceeding for the purpose of any prosecution for perjury or subornation thereof.

Legality of affidavits.

51. The title of a purchaser at a sale shall cease and determine, and the certificate of sale shall be

Title void unless possession taken.

void at the expiration of twenty years from the date of the sale, unless the purchaser, his heirs or assigns, shall before the expiration of that term enter into actual possession of the land purchased, or foreclose the right to redeem the same by notice or by proceedings in equity and record the evidence thereof, as above prescribed.

As to setting  
aside sale  
of land.

52. No sale of land for municipal liens heretofore or hereafter made shall be set aside by reason of including together taxes on real and personal property, but the sale shall be sustained as to the real property, subject to the right to redeem on payment of the amount of the lien thereon; no sale shall be set aside because of insufficient description in the original entry of the lien, or in the list made up for the sale, or because of a mistake in or omission of the name of the owner, or because of failure of the clerk or any municipal officer to record the proceedings relative to the sale, if it shall appear by other legal evidence that the land sold was in fact that assessed, and that the sale was made pursuant to law. No sale shall be set aside because of variance between the date of any published notice and the actual publication thereof, if notice has actually been given for the time required.

On setting  
aside, refund  
to purchaser,  
and assign-  
ment of  
certificate  
of sale.

53. Where the assessment itself is valid and the tax, assessment or other municipal charge, or any part thereof, is justly due, no sale shall be set aside, except on condition that the amount due shall be paid to the holder of the certificate of sale by the person applying to set it aside. Where the sale shall be set aside, the municipality shall refund to the purchaser the price paid by him on the sale, with lawful interest, upon his assigning to the municipality the certificate of sale and all his interest in the tax, assessment or other charges and in the municipal lien therefor, and the municipality may readvertise and sell if the municipal lien remains in force.



54. Where a sale is made in the enforcement of any municipal lien or liens, the lien or liens shall pass, with the title, to the purchaser, and where such sale shall be set aside for defect in the proceedings to sell, the lien shall be thereby continued.

Continuation  
liens.

55. All municipal liens in existence or created on or before July first, nineteen hundred and eighteen, shall be enforced as hereinbefore provided within one year thereafter, and all municipal liens thereafter accruing shall be enforced within one year from the date herein provided, but the failure of any municipal officer to enforce any municipal lien within the time herein provided shall not impair any lien, nor prevent a sale thereunder after the time herein provided, except as to persons who may have acquired an interest in the premises in reliance upon an official tax search not disclosing such lien, as hereinbefore provided.

Enforcement  
of municipal  
liens.

56. The lapse of time shall not bar any proceedings to enforce any municipal lien heretofore, hereby or hereafter created, but where any interested person claims the lien has been paid and satisfied, the lapse of twenty years shall afford a presumption of payment, which may be rebutted by proof to the contrary.

Lapse of  
time not  
to bar.

Presumption  
of payment.

57. Any lien which may have heretofore lapsed by reason of delay in enforcement is hereby revived to the end that the same may be enforced under the provisions of this act, but such revival shall not operate as against any person who has acquired an interest in said property for value subsequent to such lapse, and without notice of the claim of the municipality.

Revival  
of liens.

58. Any act herein authorized or directed to be done by any officer may be done or performed by a deputy thereunto specially deputed for such purpose. Such officer and his sureties shall be liable for any and all acts of such deputy.

Acts per-  
formed by  
deputies  
valid.

59. This act shall be deemed and taken to be a remedial act, and to operate both prospectively

How act  
construed.

and retrospectively, and be liberally construed to effectuate the remedial objects thereof.

Constitution-  
ality of act.

60. If any provision of this act is declared or held to be unconstitutional, no other portions of the act shall be affected thereby, but the unconstitutional provision shall be excised and the remaining provisions of this act shall continue in force.

Repealer.

61. All acts, general and special, inconsistent with the provisions of this act, are hereby repealed, but this repealer shall not affect any rights heretofore established or created; *provided, however*, that this section shall not be construed to prevent the continuance and completion under the laws in force at the time such proceedings were commenced of any other proceeding or proceedings not herein mentioned which may have been or may be pending and remain unfinished and incomplete at the time this law shall take effect.

Proviso.

Act effective.  
Extension of  
provisions.

62. This act shall take effect on the first day of July, nineteen hundred and eighteen, and its provisions shall extend to proceedings on and after that date relating to any taxes, assessments for improvements or other municipal charges, heretofore or hereafter assessed, or imposed or which became a lien before or after that date.

Approved March 4, 1918.

## CHAPTER 238.

An Act to amend the title and body of an act entitled "An act establishing a fiscal year in all towns, townships, boroughs, villages, counties and other municipalities, excepting first and second class cities and first class counties, and the time for publishing and filing the various reports of the officers of the same," approved April fourteenth, one thousand nine hundred and eight, to extend the provisions of the act to apply to first and second class cities and first class counties, and to provide for raising funds in municipalities and counties affected by this act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The title of the act to which this act is an amendment is hereby amended to read as follows:

An act establishing a fiscal year in all counties, cities, towns, townships, boroughs, villages and other municipalities, excepting school districts, and the time for publishing and filing the various reports of the officers of the same, and to provide for raising funds in municipalities and counties affected by this act.

Title as amended.

2. Section one of the said act is hereby amended to read as follows:

Section 1 amended.

1. The fiscal year of all counties, cities, towns, townships, boroughs, villages, and other municipalities, excepting school districts, shall begin on the first day of January of each year and shall terminate on the thirty-first day of December of the same year.

Fiscal year of counties and municipalities.

3. Section two of the said act is hereby amended to read as follows:

Section 2 amended.

Annual  
financial  
reports.

2. It shall be the duty of the financial officers of all counties, cities, towns, townships, boroughs, villages and other municipalities, excepting school districts, to make and file their various annual financial reports with their respective governing bodies within sixty days after the close of the fiscal year.

Additional  
section.

4. That the said act to which this act is an amendment be further amended by adding thereto the following section, to be known as section three:

Funds neces-  
sary owing to  
change of  
fiscal year.

3. In the budget and tax levy next following the passage and approval of this act, any municipality or county whose fiscal year or the period for which appropriations are made is altered by this act is authorized to make appropriations for local purposes other than schools in the case of municipalities and for county purposes in the case of counties for the period between the close of the current fiscal year or the end of the period for which appropriations are made and the thirty-first day of December following, and a further appropriation for general purposes in such amount as the governing body of such municipality or county may determine, and to raise by taxation such moneys as, with the revenues derived or to be derived from all other sources, will meet such appropriations; *provided*, that the amount to be raised by taxation for local purposes other than schools in the case of municipalities and for county purposes in case of counties shall not be such as to cause the rate in the tax levy for such local or county purposes to exceed the rate for like purposes in the next preceding tax levy.

Proviso.

Repealer.

5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 239.

An Act to amend an act entitled "An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State," approved May twenty-third, one thousand nine hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section three of the act of which this act is an amendment is hereby amended to read as follows:

Section 3  
amended.

3. The assessor or board or body whose duty it is to make the assessment in each taxing district shall annually make a return certified in writing on or before January tenth in each year of the value of all property assessed under the provisions of this act, which is located in or upon any street, highway, road, lane or other public place in such taxing district, together with the names of the owners and those operating the same, and shall file such return in the office of the county boards of taxation. The county boards shall file a copy of the same with the State Board of Taxes and Assessment on or before February twenty-eighth in each year. The said State Board of Taxes and Assessment shall have power to inquire into, equalize and revise the valuations returned to them in such statements by the county boards of taxation, and to fix the valuation of such property for any taxing district which shall fail to file its return within the time required by law, or within such further time as said board may prescribe, so to secure an equitable and fair valuation and apportionment of said franchise taxes upon a uni-

Annual re-  
turns to  
county boards  
of taxation.

Review of  
valuations.

form basis of valuation between the various taxing districts entitled thereto.

Section 4  
amended.

2. Section four of the act of which this act is an amendment is hereby amended to read as follows:

Statement  
furnished by  
street rail-  
ways to state  
assessors.

4. Every street railroad corporation subject to taxation under the provisions of this act shall, on or before February first in each year, return to the State Board of Taxes and Assessment a statement showing the gross receipts from its business in this State for the year ending December thirty-first, next preceding, and any such corporation having part of its road in this State and part thereof in another State or States, or having part of its road on private property and part on any public street, highway, road, lane or other public place, shall make their report showing the gross receipts on the whole line, together with a statement of the length of the whole line and the length of the line in this State upon any street, highway, road, lane or other public place, and the franchise tax of such corporation for the business done in this State shall be levied by the State Board of Taxes and Assessment upon such proportion of its gross receipts as the length of the line in this State upon any street, highway, road, lane or other public place bears to the length of the whole line; such statement or report shall be subscribed and sworn to by the president, vice-president or other executive officer of such corporation, and any street railroad corporation refusing to make such annual statement or report shall forfeit, as a penalty for such neglect or refusal, not more than five thousand dollars, to be assessed by a jury for each offense, to be recovered by action in the Supreme Court of this State, in the name of the State, and when collected, paid into the State treasury; and it shall be the duty of the State Board of Taxes and Assessment to certify any such default to the Attorney-General of the State, who thereupon shall bring an action at law for such penalty; any per-

Gross re-  
ceipts and  
trackage  
reported.

Tax levy.

Penalty for  
not reporting.

Action by  
attorney  
general.

son who shall falsely make any oath required to be made under this act shall be deemed guilty of perjury, and upon conviction thereof shall be liable to all penalties by law therefor.

3. Section five of the act of which this act is an amendment is hereby amended to read as follows:

Section 5  
amended.

5. An annual franchise tax upon the annual gross receipts of every street railroad corporation, or upon such proportion of such gross receipts as the length of its line in this State upon any street, highway, road, lane or other public place, bears to the length of its whole line, shall be assessed by the State Board of Taxes and Assessment as follows: For the year nineteen hundred and six, two and one-half per centum upon such gross receipts; for the year nineteen hundred and seven, three per centum; for the year nineteen hundred and eight, three and one-half per centum; for the year nineteen hundred and nine, four per centum; for the year nineteen hundred and ten, four and one-half per centum; for the year nineteen hundred and eleven, and annually thereafter, five per centum.

Franchise  
tax.

Rates.

4. Section six of the act of which this act is an amendment is hereby amended to read as follows:

Section 6  
amended.

6. The State Board of Taxes and Assessment shall annually ascertain and apportion the franchise tax assessed against any street railroad corporation as aforesaid among the various taxing districts in which such corporation is operating street railroads in proportion to the value of the property located in or upon any public street, road, highway, lane or other public place, as shown by the statements so filed with the said board; the amount of the franchise tax assessed in pursuance of this act shall be certified in writing to the respective assessors of taxes, or officers having like powers and duties in the various taxing districts in which street railroads are located, on or before May first of each year; *provided*, that no change

Apportion-  
ment of  
franchise tax  
among taxing  
districts.

Proviso.

Taxing officer  
to notify  
railway and  
collector of  
amount due.

Tax a lien.

Collection.

Repealer.

Act effective.

in the apportionment of the franchise tax assessed in pursuance of this act shall be made after the apportionment by said State Board of Taxes and Assessment as aforesaid, except by and with the consent in writing of the assessors of the taxing district or districts whose proportion of the franchise tax would be reduced by such change. The assessor or other taxing officer shall, within five days after being notified of such apportionment of the franchise tax, deliver, or cause to be delivered to the street railroad corporations taxable under the provisions of this act, and to the collector of taxes of such taxing district, a statement in writing showing the amount of such franchise tax as ascertained, which shall become due at the time and place, when and where other taxes are payable in such taxing district, and the tax so assessed and certified shall be and remain a first lien on the property and franchise of such corporations in such taxing district, on and after December first following its assessment, until paid with interest and penalties thereon, as in case of other delinquent taxes, and shall be collected in the same manner and subject to the same discounts and penalties as other taxes are collected, and the same proceedings available for the collection of other taxes shall be and remain applicable to the collection of the franchise tax hereby authorized.

5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect January first, nineteen hundred and nineteen.

Approved March 4, 1918.



## CHAPTER 240.

An Act to amend an act to amend a supplement to an act, approved March thirteenth, one thousand nine hundred seventeen, entitled "An act for the taxation of all the property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled 'An act for the taxation of railroad and canal property,' " approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto, and except corporations taxable under the act entitled "an act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State," approved May twenty-third, one thousand nine hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section three of the act of which this act is an amendment is hereby amended to reads as follows:

Section 3  
amended.

3. The officers, whose duty it is to make the assessment in each taxing district, shall annually make a return, certified in writing, on or before January tenth in each year, of the valuation of all property assessed under the provisions of this act which is located in, upon or under any street, highway, road, lane or other public place in such taxing district, together with the names of the owners and those operating the same, and file the same

Assessor's  
return to  
county tax  
board.

in the office of the county board of taxation. The county board shall certify to the State Board of Taxes and Assessment a copy of the same on or before February twenty-eighth in each year.

Section 4  
amended.

2. Section four of the act of which this act is an amendment is hereby amended to read as follows:

Corporations,  
etc., shall  
make return  
to State  
board.

Business done  
by utilities  
reported.

Franchise  
tax fixed.

Penalty for  
not reporting.

4. All such persons, copartnerships, associations or corporations subject to taxation under the provisions of this act shall, on or before February first in each year, return to the State Board of Taxes and Assessment a statement showing the gross receipts of their business over, on, in, through or from their lines, wires or mains in the State of New Jersey for the year ending December thirty-first next preceding; any person, copartnership, association or corporation having part of his, her or its lines, wires or mains in this State and part thereof in another State or States, or having part of his, her or its lines, wires or mains on private property and part thereof on public streets, highways, roads, lanes or other public places, shall make a report showing the gross receipts of his, her or its business over, in, on and from the whole line, wires or mains, together with a statement of the length of the whole line, wires or mains, and the length of the line, wires or mains in this State along any street, highway, road, lane or other public place; and the franchise tax of such person, copartnership, association or corporation for business so done in this State shall be upon such proportion of such gross receipts as the length of the lines, wires or mains in this State, along, in, on or over any street, highway, road, lane or other public place bears to the length of the whole line, wires or mains; all such statements or reports shall be subscribed and sworn to by the person, copartners, or the president, vice-president or chief officer of each association or corporation; any person, copartnership, association or corporation,

wilfully neglecting or refusing to make such annual statement or report shall forfeit as a penalty for such neglect or refusal not more than five thousand dollars, to be assessed by a jury for each offense, to be recovered in any proper form of action in the Supreme Court of this State, in the name of the State, and when collected shall be paid into the State treasury; it shall be the duty of the State Board of Taxes and Assessment to certify any such default to the Attorney-General of the State, who thereupon shall prosecute an action at law for such penalty; any person who shall falsely make any oath required to be made under this act shall be deemed guilty of perjury, and, on conviction thereof, liable to all the penalties prescribed by law therefor.

Action by  
attorney  
general.

3. Section six of the act of which this act is an amendment is hereby amended to read as follows:

Section 6  
amended.

6. The State Board of Taxes and Assessment shall annually ascertain and apportion the franchise tax to the various taxing districts in proportion to the value of the property located in, upon or under any public street, road, highway, lane or other public place therein, as shown by the statements so filed with said board; but the State Board of Taxes and Assessment shall have the power to inquire into, equalize and revise the valuations returned to them in said statements by the county boards of taxation, and to fix the valuations for that purpose for any taxing district which shall fail to file its return within the time required by law, so as to secure an equitable and fair valuation and apportionment of said franchise tax upon a uniform basis of valuation between the various taxing districts entitled thereto; the amount of the franchise tax shall be certified in writing to the respective assessors of taxes or officers having like power and duties to perform on or before May first in each year; *provided*, that no change in the apportionment of the franchise tax shall be made

Apportion-  
ment of  
franchise tax  
among tax-  
ing districts.

Valuation  
may be  
revised.

Provide.

after the apportionment by the said State Board of Taxes and Assessment as aforesaid, except by and with the consent in writing of the assessors of the taxing district whose proportion of the franchise tax would be reduced by such change, and all such changes heretofore made by said board with such consent are hereby validated; the assessors or officers shall, within five days after being so notified of such franchise tax, deliver, or cause to be delivered, to each person, copartnership, association or corporation taxable under the provisions of this act, and to the collector of taxes of such taxing district, a statement in writing showing the amount of such franchise tax so ascertained, which shall become due at the time and place when and where other taxes are due and payable in such taxing district, and the tax shall be and remain a first lien on the property and assets of such person, copartnership, association or corporation, on and after December first following its assessment, until paid with interest and penalty thereon, and shall be collected in the same manner that other taxes are collected, and subject to the same discount penalties, and the same proceedings now available for the collection of other taxes shall remain applicable to the collection of the franchise tax.

Taxing officer to notify corporation, etc., and collector of amount due.

Tax a lien.

Collection.

Repealer.

Act effective.

4. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect January first, nineteen hundred and nineteen.

Approved March 4, 1918.

## CHAPTER 241.

An Act to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section three of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 3  
amended.

3. No person shall, within the limits of this State, kill or catch, or have in his or her possession living or dead, any wild bird other than a game bird, or purchase, offer or expose for sale any such wild bird after it has been killed or caught, and no part of plumage, skin or body of any bird protected by this section shall be sold or had in possession for sale. For the purpose of this act, plumage includes any part of the feathers, head, wings or tail of any bird, and wherever the word occurs in this act reference is had equally to plumage of birds coming from without the State as to that obtained within the State, but it shall not be construed to apply to the feathers of birds of paradise, ostriches, domestic fowl or domestic pigeons. The fact that any birds or game belong to a different species from that native to the State of New Jersey shall constitute no defense to the possession thereof; *provided*, such birds or game belong to the same family as that protected by this act. For the purpose of this act the following shall be considered game birds: The anatidæ, commonly known as

Unlawful to  
have or sell  
certain game.

Plumage  
defined.

Proviso.

Game birds.

Birds not  
protected.

Penalty.

swans, geese, brant and river and sea ducks; the rallidæ, commonly known as rails, galinules, coots and mudhens; the limicolæ, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers and curlews; the gallinæ, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges and quails, and the species of icteridæ, commonly known as reed birds; the English or European house sparrow (*passer domesticus*), European starlings, blackbirds, crows, goshawk, Cooper's hawk, sharp-shinned hawk, duck hawk, and great horned owl are, however, not included among the birds protected by this section; any person violating this section is subject to a fine of twenty dollars for each bird or part of bird killed, caught or had in possession contrary to the provisions hereof.

2. This act shall take effect immediately.

Approved March 4, 1918.

#### CHAPTER 242.

An Act to amend an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 2  
amended.

Hearing and  
adoption of  
budget.

1. Section two of the act to which this act is an amendment is hereby amended to read as follows:

2. The budget may be approved and hearing held at any time during the last month of the previous fiscal year, but must be approved and hear-

ing held not later than the fortieth day after the beginning of the fiscal year for municipalities and the twenty-fifth day for counties, and adopted at any time not later than the fifty-fifth day after the beginning of the fiscal year for municipalities and the fortieth day for counties; *provided, however,* Proviso. that in the case of any municipality or county which shall levy the taxes in one fiscal year for the support of appropriations to be expended in a fiscal year which commences after the date of such levy, the time for such approval and hearing on the budget may be at any time during the last month of the previous fiscal year, but not later than the fortieth day for municipalities and the twenty-fifth day for counties, and the time for such adoption shall be at any time not later than the fifty-fifth day for municipalities and the fortieth day for counties after the first day of January of the year within which the taxes are levied; *provided,* Proviso. *further,* in the case of municipalities or counties in which taxes are levied in one fiscal year for the support of the appropriations of the fiscal year, which commences subsequent to October first of the year in which the tax levy is made, a supplement to the adopted budget for the year may be passed in connection with the succeeding year's budget, in which an amount may be appropriated for local purposes in municipalities and county purposes in counties, that will not in the aggregate exceed five per centum of the total amount as originally appropriated for such purposes in the budget for such year. Such supplemental budget shall be approved, advertised and adopted in the same manner and at the same time as the budget for the subsequent year, and as a part thereof, and the additional amounts as appropriated by such supplemental budget shall be set forth under a separate heading and classified in the same manner. In a column to the right of the items thus appropriated shall be the amounts as fixed for Supplemental budget. Arrangement.

such items in the adopted budget. The additional appropriations thus made shall be added to the appropriations previously adopted, and shall, to a like amount, increase the basis for borrowing in anticipation of the receipt of tax revenues as set forth in this act.

Availability  
of taxes.

The first moneys received from the taxes under the budget and levy of which such supplemental budget was a part shall become immediately available for the expenditures of the then current year to the amount of such supplemental budget. All other moneys received from taxes included in such budget and levy shall be set aside and placed in an account, to be known as "Tax Revenue Reserve, 19—" (giving year in which the budget for which such taxes were levied shall apply), and shall be held in such account until after the beginning of the succeeding fiscal year, when such moneys shall be available for expenditures under the budget appropriations for that year, excepting that fifty per centum of the moneys appropriated for school purposes under such budget may, on or after the first day of July, be used for school purposes under the then current school budget, and the whole amount of the State school, State road and other State taxes shall be paid to the county collector on or before the fifteenth day of December, and the whole amount of the county taxes shall be paid to the county collector on or before the first day of January, next following the date upon which such taxes were levied.

Tax revenue  
reserve.

Payments to  
county  
collector.

Section 3  
amended.

2. Section three of the act to which this act is an amendment is hereby amended to read as follows:

Notice for  
hearing  
objections.

3. The notice for hearing as herein required shall fix a time and place when and where objections thereto may be presented by any taxpayer of said municipality or county, as the case may be. Such notice, together with the budget as approved, shall be published at least twice in at least one newspaper circulating in the municipality or

Notice and  
budget pub-  
lished.



county, as the case may be, the first publication to be within ten days after the date of the approval of said budget, and at least one week, and not exceeding two weeks, prior to the date designated for the hearing. A copy of the budget as approved shall be forwarded immediately, by the clerk of the municipality or the clerk of the board of chosen freeholders, to the Commissioner of Municipal Accounts.

3. Section four of the act to which this act is an amendment is hereby amended to read as follows:

Section 4  
amended.

4. At or after the time so fixed for the hearing of objections to said budget the governing body of the municipality or county shall have power to alter or amend any particular item or items of said budget as approved, but in case any item of appropriation is increased or decreased more than ten per centum, or the amount to be raised by taxes increased more than five per centum, the item or items amended shall be immediately advertised for hearing, and objections heard thereon, in the same manner as provided for in the case of the first hearing; *provided*, should there not be sufficient time to conclude the hearing herein required at the time as designated in the notice, such hearing may be adjourned to a time and place to be announced at the conclusion of the advertised hearing. At or after the time set for the hearing herein required, the budget as finally fixed shall be adopted by resolution of the governing body, and when so adopted shall be operative for the fiscal year for which the same shall be adopted. Authority is hereby conferred upon the governing body of each municipality and each county to approve, advertise and adopt the budget for the purposes as set forth in this act, and to assess, levy and collect taxes in support thereof and for all other lawful purposes by ordinance in municipalities, and by resolution in counties, as provided herein.

Budget may  
be altered.

Proviso.

Final  
adoption.

Authority  
conferred.

Section 5  
amended.

Tax ordi-  
nance not to  
vary more  
than 10%  
from any  
item.

Proviso.

Proviso.

Proviso.

Section 6  
amended.

Budget to  
show:

Anticipated  
revenues;

4. Section five of the act to which this act is an amendment is hereby amended to read as follows:

5. No tax ordinance (or resolution) thereafter adopted for the fiscal year for which the budget shall have been adopted, shall raise by tax or otherwise provide for local purposes other than schools in the case of municipalities, or for county purposes in the case of counties, an amount to be expended for any particular item of appropriation that is greater or less by ten per centum than the amount provided in the adopted budget for said item; *provided*, that in no event shall the total amount to be raised by taxes or otherwise provided for local purposes, other than for schools in the case of municipalities, and for county purposes in the case of counties, by said tax ordinance (or resolution), be an amount that is greater or less by five per centum than the total amount of such appropriations as fixed in the adopted budget; *provided*, that the amount of any item denoted as "contingent expenses" as hereinafter permitted, shall at no time exceed three per centum of the entire aggregate amount of such appropriations; *provided, further*, that nothing herein contained shall prevent the governing body of any municipality or county at any time before the tax ordinance (or resolution) is finally passed from making appropriations for, and raising by taxation, such item or items as may have been omitted from the budget which are required by this or any other statute to be raised by taxation.

5. Section six of the act to which this act is an amendment is hereby amended to read as follows:

6. The budget shall consist of a tabulated statement of:

The total anticipated revenues applicable to the lawful expenditures (for current or other purposes for which taxes may be levied) excepting revenues required by statute to be applied to a specific purpose and not released by section twelve

hereof for the municipality or county, as the case may be, for the fiscal year for which such budget shall apply, under the headings in the order named:

(a) Anticipated Revenue:

Subdivision  
of statement:

Surplus Revenue Appropriated.

Miscellaneous Revenues.

Amount to be raised by Taxes.

(b) Appropriations:

State the several purposes and the amount to be appropriated for each purpose for which the anticipated revenues are to be expended for local purposes other than schools, in the case of municipalities, and county purposes in the case of counties, under separate headings.

Purposes of  
expenditures:

The total of the appropriations shall equal the total of the anticipated revenues.

Totals:

In a column to the right of the several items of anticipated revenues and of appropriations shall be placed the amount as set forth for each such item in the budget of the previous year.

Items for  
comparison:

The appropriations for all other purposes, as fixed in the tax ordinance (or resolution) shall be raised by adding the corresponding amounts to the amount to be raised by taxes in accord with the above schedules, and such total shall then constitute the total amount to be raised by taxes for the year by the tax ordinance (or resolution).

Appropriations for  
other purposes:

The said budget shall contain at the head thereof a statement of the actual amount of surplus in the surplus revenue account.

Surplus.

6. Section seven of the act to which this act is an amendment is hereby amended to read as follows:

Section 7  
amended.

7. The term "Surplus Revenue," as used and applied in this act, shall include:

Surplus includes:

(a) The unexpended balances of the budget appropriations of the previous year in excess of obligations incurred therefor, or for purposes unfulfilled thereunder, which are properly chargeable thereto; *provided, however*, that if no other

Unexpended  
balances and  
purposes:

proviso.

means have been provided for carrying abatement of taxes, there shall be first deducted from the aggregate of such unexpended balances of appropriations the amount involved in the adjustment of the duplicate and of taxes which shall have been cancelled or remitted during the fiscal year by the act of the governing body of the municipality, the County Board of Taxation, the State Board of Taxes and Assessment, or any other body, board or court authorized by law to remit such taxes, and the amount of such taxes as shall have been, during the fiscal year, by the governing body of the municipality or county, so far as authorized by law to do so, directed to be charged off as uncollectible. But this provision shall not apply where the taxes abated as aforesaid are more than three years in arrears and are not carried as supporting any notes or bonds authorized under this act.

Does not  
apply to  
abated  
taxes.

Miscellaneous  
revenues;

(b) The receipts from miscellaneous revenues which are in excess of the aggregate amount of the classified miscellaneous revenues as fixed in the budget, excepting such deductions as may be authorized under the provisions of section seventeen of this act.

General  
revenues;

(c) The revenues coming into the general treasury from time to time, from any and all sources, applicable to the lawful expenditures for the fiscal year of the municipality or county, as the case may be, which are not included in any of the several items of anticipated revenues as stated in the budget.

Surplus to  
be used.

(d) It shall not be necessary to include in the budget the entire amount on hand in the surplus revenue account as a source of revenue, but only so much thereof as is proposed to be applied to the expenditures under the budget appropriations for the year.

Section 9  
amended.

7. Section nine of the act to which this act is an amendment is hereby amended to read as follows:

9. Miscellaneous revenues, as used and applied in this act, shall include all receipts from known and regular sources of revenue, or sources reasonably capable of anticipation for the year (except revenues required by any statute to be applied to a specific purpose and not released by section twelve hereof) coming into the general treasury, applicable to the lawful current expenditures of the municipality or county, as the case may be, and other than revenue from the annual tax levy and those revenues hereinbefore designated as surplus revenue, and shall be set forth in the budget, as anticipated for the year, classified according to their respective sources and numbered consecutively.

Miscellaneous  
revenues, of  
what to con-  
sist.

8. Section twelve of the act to which this act is an amendment is hereby amended to read as follows:

Section 12  
amended.

12. For the purpose of uniform accounting and budget control:

Specific  
purposes:

(a) The purpose of the budget as set forth in this act is to control all expenditures for the year under budget appropriations (excepting those authorized under section twenty-one for which interest deficiency notes may be issued and under section twenty-five for emergencies for which appropriation is not made in the budget and excepting appropriations for such purposes, (not current purposes) for which notes, bonds or other obligation may be issued). The revenues to support budget appropriations for the year are those included under the heading "Anticipated Revenues" in the budget or tax ordinance (or resolution).

Control of  
expenditures:

The term budget appropriations shall mean the appropriations made in the budget or tax ordinance (or resolution).

Budget ap-  
propriations:

(b) All revenues dedicated by any statute to any specific purpose, or revenues received by any institution or department of the government as fees,

Miscellaneous  
revenues:

rentals or charges which are not controlled under subsection (e) of this section, shall hereafter be scheduled under "Miscellaneous Revenues" in the budget, and when received shall be placed in the general treasury, and shall be applicable to any lawful purpose of expenditure under budget appropriations, excepting revenue dedicated to pension funds and such as are hereinafter specifically released under subsection (k) of this section; *provided, however*, that this shall in no way affect the operation of "An act to amend an act entitled 'An act to amend an act entitled "An act respecting the fees of surrogates, register of deeds and mortgages, county clerks and sheriffs in certain counties of this State, and providing salaries for such officers," approved March thirtieth, one thousand nine hundred and six,' approved March twenty-ninth, nineteen hundred and sixteen," which act was approved March twenty-ninth, nineteen hundred and seventeen; *provided, further*, should such revenues thus dedicated have been estimated by the institution or department receiving same as a part of the revenues to support such institution or department for the period for which the current budget shall operate, then, and in such case, the provisions of this subsection (b) shall not operate until the beginning of the fiscal year next ensuing.

**Proviso.**

**Proviso.**

**Sources of revenue:** (c) There shall be included in every budget in connection with the statement of anticipated revenues the sources of revenues which are required by law to be applied to any specific purpose, and which are not released by the provisions of subsection (b) of this section; to identify the dedication of such revenues a brief statement as to the purpose to which such revenues are dedicated shall be made, and in connection with the appropriation to which such revenues are dedicated, a like statement shall be made as to the source from

**Purposes to be used;**

which such revenues are obtained but the amounts may be omitted in either case.

(d) In case the anticipated earnings or the principal of any surplus of the sinking fund is to be used to reduce the annual sinking fund requirements, the full amount of such annual requirements shall be stated in connection with the list of appropriations, and the amount of the surplus of the sinking fund to be used shall also be stated, and only the amount to be raised in the budget shall be extended as the appropriation for sinking fund purposes.

Reducing  
sinking  
fund:

(e) All moneys received as fees, rentals or charges for service rendered by any municipal enterprise or utility shall be kept in a separate account, and the operating and upkeep costs, as well as the interest and principal payments upon the indebtedness incurred for the creation of such enterprise or utility, shall be charged to such account. If as the result of the operation of such enterprise or utility under the system of accounting thus directed there shall prove to be a surplus, or such surplus can be reasonably anticipated, then such surplus, when authorized by the board or body controlling the same, may be included under the anticipated revenues for the year as an item of miscellaneous revenue, under the caption of "Surplus from ..... (name of enterprise or utility) Account." If in the operation of such enterprise or utility, under the system of accounting herein directed, there shall be a deficit or an anticipated deficit, then an amount representing such deficit shall be included in the budget appropriations for the year, under the caption of "Deficit in ..... (name of enterprise or utility) Account." If, however, such deficit shall prove to be in excess of the amount so anticipated, then in such case the amount of the excess shall be included in the budget or tax levy of the following year. This provision shall not supersede the di-

Municipal  
utilities:

As to surplus:

If deficit:

rection of accounting or the specific dedication of the receipts from an enterprise or utility as provided in any law which authorized the establishment or creation of such enterprise or utility, unless so directed by the board or body controlling the same.

Appropriation to meet maturing bonds;

(f) That in connection with the certificates to be forwarded by the Commissioner of Municipal Accounts to the governing body of any municipality or county, or the board of education of any school district, setting forth the sinking fund requirements for the fiscal year, there shall also be included a requirement for appropriation on account of bonds falling due within such year, payment for which should be included in the budget appropriations for the year, which requirement shall be mandatory upon the municipality, county or school district, as the case may be, and shall be included in the appropriations for the year.

Annual requirements;

(g) Wherein the provisions of any charter or law require a board or commission having charge of any special department of work to certify the amount of the annual requirements for the support of such work to the assessor of any taxing district, such board or commission shall also certify such requirements for the ensuing fiscal year to the governing body of the municipality or county on or before the thirtieth day previous to the close of the fiscal year, and the amount as certified shall be included in the budget for the year. This provision shall in no wise relieve the assessor or assessors from their duty of determining that such appropriation has been provided for in the budget, and in case it has not been included in the budget of the municipality or county, as the case may be, the assessor shall include same in the certificate of funds to be raised by taxation to the county board of taxation, as required by law.

Poll, dog, and franchise tax under miscellaneous revenues;

(h) The anticipated receipts from poll tax, dog tax and franchise tax shall be scheduled under



miscellaneous revenues in the budget, and shall be treated and controlled as set forth in this act. The bank stock tax shall not be included under the schedule of anticipated revenues, as this tax is, by direction of law, deducted by the County Board of Taxation from the amount of moneys to be raised by taxes as certified to the County Board of Taxation.

Bank stock;

(i) When any municipality or county has been allotted a percentage of motor vehicle moneys, the governing body of such municipality or county receiving such allotment shall include an amount to be estimated by them, which will accrue to such municipality or county as a result of such allotment as anticipated revenues in its budget under the head of miscellaneous revenues, but such estimated amount shall not be in excess of the amount that would have resulted from such percentage allotment if figured upon the moneys applicable for road repairs arising from motor vehicle receipts in the previous year. The governing body shall include a like amount under appropriations in the budget under the head of "State-aid road repairs."

Receipt of  
motor vehicle  
moneys;

State-aid  
road repairs;

(j) Wherein the County Board of Taxation shall in determining the rate for any municipality authorize a levy of taxes of an amount greater than that certified by the governing body as "the amount to be raised by taxes," such excess shall not be available for expenditures, but shall be set aside, and at the end of the year shall be used to offset the abatements of taxes, and any balance remaining shall be transferred to the surplus revenue account.

Raised excess  
tax set  
aside.

9. Section thirteen of the act to which this act is an amendment is hereby amended to read as follows:

Section 13  
amended.

13. Each municipality and each county in this State shall, before the adoption of its first budget as provided in this act, or as soon thereafter as

Surplus  
revenue  
account.

possible, set up and thereafter keep an account to be known as "Surplus Revenue Account," and shall enter therein all revenue surplus existing at the time of setting up said account, and all moneys coming into the general treasury from all sources included under the head of surplus revenue, as defined in section seven.

Section 14  
amended.

10. Section fourteen of the act to which this act is an amendment is hereby amended to read as follows:

Unexpended  
balances  
transferred to  
surplus  
revenue  
account.

14. At the close of the fiscal year all unexpended balances of the budget appropriations in excess of the obligations incurred on account thereof, and for purposes unfulfilled thereunder, and which are properly chargeable thereto, as hereinbefore provided in subdivision (a) of section seven, shall be transferred to the said surplus revenue account.

Section 20  
amended.

11. Section twenty of the act to which this act is an amendment is hereby amended to read as follows:

Form of tax  
ordinance.

20. The tax ordinance in the case of municipalities, or the tax resolution in the case of counties, to be adopted by the governing body thereof to authorize the amount to be levied and raised by taxation, shall be in substantially the following form:

An ordinance (or resolution) relating to taxes for the year nineteen hundred and.....:

Enacting  
clause.

Be it ordained (or resolved) by the ..... (state the name of the governing body) that there shall be assessed, raised by taxation, and collected for the fiscal year 19—, the sum of ..... dollars for the purpose of meeting the appropriations set forth in the following statement of resources and appropriations for the fiscal year 19—;

Assessments  
for sundry  
purposes.

Resources—

Surplus revenue appropriated (amount stated in budget).

Miscellaneous revenues (aggregate amount as stated in the budget).

Amount to be raised by taxes (as stated in the adopted budget).

Additional amount to be raised by taxes (giving items for which the several amounts are to be raised).

#### Appropriations—

Budget appropriations (state the aggregate amount as fixed in the adopted budget).

Local school (in case of municipalities wherein the board of school estimate fixes the appropriation for school purposes).

Other appropriations (state the amount to be appropriated for all other purposes, including the increases or decreases from the budget appropriation, as authorized by section five of this act, for which taxes are to be levied, which are not included in any other items under the head of "Budget Appropriations" or "Local School").

This ordinance (or resolution) shall take effect.....

Should the governing body of any municipality or county desire to have the budget also constitute the tax ordinance (or resolution), it may do so by adding the words "This budget shall also constitute the tax ordinance (or resolution)." In such case the form of the budget as prescribed in section six shall be followed, and the first and second reading of the ordinance (or resolution) shall be taken to constitute the approval of the budget, but the procedure as set forth in section three for the advertising and hearing shall be followed. The final passage of the tax ordinance (or resolution) as provided by law shall be taken to constitute the adoption of the budget; such procedure, when fully consummated, shall then constitute the adoption of the budget, as well as the passage of the tax ordinance (or resolution), and upon passage, shall be deemed effective for the purpose of certification of

Tax ordinance may be included in budget.

Adoption of budget.

requirements to the County Board of Taxation, but shall be operative only as prescribed by law.

Section 21  
amended.

12. Section twenty-one of the act to which this act is an amendment is hereby amended to read as follows:

Borrow in  
anticipation  
of tax  
receipts.

21. (a) In anticipation of the receipt of taxes to be levied or of taxes levied and not delinquent, any municipality or county may borrow, and have obligations outstanding, as hereinafter provided such moneys as may be necessary to meet its lawful expenditures under the appropriations for the year for which such taxes are levied or are to be levied;

Proviso.

*provided*, that no municipality in any fiscal year before the first day of December, and no county before the fifteenth day of December, shall borrow in excess of fifty per centum of the amount to be raised by taxes for local purposes in municipalities and for county purposes in counties as provided in the budget or tax ordinance (or resolutions), exclusive of appropriations for sinking fund, principal or interest on public debt, State road tax, State school tax and other State taxes, and in the case of municipalities, county taxes as well, *provided, further*,

Proviso.

it shall be lawful to borrow, at any time, the full amount of the interest or principal of public debt as the same shall fall due, in case no other provision has been made for the payment thereof, the amount of money so borrowed for interest or debt purposes before the fifteenth day of February, which is in excess of the amount appropriated or otherwise provided for such purposes shall be included in the tax levy of the current year and the obligations issued therefor shall be paid on or before the thirty-first day of December of the year of issue, and the obligations issued in connection with such borrowing after the fifteenth day of February shall be evidenced by the issue of Interest Deficiency Notes which shall fall due not later than the first day of June of the following year for such notes issued by a municipality, and the fifteenth

Time for  
paying  
obligations.

day of June for such notes issued by a county, and provision for their payment shall be made in the budget for such following year.

(b) All obligations incurred by municipalities under this section between the beginning of the fiscal year and the first day of December following, and all obligations incurred by counties before the fifteenth day of December following, excepting Interest Deficiency Notes, shall be evidenced by the issue of Tax Anticipation Notes or Tax Anticipation Bonds, and not by the name or in the form of any other instrument whatsoever. All such notes or bonds shall mature on or before the thirty-first day of December of the year of issue, and shall then be paid and retired; *provided, however*, it shall be lawful for any municipality or county to make the maturity of Tax Anticipation Notes or Bonds extend three months longer than the period herein recited, but in such case, notes or bonds so issued and outstanding on the thirty-first day of December shall be credited on the books of the municipality or county, as the case may be, as Tax Anticipation Notes or Bonds, and charged as Tax Revenue Notes or Bonds, and all renewals, in whole or in part, of such notes or bonds, shall be in the form of Tax Revenue Notes or Bonds, and such renewals shall come under the provisions and limitations of sections twenty-two and twenty-four of this act.

Tax anticipation notes issued.

Proviso.

Renewals.

13. Section twenty-two of the act to which this act is an amendment is hereby amended to read as follows:

Section 22 amended.

22. (a) After the first day of June any municipality, or after the fifteenth day of June any county, in anticipation of the receipt of Tax Revenues for that year which are delinquent, and to the amount thereof, may borrow such moneys as may be necessary to meet the lawful expenditures under the budget appropriations for the year or to refund its outstanding Tax Anticipation

Borrow to refund tax anticipation notes.

Delinquency  
of railroad  
and canal  
tax.

Notes or Bonds. In the case of municipalities, for the purpose of this section, one-half of the taxes levied upon railroad and canal property which are payable in the first instance to the State Comptroller, and paid by him to the taxing district, shall be deemed delinquent to the taxing district from the first day of June, and the other half from the first day of December, until said railroad and canal taxes are received by the collector or other proper officer of the municipality.

Tax revenue  
bonds.

(b) All obligations incurred under this section shall be evidenced by the issue of Tax Revenue Notes or Tax Revenue Bonds, and not by the name or in the form of any other instrument whatsoever. Each Tax Revenue Note or Bond, or renewal thereof, shall bear upon its face the statement that it is issued against delinquent tax revenues of 19..... (giving the year in which such tax revenues became delinquent), and no notes or bonds shall run with their renewals for a longer period than three years after the thirty-first day of December of the year in which the tax revenues against which such note, notes, bond or bonds, were issued, became delinquent as hereinafter provided.

Statement  
as to issue.

Use of re-  
ceipts of  
delinquent  
tax revenues.

(c) After the lawful expenditures under the appropriations for the year have been met, and the Tax Anticipation Notes or Bonds, and the Emergency Notes or Bonds, falling due in the year of issue have been paid or retired, the receipts of all delinquent tax revenues of any fiscal year shall be set aside and applied to the retirement of the Tax Revenue Notes or Bonds of that year, until all notes or bonds issued against the delinquent tax revenues of that year are paid; *provided, however,* when there are obligations incurred for, or purposes unfulfilled under, the budget appropriations of any year, there may be reserved from the first receipts of delinquent taxes of that year an amount sufficient to pay such obligations or to

Proviso.

fulfill such purposes, but in no case shall such receipts be reserved to an amount that is greater than the difference between the delinquent taxes of such year and the revenue notes or bonds outstanding against such delinquent taxes; *and provided, further*, that no municipality or county shall issue Tax Revenue Notes or Bonds until it has exhausted its borrowing power under section twenty-one for issuing Tax Anticipation Notes or Bonds.

Proviso.

(d) An appropriation for the payment of any unpaid balance of the Tax Revenue Notes or Bonds of any fiscal year shall be included in the budget or the tax ordinance (or resolution) for the third year thereafter. All such notes or bonds shall be paid and retired on or before the last day of said third year; *provided, however*, if any portion of the taxes upon which said Tax Revenue Notes or Bonds were issued shall be in litigation, then an amount equal to the face value of said taxes may be excepted and carried by renewal or renewals of said Tax Revenue Notes or Bonds until said litigation shall have been concluded, and all or any portion of the said taxes are paid; if, however, the courts or other lawful body shall cancel or remit all or any portion of the taxes so in litigation, then the said Tax Revenue Notes or Bonds, in an amount equal to the taxes so cancelled or remitted, shall be paid in not less than five equal annual installments by the inclusion of an annual installment in the tax levy of each succeeding year until the said Tax Revenue Notes or Bonds shall have been paid; or if, notwithstanding the result of such litigation be in favor of the municipality, such taxes shall, nevertheless, prove to be uncollectible, and the governing body shall, by proper resolution, so declare, then the Tax Revenue Notes or Bonds, to the amount of the taxes so declared to be uncollectible, shall be paid in not less than five equal annual installments by the inclusion of an annual

Unpaid balance included in budget.

All bonds met.

Proviso.

Paid in installments.

installment in the tax levy of each succeeding year until the said notes or bonds shall have been paid.

Gross amount  
for any year.

(e) The gross amount of Tax Revenue Notes or Bonds for any year shall at no time exceed the gross amount of uncollected delinquent tax revenues of that year, plus the amount of the receipts from such tax revenues in hand, applicable to the discharge of such notes or bonds at maturity, excepting, however, the amount of such notes or bonds as shall represent the amount of taxes cancelled or remitted as the result of litigation or declared to be uncollectible as herein provided.

Section 23  
amended.

14. Section twenty-three of the act to which this act is an amendment is hereby amended to read as follows:

Statement to  
appear on  
bonds or  
notes.

23. On each Tax Anticipation Note or Bond, each Tax Revenue Note or Bond, and each Tax Title Note or Bond hereafter issued, there shall appear a statement that it is issued pursuant to this act, and there shall be stated the total borrowing power authorized by this act under such instruments, as well as the amount of such instruments outstanding. Such a statement shall be made by the treasurer or chief financial officer of the municipality or county, as the case may be, and his signature to the instrument shall constitute a declaration to the other officials who are required to sign such instrument that the statement made is correct, and such statement shall constitute conclusive evidence to the holder of such instrument that the same was fully authorized under and within the powers, limitations and provisions of this act.

Statement an  
evidence of  
authenticity.

Section 25  
amended.

15. Section twenty-five of the act to which this act is an amendment is hereby amended to read as follows:

Emergencies.

25. Upon the happening of any emergency caused by fire, flood, explosion, storm, epidemic, recovery of judgment, act of God or the public enemy, or for the preservation of order or public



health, or for restoring to a condition of usefulness any public property, the usefulness of which has been destroyed by accident, or by happening that could not have been anticipated, or in case the revenues anticipated from licenses for the sale of vinous, spirituous or malt liquors shall, as the result of the enactment of any State or Federal legislation or the operation of a constitutional amendment, or by reason of the vote under a referendum provided by any State law, be for any fiscal year less than the amount stated as anticipated in the budget for that year, or for the costs of holding any election brought about by a petition of the electorate or an election instituted by the governing body, or for mandatory expenditures imposed by any statute approved subsequent to twenty days prior to the passage of the tax ordinance (or resolution), or for added requirements fixed by the Board of Children's Guardians, occasioned by the increase of the number of children for whom care is required or by an increase in the weekly rate to be paid for such children's care made subsequent to the adoption of the tax resolution, any municipality or county being without funds to meet the necessities and the conditions created thereby may, by a vote of at least two-thirds of the members of the governing body of such municipality or county, make appropriations therefor and fund the expenditures made thereunder by the issue of "Emergency Notes" or "Emergency Bonds," which shall bear upon their face a statement of the cause or event with reference to which they were issued, and the date or period thereof. The amount of all such notes or bonds issued between the first day of the fiscal year and the passage of the tax ordinance (or resolution), shall be included in the tax levy for that year, and shall be paid on or before the thirty-first day of December of such fiscal year, and all such notes or bonds made subsequent to the pas-

Issue  
emergency  
notes.

Amount in-  
cluded in  
tax levy.

	sage of the tax ordinance (or resolution), and before the last day of that fiscal year, shall be placed in the tax levy of the following year and retired on or before the thirty-first day of December of the following year; <i>provided, however</i> , that if the inclusion of the entire amount of such notes or bonds in the tax levy of one year, as hereinbefore directed, would cause an increase in the tax rate of more than one-third of a mill on the dollar, provision for the payment of such Emergency Notes or Bonds shall be made by the placing in the tax levy of that year, and of each and every year thereafter, a levy of an amount equal to not less than one-third of a mill on the dollar of the assessed valuation of the municipality or county, as the case may be, until said notes or bonds are retired; <i>provided, however</i> , that the provisions of "An act to authorize and regulate the issuance of bonds and other obligations, and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and constituting chapter two hundred and fifty-two of the laws of one thousand nine hundred and sixteen, and amendments thereto and supplements thereof, shall not be deemed in any respect affected or limited by this section; and said act shall be deemed additional and independent authority (within the scope of the authority conferred by it) for the financing of the purposes provided for in this section.
Proviso.	
Proviso.	
Section 26 amended.	16. Section twenty-six of the act to which this act is an amendment is hereby amended to read as follows:
Notes or bonds issued by resolution.	26. All notes or bonds issued hereunder shall be authorized by resolution. They shall be negotiable instruments, but may be registered upon request of the purchaser or holder. They shall bear interest at a rate not in excess of six per centum
Rate.	

per annum, and shall be sold by the municipal or county maker thereof for not less than par. The faith and credit of the municipality or county shall be deemed to be pledged for the payment of such notes or bonds with interest, as though a statement to that effect were endorsed thereon; *provided, however*, when any municipality or county shall issue at one time notes or bonds hereunder to exceed in amount fifty thousand dollars, excepting wherein Tax Revenue Notes or Bonds are issued to the holder of Tax Anticipation Notes or Bonds to refund same, same shall be sold at public bidding as the result of sealed proposal, which shall be publicly opened and read at the place and time as stated in the advertisement for such bidding, and after advertisement of one week previous to date of bidding in the official newspaper of said municipality or county, if there be such, or, if not, in a newspaper published or circulated in said municipality or county, as the case may be, and in such financial papers as the governing body may direct. Such notes or bonds shall be sold at par. The bidder shall be required to state the amount of interest he is willing to take for the loan about to be made. The bidder offering the least interest rate expressed in multiples of one one-hundredths of one per centum shall be awarded the sale of said notes or bonds; if, however, one or more bidders offer the same interest rate, then the bidder who shall offer the greatest additional premium shall be awarded the sale of said notes or bonds. Should no bid be received in response to the advertisement, the governing body shall have power within thirty days to sell such notes or bonds at private sale at the most advantageous rate obtainable; *provided, further*, that upon a two-thirds vote of the governing body notes or bonds to any amount may be sold to the sinking fund of the issuing municipality or county, as the case may be, at par, without advertisement or public bidding.

Pledge for  
payment.

Proviso.

Public sale  
of bonds.Amount of  
interest  
bidden.

Private sale.

Proviso.

Act super-  
sedes any  
law on  
subject.

17. This act shall take effect immediately, and shall supersede the provisions of any law as to the subject matter thereof, excepting that the provisions of sections one, twelve and thirteen shall not be operative until the first day of January, one thousand nine hundred and nineteen.

Approved March 4, 1918.

#### CHAPTER 243.

An Act to amend an act entitled "An act concerning sinking funds and sinking fund commissions," approved March twenty-seventh, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 2  
amended.

1. Section two of the act to which this act is an amendment is hereby amended to read as follows:

Duties of  
sinking fund.

Sinking fund commissions in municipalities, counties and school districts, their organization, duties and powers.

Sinking fund  
commissions  
created.

2. (a) There is hereby created in each municipality, and in each county, and in each school district located wholly within a municipality wherein there does not now exist, or should exist, under this act, a sinking fund commission, and in each school district which covers territory lying within two or more municipalities, which has heretofore issued term bonds not yet fully retired or which shall hereafter issue term bonds, a sinking fund commission, which shall consist of:

How com-  
posed:

Executive  
officer;

(b) The executive officer of the municipality or county, or the mayor of municipalities governed by a commission, or the president of the board of

education, ex officio; *provided, however*, if such executive officer, mayor or president does not desire to serve, he may appoint in his place a member of the governing body, or an official of the municipality, or county, or school district, as the case may be; the term for such appointee in the sinking fund commission shall be coexistent with the term of such executive officer, mayor or president or the term of the appointee as a member of the governing body or as an official, except that it shall terminate upon his ceasing to be a member of the governing body or to hold such office; and

Proviso.

Term.

(c) The comptroller, or in municipalities which have no comptroller, the treasurer, or in municipalities governed by a commission, the director of the department of revenue and finance, or in counties, the county collector, or in school districts, the custodian of school moneys, ex officio; and

Comptroller  
or treasurer,  
etc.;

(d) In addition three citizens of the municipality, or county, or school district, as the case may be, resident taxpayers on real estate, to be chosen with reference to their qualifications for the conduct and management of financial affairs, who shall not hold any other office in such municipality, or county, or school district, as the case may be, during their term as members of such commission, who shall be appointed by the mayor, executive officer, or president of the municipality, county or school district by and with the consent of the governing body, or by the commission of a municipality governed by a commission, as the case may be, one for a term of one year, one for a term of two years, and one for a term of three years, and thereafter each citizen member of such commission shall be appointed for a term of three years; when a vacancy shall occur in the citizen membership of the commission, it shall be filled for the unexpired term in the same manner as the original appointment was made. *Provided, however*, that in municipalities, counties or school districts whose sink-

Three  
citizens;Qualifica-  
tions.

Appointment.

Terms.

Vacancy.

Proviso.

<b>When fund under \$50,000.</b>	ing fund amounts to less than fifty thousand dollars, it shall not be necessary for the sinking fund commission to be composed of more than three members, as the governing body thereof shall decide, but if the sinking fund commission shall in any case be limited to three members, then the same shall be composed of:
<b>Comptroller or treasurer, etc.:</b>	(e) The comptroller, or in municipalities which have no comptroller, the treasurer, or in municipalities governed by a commission, the director of the department of revenue and finance, or in counties the county collector, or in school districts, the custodian of school moneys, ex officio; and
<b>Two citizens.</b>	(f) Two citizens of the municipality, county or school district, as the case may be, resident taxpayers on real estate, to be chosen with reference to their qualifications for the conduct and management of financial affairs, who shall not hold any other office in such municipality, county or school district, as the case may be, during their term as
<b>Qualifications.</b>	members of such commission, who shall be appointed by the mayor, executive officer, or president of the municipality, county or school district by and with the consent of the governing body, or by the commission of a municipality governed by a
<b>Appointment.</b>	commission, one for a term of one year and one for a term of two years, and thereafter each citizen member of such commission shall be appointed for
<b>Terms.</b>	a term of two years. When a vacancy shall occur in the citizen membership of the commission, it shall be filled for the unexpired term in the same manner as the original appointment was made. If
<b>Vacancy.</b>	at any time by reason of the increase of the amount of the sinking fund to fifty thousand dollars or more, or if the governing body shall decide to increase the number of the members of the sinking fund commission to five members, then the commission shall be constituted as hereinbefore provided, and in either such case the additional citizen member shall be appointed for such term as will make
<b>Increase in amount or commission.</b>	

the term of one citizen member of the sinking fund commission expire each year, the appointments thereafter to be for three years.

2. Section four of the act to which this act is an amendment is hereby amended to read as follows:

Section 4  
amended.

4. Where the funds in the custody of any sinking fund commission to be superseded and terminated, as provided in this act, are invested in mortgages upon real estate, said sinking fund commission herein provided for shall have the right to prosecute, in its own name, foreclosure proceedings for the foreclosure of said mortgages, and where necessary for the preservation of the fund invested, purchase at foreclosure sale the real estate foreclosed upon. All such real estate shall be sold as speedily as reasonably may be; where foreclosure proceedings for the foreclosure of any such mortgage or mortgages shall have been begun by any existing sinking fund commission, at the time this act shall take effect, the same shall not be abated by reason of the passage and taking effect of this act, but the sinking fund commission hereby created shall have the right and power to continue said suits or proceedings to conclusion in the name of the heretofore existing sinking fund commission. Upon the creation of the sinking fund commission, as provided by this act, any existing sinking fund commission shall account to the newly created sinking fund commission and assign and deliver to it all funds, property, securities, moneys, books, papers, records and documents whatsoever, and the existence of the former sinking fund commission shall be thereupon and thereby terminated. Whenever any school district is situated wholly within a municipality, in which there is, or should be, a sinking fund commission having charge of the sinking fund of such municipality, such commission shall be the sinking fund commission of such school district and shall have the same powers and be charged with the same duties in connection with

As to fore-  
closure.

Purchase  
property.

Proceedings  
continued by  
new com-  
mission.

Accounting  
by existing  
commission

Sinking fund  
in school  
district  
within mu-  
nicipality.

the bonded indebtedness of the school district as are conferred or imposed upon it with regard to the bonded indebtedness of the municipality in which such school district shall be situated.

Section 6  
amended.

No com-  
pensation.

Bond.

3. Section six of the act to which this act is an amendment is hereby amended to read as follows:

Secretary and  
assistants.

Surety pre-  
miums paid  
from gen-  
eral fund.

6. The members of the sinking fund commission shall receive no compensation, and shall give bond, with corporate security, to the municipality, county, or school district, as the case may be, for the faithful performance of their duties, in such sum as shall from time to time be fixed by the governing body of the municipality, county or school district. When authorized by the governing body the sinking fund commission may employ a secretary and other assistants at such salary as the governing body may fix, or may appoint one of its members as secretary, and one as treasurer, or one of its members to fill both offices, and allow such appointee or appointees such compensation as may be fixed by the governing body. All surety bond premiums, compensations and all expenses necessarily incurred by the sinking fund commission in the discharge of its duties shall be paid from the general funds, and not from the sinking fund accounts.

Section 15  
amended.

Requirement  
of fund for  
year cal-  
culated.

4. Section fifteen of the act to which this act is an amendment is hereby amended to read as follows:

15. The sinking fund commission of each municipality, county or school district (where a sinking fund commission exists only for such school district) shall calculate the annual requirements of the sinking fund for all term bonds for the ensuing fiscal year, in accordance with the provisions of section fourteen of this act, and on or before the first day of November previous to the final date fixed for the adoption of the budget for the fiscal year of the municipality or county, and on or before the first day of December previous to the annual



school meeting for school districts as to bonds issued by such districts, shall submit such calculation of the sinking fund requirements for the fiscal year for which such budget shall apply, to the governing body of the municipality or county, or the board of education of such school district, as the case may be, and to the commissioner of municipal accounts. The commissioner of municipal accounts shall correct and audit such calculations, and on or before the first day of December previous to the date fixed for the adoption of such budget as to requirements for municipal or county bonds, and on or before the first day of February previous to the meeting at which school appropriations are voted for such school districts as to requirements for bonds of school districts, shall issue a certificate of the sinking fund requirements for such year to the sinking fund commission, and shall transmit a copy of such certificate to the governing body of the municipality, or county, or the board of education of such school district, as the case may be, and the amount as certified by the commissioner of municipal accounts shall be the official determination of the sinking fund requirements for such fiscal year, which shall be included in the annual budget and tax ordinance of the municipality, or the annual budget or tax resolution of the county, and the appropriations of school districts, and shall be assessed, levied and collected as required by law. The required amount as certified shall be turned over to the sinking fund commission for the municipality, county, or school district, as the case may be, on or before the thirty-first day of December of the year for which such budget shall apply. The sinking fund commission shall, on or before the fifth day of January following, transmit to the commissioner of municipal accounts a certificate as to the receipt or nonreceipt by it of the sinking fund requirements previously certified; *providing*, that the failure on the part of any sink-

Submission to  
commissioner  
of municipal  
accounts.

Accounts  
audited.

Certificate of  
requirements  
for fiscal  
year.

Required  
amount  
turned over  
to sinking  
fund.

Acknowledg-  
ment of  
receipt.

Proviso.

Inclusion of appropriations. ing fund commission or the commissioner of municipal accounts to issue a certificate of the amount of sinking fund requirements for any year shall in nowise relieve the governing body of any municipality or county, or the board of education of any school district, of their obligation to make provisions for the proper sinking fund requirements for the year in their appropriations for municipal, county, or school purposes, as the case may be. Should such appropriations not be included in the budget, as adopted, they shall, nevertheless, be included in the tax ordinance or resolution, as the case may be, but in no case shall the district clerk and the county board of taxation be relieved from their duty to determine that such requirements have been provided for in the case of bonds issued by school districts.

Section 19 amended. 5. Section nineteen of the act to which this act is an amendment is hereby amended to read as follows:

Excess of fund transferred to deficient fund. 19. If upon such tabulation and calculation, or upon a subsequent tabulation and calculation, ordered by the commissioner of municipal accounts, the sinking fund for any issue of term bonds of any municipality, county or school district shall be found to be in excess of the proper amortization basis, and any other sinking fund shall be found to be deficient, then such excess shall be transferred and credited to the deficient sinking funds. Where a distribution of surpluses is made, it must be first made to the sinking funds for bonds within the classification as defined in section ten of this act, and then to the sinking funds for other bonds in the order of their maturities. Should there be a surplus in the sinking fund after the distribution herein directed, same may be transferred to a surplus account, and the principal thereof shall be distributed only as provided in sections eleven and twenty-four of this act.

Distribution of surpluses.

6. Section twenty-four of the act to which this act is an amendment is hereby amended to read as follows:

Section 24  
amended.

24. The surplus in the sinking fund of any municipality, county or school district, as provided in section nineteen of this act, shall be held in the sinking fund, but the estimate of the annual earnings of such surplus figured on a three and one-half per centum basis may be used as a credit or offset to the annual requirements for the sinking fund; *provided, however*, that it shall be lawful to use the principal of said surplus to reduce the appropriation for the annual sinking fund requirements as set forth in section fourteen of this act. The fund so used in any one year shall not be in excess of fifty per centum of the requirements for the sinking fund for that year, but in no case shall such credit or offset be used unless a certificate of approval shall first have been obtained from the commissioner of municipal accounts.

Use of interest on  
surplus.

Proviso.

Limitation.

7. Section twenty-seven of the act to which this act is an amendment is hereby amended to read as follows:

Section 27  
amended.

27. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealer.

8. This act shall take effect immediately, excepting that section two shall not be effective in the year one thousand nine hundred and eighteen for municipalities and counties whose fiscal year begins previous to December thirty-first, one thousand nine hundred and eighteen.

Act effective.

Approved March 4, 1918.

## CHAPTER 244.

A Supplement to an act entitled "An act defining floating indebtedness and authorizing and directing the funding of floating and other indebtedness in any municipality and county in this State," approved March twenty-seventh, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Time for  
issuing float-  
ing indebted-  
ness ex-  
tended.

1. The time for the issuing of floating indebtedness notes or floating indebtedness bonds for the purpose of refunding floating indebtedness as provided in the act to which this is a supplement, be and hereby is extended to August first, one thousand nine hundred and eighteen, and not thereafter, and for that purpose all proceedings necessary for the issuing of said bonds or notes as provided in said act shall be valid and effectual provided the same are taken before the first day of August, one thousand nine hundred and eighteen.

Proceedings  
valid.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 245.

An Act validating the local budget heretofore adopted by any municipality of this State, pursuant to the provisions of an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. No local budget heretofore adopted by the governing body of any municipality of this State, pursuant to the provisions of an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen, shall be invalidated by reason of any omission to submit the same, or any items of appropriations therein, to the qualified voters of such municipality at an election held therein, or by reason of the approval, advertising, hearing or adoption of any local or county budget subsequent to the dates fixed in such act.

Validating  
local  
budget.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 246.

An act authorizing the appointment of chaplains in police departments in the cities of the first class of this State and fixing their title and compensation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Police chaplains in first class cities.

1. In all cities of the first class of the State of New Jersey the board of commissioners or other officer or officers having charge and control of the police department in any such city is hereby empowered to appoint one or more chaplains, as the service may require, to the police department of such city.

Qualifications.

2. Any person or persons appointed as chaplains to the police department in any city in this State under the provisions of this act must be a duly and regularly ordained clergyman or clergymen in good standing in the religious bodies from which he or they may be selected.

Chaplain a member of force; rank.

3. All chaplains appointed to the police department in any city of this State under the provisions of this act shall become members of the uniformed force, and rank in said police department as inspector, except as to salary; and said chaplain so appointed will be subject to the duties, rules and regulations prescribed by the board of commissioners or other police officers or officer having charge and control of the police department to which said chaplain may be appointed.

Duties.

Salary.

4. Any person appointed to the position of chaplain in the police departments of the several cities of this State in the manner above set forth shall be entitled to such salary as may be agreed

upon by the board or body having control of the finances of such city; *provided*, that the maximum salary shall not exceed one thousand dollars. Proviso.

5. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 4, 1918.

## CHAPTER 247.

An Act establishing a State Athletic Commission and regulating the art of boxing and sparring exhibitions or performances in the State of New Jersey.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. There shall hereafter be a State Athletic Commission; within thirty days after this act takes effect the Governor shall appoint three male persons to be members of such commission, who shall hold office for the term of three (3) years. The Governor shall also appoint their successors each successive third year. The commission shall maintain general offices for the transaction of its business in the State House. The members of the commission shall, at their first meeting after their appointment, elect one of their members chairman of the commission and shall adopt a seal for the commission, and may make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may hereafter amend or abrogate such rules. Two of the members of the commission shall constitute a quorum to do business; and the concurrence of at

State athletic commission appointed.

Term.

Office.

Chairman.

Rules.

Quorum.

Expenses  
met.

Secretary.  
Duties.

Failure to  
obey  
subpoena.

Expenses  
met.

Annual  
report.

least two commissioners shall be necessary to render a choice or decision by the commission, and each member of the commission shall be entitled to receive his actual and necessary traveling expenses and other expenses incurred by him in performance of his official duties.

2. The commission shall appoint, and at pleasure remove, a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general offices all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission, and to perform such other duties as the commission may prescribe, and may, under the direction of the commission, issue subpoenas for the attendance of witnesses before the commission with the same effect as if they were issued in an action in the Supreme Court, and may, under the direction of the commission, administer oaths in all matters pertaining to the duties of his office or connected with the administration of the affairs of the commission. Disobedience of such a subpoena and false swearing before such secretary shall be attended by the same consequence and be subject to the same penalties as if such disobedience or false swearing occurred in an action in the Supreme Court. The secretary of the commission shall be entitled to receive his actual and necessary traveling and other necessary expenses incurred by him in the performance of his official duties, and the members of the commission and the secretary and special inspectors, if any, shall be paid semimonthly by the State Treasurer, on the warrant of the State Comptroller, out of the receipts provided by this act. The commission shall annually make to the Legislature a full report of its proceedings for the years ending with the (.....), and may submit, with such report, such recommendations pertaining to its affairs as to it shall seem desirable.



3. The commission is hereby given power to appoint one special temporary inspector to represent the commission at any performance or exhibition where it will be impossible for some member of the commission to be present, and shall receive their actual and necessary traveling and other necessary expenses incurred by them in performance of their official duties, in the manner as prescribed in this act.

Special  
inspector.

4. The commission shall have, and hereby is vested with, the sole direction, management, control of and jurisdiction over all boxing and sparring matches and exhibitions to be conducted, held or given within the State by any clubs, corporation or association; and no boxing or sparring match or exhibition shall be conducted, held or given within the State except pursuant to its authority and in accordance with the provisions of this act. The commission may, in its discretion, issue, and at its pleasure revoke, a license to conduct, hold or give boxing and sparring matches and exhibitions to any club, corporation or association which shall at the time application therefor be made own or hold a lease, for at least one year upon the building wherein it may be proposed to conduct, hold or give such boxing or sparring match or exhibition, and which, if it be an amateur athletic association, may be incorporated or organized in accordance with the rules of the Amateur Athletic Union of the United States. Every license shall be subject to such rules and regulations, and amendments thereof, as the commission may prescribe. Every application for a license, as herein provided for, shall be in writing and shall be addressed to the commission and shall be verified by the duly elected secretary of the club, corporation or association or on whose behalf the application may be made. It shall contain a recital of such facts as, under the provisions hereof, will show the applicant entitled to receive a license, and in addition thereto

Jurisdiction  
of commis-  
sion.

License.

Application  
for license.

such other facts and recitals as the commission may by rule require to be shown.

Approved  
bond filed  
with comp-  
troller.

5. Before any license shall be granted to any club, corporation or association to conduct, hold or give any boxing or sparring match or exhibition, such applicant therefor shall execute and file with the State Comptroller a bond in the sum of ten thousand dollars (\$10,000.00) to be approved as to form, and the sufficiency of the sureties thereon, by the State Comptroller, conditioned for the payment of the tax hereby imposed. Upon the filing and approval of such bond the State Comptroller shall issue to such applicant for such license a certificate of such filing and approval, which shall be by such applicant filed in the office of the commission with its application for such license; and no such license shall be issued until such certificate shall be filed.

Certificate  
issued to  
applicant.

Report of  
contests.

6. Every club, corporation or association which may hold or exercise any of the privileges conferred by this act shall, within twenty-four hours after the determination of every contest, furnish to the commission a written report, duly verified by the treasurer and secretary, showing the exact number of tickets sold for such contest and the amount of the gross proceeds thereof, and such other matters as the commission may prescribe, and shall also within the said time pay to the State Comptroller a tax of ten per centum (10%) of its total gross receipts from the sale of tickets of admission to such boxing or sparring match, contest or exhibition, which tax shall be paid into the State treasury. And after the appropriation therefrom of the expenses of the commission, of the secretary, and special temporary inspectors, if any, as herein provided, shall be appropriated to (.....).

Gross pro-  
ceeds stated.

Tax exacted.

In case of  
failure to  
make report,  
examination  
by comp-  
troller.

7. Whenever any such club, corporation or association shall fail to make a report of any contest at the time prescribed by this act or whenever such report is unsatisfactory to the State Comptroller,

he may examine, or cause to be examined, the books and records of such club, corporation or association, and subpoena and examine under oath its officers and other persons as witnesses for the purpose of determining the total amount of its receipts (gross) for any contest and the amount of tax due pursuant to the provisions of this act, which tax he may upon and the result of such examination fix and determine. In case of the default in the payment of any tax so ascertained to be due, together with the expenses incurred in making such examination, for a period of twenty days after notice to such delinquent club, corporation or association of the amount at which the same may be fixed by the State Comptroller, such delinquent shall ipso facto forfeit its license and shall be thereby disqualified from receiving any new license or any renewal of license; and it shall in addition forfeit to the people of New Jersey the sum of five hundred dollars (\$500.00), which may be recovered by the Attorney-General in the name of the people of the State of New Jersey in the same manner as other penalties are by law recovered.

If default,  
license for-  
feited.

Penalty.

8. All buildings or structures used, or intended to be used, for the purpose of this act shall be properly ventilated and provided with fire exits and fire escapes in conformance with the laws, ordinances and regulations pertaining to buildings in the city, town, township, village or borough where situated. Where a part of a building or structure is used for the purpose set forth in this act, this section shall apply in the same manner.

Building reg-  
ulations to be  
observed.

9. Any club, corporation or association which shall sell, or cause to be sold, more tickets or invitations for any exhibition or performance than the seating capacity of building, structure, or a part thereof, actually used for such exhibition or performance, shall for first offense be subject to a penalty of three hundred dollars (\$300.00), which shall and must be paid to the State of New Jersey,

Penalty for  
over-  
crowding.

and for the second offense forfeit its license, and shall be thereby disqualified from receiving any new license or any renewal of license, also forfeit to the people of the State of New Jersey the sum of five hundred dollars (\$500.00), which may be recovered by the Attorney-General in the same manner as other penalties are by law recovered.

Price of seats  
published.

10. The price of seats must be published (for the protection of the people) in at least two local newspapers, three separate editions, in a space not less than two by three inches in size; any failure to comply with this provision shall be guilty of a misdemeanor and penalized as prescribed in this act.

Not sell  
ticket above  
fixed price.

11. No club, corporation or association shall permit or allow any person or persons to sell or exchange any tickets or ticket or invitations for seating reservation for any money which is more than the box office price; any disobedience of this section shall be guilty of a misdemeanor and penalized as prescribed in this act.

Sham ex-  
hibitions to  
void license.

12. Any club, corporation or association which may conduct, hold or give, or participate in, any sham or fake boxing or sparring match or exhibition or performance shall thereby forfeit its license issued in accordance with the provisions in this act, which shall thereupon be, by the commission, cancelled and declared void; and it shall not thereafter be entitled to receive another such or any license pursuant to the provisions of this act.

Penalty for  
shamming.

13. Any contestant who shall participate in any sham or fake boxing or sparring match or exhibition shall be penalized in the following manner: for the first offense he shall be restrained for a period of six months, such period to begin immediately after the occurrence of such offense, from participating in any boxing competition to be held or given by any club, corporation or association duly licensed to give or to hold such boxing or sparring match or exhibition; for a second offense

he shall be totally disqualified from further admission or participation in any contest held or given by any club, corporation or association duly licensed for said purposes.

14. No boxing or sparring match or exhibition or performance shall be of more than eight rounds in length, and the contestants shall wear during such contests gloves weighing at least eight ounces each, and that no decision shall be given in any such exhibition, match or performances.

Duration of contest.

Gloves.

15. Any principal, principals, manager, managers, second, seconds, promoter or promoters, or matchmaker if found guilty of receiving or accepting any money or presents from any boxer or exhibitor of the art of boxing or sparring for some special privilege or for discriminating in matters of making a match shall be guilty of a misdemeanor, and subject to a penalty as prescribed in this act.

Discrimination a misdemeanor.

16. That no boxing or sparring exhibition, exhibitions, performance or performances, shall be held or conducted in any building, buildings, structure or structures where liquor is sold or served.

Matches not held where liquor had.

17. Any person or persons who violates any of the provisions of this act for which a penalty is not expressly prescribed shall be guilty of a misdemeanor, and subject to a fine not to exceed one hundred dollars (\$100.00).

General penalty.

18. No boxer shall be permitted to enter the ring unless he has been declared in physical fitness by a competent physician, who shall be in attendance at all exhibitions or performances.

Physical fitness.

19. All acts and parts of acts inconsistent herewith are hereby repealed.

Repealer.

And if any section, clause or proviso of this act shall be declared to be inconsistent with the Constitution and void by any court of competent jurisdiction, the said section, clause or proviso so declared to be unconstitutional and void shall thereby

Validity of act.

cease to be a part of this act, but the remainder of the act shall stand and be in full force.

20. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 248.

An act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 24  
amended.

1. Amend section twenty-four of the act to which this is an amendment so that it shall read as follows:

Expenses of  
county  
superin-  
tendent paid.

24. A county superintendent of schools shall receive, in addition to his salary, the actual expenses incurred by him in the performance of his official duties, which expenses shall be paid by the collector of the county on the order of the Commissioner of Education; *provided*, that no such order shall be drawn in favor of any county superintendent of schools until he shall have furnished to the Commissioner of Education an itemized statement with proper vouchers, certified under oath or affirmation, of the expenses he has incurred, nor unless he shall have, during the period in which such expenses have been incurred, faithfully performed all the duties imposed upon him by this act. Payment of such expenses shall be made quarter-

Proviso.

yearly; *provided, however*, that said incidental expenses incurred shall not exceed one hundred and twenty-five dollars each quarter. Proviso.

2. This act shall take effect immediately.

Approved March 4, 1918.

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## CHAPTER 249.

An Act to amend an act entitled "An act concerning contagious and infectious diseases among cattle; regulating the importation of cattle into this State, and providing measures to check the spread of diseases among cattle in this State, creating the Commission on Tuberculosis Among Animals, prescribing its powers and duties and fixing penalties for violations of this act," approved April twenty-fourth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Cattle Sold from Public Stockyards: All cattle removed from any public stockyard within this State shall be subject to the same quarantine and other regulations as cattle of the same class imported from points outside this State into this State. The term "public stockyards" as used in this act shall include all stockyards where trading in live stock is carried on, where yarding, feeding and watering facilities are provided by the stockyards, transportation or similar company and where Federal or State inspection is maintained for the inspection of live stock for communicable diseases. Quarantine and other regulations.  
  
"Public stockyard."

Affected  
animals  
marked.

2. Marking Tuberculous Animals: Any bovine animal affected with advanced or generalized tuberculosis or with tuberculosis of the udder or which has reacted to the tuberculin test shall be plainly and permanently marked by any member or duly authorized agent or representative of the Department of Agriculture, and such marking shall not be construed as cruelty to animals within the meaning of any law of this State.

Penalty.

3. Penalty: Any person or persons violating any of the provisions of this act shall be subject to a penalty of one hundred dollars for each offense, to be recovered by the Department of Agriculture in an action of debt.

4. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 250.

An Act to regulate the manufacture, sale and use of certain biological products within the State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Disposing of  
certain  
products  
unlawful.

1. It shall be unlawful for any person, firm or corporation to sell, give away or distribute to any person, firm or corporation within the State of New Jersey any tuberculin, mallein, serum, virus, vaccine bacterin or analogous product for diagnostic or therapeutic purposes for animals without the specific permission of the State Department of Agriculture for that purpose, unless such product has been produced under a license granted for its production by the United States Department of Agriculture.



2. Each sale, donation or distribution of tuberculin or mallein and each injection or test made with tuberculin or mallein within this State shall be reported in writing to the chief of the Bureau of Animal Industry at the State House in the city of Trenton within seven days immediately after such sale, donation, distribution or test. Such report shall be signed by the person making the same, and shall give the name of the purchaser or receiver of said tuberculin or mallein, the amount, the date of sale, donation or distribution, the name and address of the owner or owners of the animals to be injected or tested, the locality where such test or injection has been made, the description of the animal or animals tested and a complete record of the test in detail upon blanks supplied by the Department of Agriculture.

Sales, etc., of  
tuberculin,  
etc., reported.

What report  
to contain.

3. It shall be unlawful for any person to inject or otherwise administer to any domestic animal any virus or other disease producing substance, or substance containing pathogenic or disease producing germs of a kind that is virulent for domestic animals, unless specific permission for the purpose shall be granted by the chief of the Bureau of Animal Industry, in writing, upon blanks provided by the Department of Agriculture for that purpose.

Permission  
to administer  
necessary.

4. Penalty: Any person or persons violating any of the provisions of this act shall be subject to a penalty of one hundred dollars for each offense, to be recovered by the Department of Agriculture in an action of debt.

Penalty.

Approved March 4, 1918.

New Jersey State Library

## CHAPTER 251.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning building and loan associations,' approved April eighth, one thousand nine hundred and three," and which amendment was approved March thirtieth, one thousand nine hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 24  
amended.

Section twenty-four of the act to which this act is an amendment shall be and the same is hereby amended so as to read as follows:

Investments.

24. The funds of every such association shall be invested in the following and no other way:

Real estate.

I. In the purchase of lands or building lots and erecting buildings and improvements thereon, or in the purchase of lands already improved; which lands, buildings and improvements shall be within this State and shall be already contracted to be sold to the members of such association, payable in the shares of the association, or in periodical installments for a period such as shall be agreed upon and designated in their constitution; at the expiration of which term, all payments having been made, the lands, dwellings and improvements so sold and conveyed to the members of such association shall become the property of the grantees, discharged from all further payment;

Bond and  
mortgage.

II. In loans to members on bonds secured by mortgage which shall be a first lien on real estate in this State, not to exceed eighty per centum of the cash value thereof, payable in shares of the association, or by periodical installments; except where any association holds a mortgage on real

estate which is a first lien, such association may increase its loan thereon and secure the same by a second or subsequent mortgage; *provided*, the total indebtedness to the association, less the amount of dues paid on the shares pledged for such loan, shall not exceed eighty per centum of the cash value of the real estate loaned on, and all the mortgages held by said association shall be prior to any other encumbrance on said real estate;

Proviso.

III. In the redemption of shares of the association;

Redeem shares.

IV. In loans upon the pledge or collateral security of the shares of such association, not to exceed ninety per centum of the withdrawal value of such shares;

Loans on stock of association.

V. In loans to persons not members, or to members without pledge of their stock as collateral security, on bonds secured by mortgage, which shall be a first lien on improved real estate in this State, not to exceed sixty-five per centum of the cash value thereof; such loans also may be simultaneous with or subsequent to loans of the character authorized by paragraph II of this section, provided the sum of all the loans on the real estate mortgaged shall not exceed sixty-five per centum of the cash value thereof; *and provided, further*, at least fifty per centum of such a loan shall be of the character authorized by paragraph II of this section; a purchase money mortgage given to said association upon real estate sold by it shall not be considered a loan within the meaning of this subdivision; a premium or discount taken by any association for loans of the character specified in this paragraph shall not be deemed to be usurious;

Loans a first lien.

Proviso.

VI. In the purchase of any or all of the securities in which savings banks of this State are authorized by law to invest, or as a loan upon any of such securities as collateral, not to exceed eighty per centum of their market value; *provided* investments or loans authorized under this paragraph

Certain securities.

Proviso.

of this section and mortgage loans unaccompanied by one of the character authorized by paragraph II of this section shall only be made from moneys on hand not required for any of the purposes specified in paragraphs I, II, III, IV and V hereof, or for the payment of withdrawals of matured shares, or for the purpose of creating a fund for the payment of maturing shares.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed.

3. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 252.

An Act to amend section one of article XV of an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Article  
XV (1)  
amended.

1. Section one of article XV of an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, be amended and read as follows:

Licenses:

1. The governing body of every municipality shall have power to make, enforce, amend or repeal ordinances to license and regulate:

Sundry  
vehicles;

(a) Hacks, coupes, cars, omnibuses, stages, wheel chairs, and all other vehicles used for the transportation of passengers, baggage, merchandise, and goods and chattels of any kind, and the owners and drivers of all such vehicles; and the place or places or premises in which or at which the dif-

ferent kinds of business or occupation mentioned herein are carried on and conducted.

(b) Cartment, expressmen, baggagemen, porters, auctioneers, common criers, hawkers, peddlers, pawnbrokers, employment agencies, junk shop keepers, junk dealers, street sprinklers, bill posters, bill tackers, sweeps, scavengers, itinerant vendors of merchandise, medicine and remedies, and the place or places or premises in which or at which the different kinds of business or occupations mentioned herein are carried on or conducted:

Various public servants;

(c) Automobile garages, bath houses, swimming pools, restaurants hotels, boarding houses, lodging houses, or other places used for sleeping or lodging purposes, and the keepers thereof;

Hotels, restaurants, garages, etc.;

(d) Lumber and coal yards, stores for the sale of meats, groceries and provisions, drygoods and merchandise, and goods and chattels of every kind, and all other kinds of business conducted in such city other than those herein mentioned, the place or places of business or premises in which or at which the different kinds of business or occupations are to be carried on or conducted, traveling or other shows, circuses, plays, dances, exhibitions, concerts, theatrical performances, and all street parades in connection therewith; and also theatres, show houses, opera houses, concert halls, dance halls, pool or billiard parlors, exhibition grounds, and all other places of public amusement;

Various businesses;

Amusement places;

(e) All signs or other objects projecting beyond the building line, into or over any public street or highway; also all street stands for the sale or distribution of merchandise or other articles.

Signs and street stands.

2. All acts or parts of acts inconsistent with this act be and the same are hereby repealed to the extent of such inconsistencies, and that this act shall take effect immediately.

Repealer.

Approved March 4, 1918.

## CHAPTER 253.

An act for the control and prevention of infectious venereal diseases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Dangerous  
diseases.

1. Syphilis, gonorrhœa and chancroid are hereby declared to be infectious and communicable diseases, dangerous to the public health.

Examination  
of suspected  
person.

Whenever any local board of health or health officer shall receive a report from the Surgeon General of the United States Army or Navy, or from the Commanding Officer of any camp, cantonment or other military or naval organization situated in this State, or from any person authorized by the Surgeon General or said Commanding Officer to make such report, that any person within the jurisdiction of said board or health officer is, or is suspected to be suffering from or infected with any infectious venereal disease, said board or health officer may cause a medical examination to be made of said person for the purpose of ascertaining whether or not such person is in fact suffering from or infected with such disease, and it shall be the duty of every such person to submit to such examination as aforesaid and to permit such specimens of blood or bodily discharges to be taken for laboratory examination as may be necessary to establish the presence or absence of such disease or infection. If a request is made therefor, such examination shall be made by a physician of the same sex as the person being examined.

Specimens  
for analyses.

Suspected  
persons.

2. All prostitutes or other lewd persons are hereby included under the class of suspected persons described in section one of this act and may be required to submit to examination at any time, but no certificate of freedom from venereal disease

shall be issued by any health officer or physician to any prostitute under any circumstances whatever.

3. Any person who refuses to submit to the examination provided for in section one of this act, or who refuses to supply or permit to be taken the specimens provided for in said section, or who, upon examination, is found to be suffering from a venereal disease in its infectious stage, and who, by reason of his habits, occupation, or for any other reason, is likely to spread the disease to others, may, in the discretion of said board of health or health officer, be isolated either in a hospital or in his own home, and such isolation continued until such person is determined by suitable examination to be no longer infectious. In establishing isolation, said board or officer shall define the place and the limits of the area within which said person is to be isolated, and no person other than the attending physician or nurse shall enter or leave the area of isolation without the permission of said board or health officer.

Isolation.

4. No person having any venereal disease in the infectious stage shall conduct himself in such a manner as to expose others to infection. No such person shall engage in the preparation, manufacture or handling of milk, milk products or other foodstuffs, nor shall such person be employed or permitted to work in any dairy, creamery, milk depot or other place where milk or its products are produced, manufactured or sold, or in any other place or establishment where foods are exposed or handled. No person having a venereal disease in the infectious stage shall engage in the nursing or care of children or of the sick, or in any other occupation of such a nature that his infection may be transmitted to others.

Infectious persons not to handle food.

Not care for children or sick.

5. It shall be the duty of all local health authorities to use all reasonable means to ascertain the existence of cases of infectious venereal diseases

Sources of infection and cases.

within their respective jurisdictions, to investigate all cases that are not under the care of reputable physicians and to ascertain so far as is possible all sources of infection and exposures to the same.

Physicians  
to instruct as  
to treatment  
and spread  
of disease.

6. It shall be the duty of every physician in attendance upon a person having an infectious venereal disease, or suspected of having such disease, to instruct such person in the precautionary measures for preventing the spread of the disease and in the necessity for systematic and prolonged treatment, and also furnish to such person printed directions for preventing infection, to be supplied to physicians by the State Department of Health on request. If a person in the infectious stage of a venereal disease shall fail to report to said physician for treatment by the physician when directed so to do, said physician shall report such failure on the part of said person to the local board of health, and such board or its health officer may thereupon require said person to be examined as provided for in section one of this act, and if, upon examination, said person is found to be suffering from a venereal disease, in its infectious stage and does not present evidence to show that he is being regularly treated by a reputable physician for such disease, he shall be isolated, as described in section three of this act.

Person not  
reporting for  
treatment to  
be isolated.

State of  
infection.

7. Cases of gonococcus infection are to be regarded as infectious until at least two successive smears taken not less than forty-eight hours apart fail to show gonococci. Cases of syphilis shall be regarded as infectious until all lesions of the skin and mucous membranes are fully healed. Cases of chancroid shall be regarded as infectious until all lesions are fully healed.

Permit to  
remove from  
district.

8. No person having a venereal disease in the infectious stage shall be removed from, nor shall such person move from one health jurisdiction to another without first securing the permission of the local health authorities of the place from which



such removal is to be made, or from the Director of Health of the State of New Jersey. Before such permit shall be granted the person making application therefor must show that (1) such removal can and will be made without endangering the health of others; (2) that the patient agrees to place himself under the care of a reputable physician to be named in the application for said permit. The local health authority or director of health issuing such permit shall report to the local health authorities of the municipality to which such person purposes to go, the name of such person, the address to which he intends to go and the name and address of the physician by whom he will be treated.

What  
necessary.

Health  
authority  
advised.

9. Any person who is suffering from a venereal disease in the infectious stage and who is unable to pay for treatment may make application for care and treatment to the local board of health of the municipality in which said person resides. If said board, after investigation, finds that said person is in fact unable to pay for such treatment, said treatment shall be provided for such person without cost.

Application  
for free  
treatment.

10. Any person who violates any of the provisions of this act shall be punishable by a penalty of not less than ten or more than one hundred dollars, to be sued for and recovered by the Director of Health of New Jersey or by the local health officer, local board of health, or other board or officer, exercising the powers of a local board of health, of any local jurisdiction within which such violations may occur.

Penalty for  
violations.

Every District Court in any city or judicial district, and every justice of the peace in any country, and any police justice or recorder in any city, borough, township or village is hereby empowered, on oath or affirmation made according to law that any person or persons have or may have violated any provision of this act, to issue process at the suit of the director of health or the local health

Authority to  
issue process.

officer, local board of health, or other board or officer exercising the powers of a local board of health, of any local jurisdiction within which such violation shall have occurred, either in the nature of a summons or warrant, against the person or persons so charged, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons, shall be returnable in not less than one nor more than ten entire days; such process shall state what provision of this act is alleged to have been violated, and on the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the peace, police justice or recorder shall proceed to hear the testimony and to determine and give judgment in the matter without the filing of any pleadings; and the said court, justice of the peace, police justice or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and person of the defendant or defendants, and said court, justice of the peace, police justice or recorder is further empowered to cause any such defendant who may refuse or neglect to forthwith pay the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the country jail for any period not exceeding ninety days; and said court, justice of the peace, police justice or recorder is further empowered in case any such defendant shall have been twice convicted, within the space of six months, of a violation of the same provision of this act, and due proof of the same is made, in addition to the payment of the prescribed penalty, to cause said defendant to be imprisoned in the county jail or county workhouse, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty.

**Hearing and judgment.** No District Court, justice of the peace, police justice or recorder shall have jurisdiction of any

**Commitment.**

**Additional penalty.**

**Jurisdiction.**

offenses against this act which shall take place outside of the territorial jurisdiction of such District Court, justice of the peace, police justice or recorder, as such territorial jurisdiction is now or may hereafter be established by law.

The officers to serve and execute any process issued out of any court or by any magistrate under this act shall be the officers authorized by law to serve and execute process in said courts and before such magistrates and officers as aforesaid, including constables and police officers. Officers to serve.

The cost taxable in any such proceedings shall be the same costs as are taxable in other proceedings in such courts or before such magistrates, as the case may be. Costs.

10. This act shall take effect immediately.

Approved March 4, 1918.

#### CHAPTER 254

An Act to amend an act entitled "A supplement to an act entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight," approved March twentieth, one thousand eight hundred and eighty-nine," approved April thirteenth, nineteen hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act of which this act is an amendment is hereby amended so that the same shall read as follows: Section 1 amended.

License to  
sell less  
than quart.

Minimum fee.

\$100.

\$150.

\$300.

Term.

Proviso.

Section 2  
amended.

1. Hereafter no license to keep an inn or tavern, or to sell spirituous, vinous, malt or brewed liquors in quantities less than one quart, where sold, shall be granted by any court, excise board, or other board or authority having power by law to grant license, except upon payment, by the applicant or licensee, of a licensee fee as hereinafter mentioned; that is to say, in all townships, towns, boroughs, villages or cities having by the census last preceding the granting of such license a population of not more than three thousand, a license fees of not less than one hundred dollars; in all townships, towns, boroughs, villages or cities having by such census a population exceeding three thousand and not exceeding ten thousand, a license fee of not less than one hundred and fifty dollars; and in all townships, towns, boroughs, villages or cities having by such census a population exceeding ten thousand, a license fee of not less than three hundred dollars. No license shall be granted that shall permit the sale of any spirituous liquors not to be drunk on the premises, or for a longer period than one year, and any person selling or offering or exposing for sale any of the liquors aforesaid, in quantities less than one quart, without a license for that purpose first had and obtained, or who shall sell any of said spirituous liquors not to be drunk upon the premises, shall be guilty of the offense of keeping a disorderly house; *provided, however,* that the provisions of this section, so far as the same relate to the sale of spirituous liquors not to be drunk on the premises, shall not take effect in any municipality of this State unless and until the said provisions of said section are adopted by ordinance or resolution of the governing body of said municipality.

2. Section two of the act of which this act is an amendment is hereby amended so that the same shall read as follows:

3. Applications for such license as is mentioned and referred to in the second section of this act shall be made, in each municipality, to the same body in the same general form, with the same number of recommending freeholders and under the same conditions in all respects, so far as same may be applicable thereto, including the time or times at which such applications may be made, as applications for license to sell any of said liquors by less measure than one quart are or shall be required by law to be made, which applications shall be written or printed, or partly written and printed, signed by the applicant and specifying the kind or kinds of liquor, or liquors, to be sold, and stating the township, town, borough or city, and the building or place therein, in which the sale of such liquors is to be carried on; the body to which any such application is presented may, on the presentation thereof, or at some other time to which the same may be deferred, in its discretion, grant or refuse such application for license; such license, if granted, shall not be granted for a longer period than one year nor except upon payment, by the licensee, of a license fee as hereinafter provided; that is to say, in all townships, towns, boroughs or cities having by the census last preceding the granting of such license a population of not more than three thousand, a license fee of not less than one hundred dollars; in all townships, towns, boroughs, villages or cities having by such census a population exceeding three thousand and not exceeding ten thousand, a license fee of not less than one hundred and fifty dollars; and in all townships, towns, boroughs, villages or cities having by such census a population exceeding ten thousand, a license fee of not less than five hundred dollars. No license shall be granted for a longer period than one year, and any person selling or offering or exposing for sale, any of the liquors aforesaid, in quantities less than one quart, without a license

Application  
for license—  
how made.

License may  
be granted  
or refused.

Fees.

\$100.

\$150.

\$500.

Term.

Licensee a citizen.	for that purpose first had and obtained, shall be guilty of the offense of keeping a disorderly house; and no license to keep an inn or tavern shall be granted to any person who is not a citizen of the United States and who has not been a resident of the city, town, township or other municipality wherein said inn or tavern exists for at least one year.
Section 3 amended.	3. Section three of the act of which this act is an amendment is hereby amended so that the same shall read as follows:
Violations which will forfeit license.	10. If the holder of any such license as is mentioned and referred to in the first three sections of this act shall, contrary to law, sell, or offer for sale, barter, or give, or suffer to be sold, or offered for sale, bartered, or given within his tavern, beer shop, liquor saloon or other premises any spirituous, vinous, malt or brewed liquors on the first day of the week, commonly called Sunday, or shall give, or sell, or offer to be given or sold, any such liquors to any minor or apprentice contrary to law, or shall sell or furnish any of the liquors aforesaid to any person in the uniform of any branch of the United States army or navy, or to any person known in the neighborhood to be of confirmed intemperate habits, or who is visibly under the influence of intoxicating liquors, or shall keep a disorderly house, or shall harbor drunken persons, vagrants, idle and vicious persons, thieves, gamblers, prostitutes or other disorderly persons, or shall suffer gambling or unlawful game of chance or other unlawful acts to be done or carried on in his tavern, beer shop, liquor saloon or other premises, or shall sell, give or deliver any spirituous, malt, brewed or other intoxicating liquor to any minor under the age of twenty-one years for himself, herself or to any such minor for any other person, or shall permit any boy or girl under twenty-one years of age to lounge in or frequent the same, or shall violate any law of the State reg-
Sunday selling.	
To soldiers, sailors, or intemperate.	
To disorderly persons.	
No gambling.	
To minors.	
Lounging.	

ulating the sale of intoxicating liquors, his license shall thereby, upon conviction, become forfeited and void, and upon complaint of any two persons resident in the township or municipality wherein such license is used and exercised, verified by the oath of such complainant, being presented to the court or other body by which the license to the person complained against was granted, alleging that any such license as aforesaid has become forfeited and void, and specifying the acts complained of which shall be alleged to have worked such forfeiture, it shall be the duty of the court or other body to which such complaint may be presented, forthwith to cause to be indorsed on such complaint an order that the person complained against show cause before such court or other body granting such license, at a time and place to be specified in such order, not less than ten nor more than thirty days from the making thereof, why his license should not be declared forfeited and revoked; said complaint and order shall be filed with the court or other body making the same, and a copy thereof served upon the person complained against, personally, or by leaving the same at his residence or his tavern, beer shop, liquor saloon or other licensed place, at least five days before the return of said order; and a copy thereof shall also be served upon the last owner of record of the premises, and also upon the holder of any lease upon said premises recorded within three years and shown by said records to be unexpired and subsisting, in case said lessee be a person other than said licensee, as shown by the records in the office of the register of deeds or county clerk, as the case may be, of the county wherein said premises are situated, either personally or by leaving the same at their respective residences, if in this State, or if not so resident, by publication in some newspaper printed and published in the municipality wherein the premises are situate, if any such there

Complaint  
against  
seller.

Order to  
show cause.

Service of  
complaint.

Copy served  
on owner of  
premises.

Service by  
publication.

Summary  
hearing.

Judgment  
given.

As to costs.

be, and if not, then in some newspaper printed and published in the county wherein said municipality is situate, and a copy thereof mailed to such owner and lessee, if any, at their respective post-office addresses, if the same can be ascertained, at least five days before the return of said order; and all such complaints shall be heard in a summary way, the burden of proof being upon the complainant, and either party may have the attendance of and be represented and heard by counsel; if, on such hearing, the defendant shall be found guilty of the offenses specified in said complaint, or any of them, judgment shall be rendered that the license theretofore granted such person be declared forfeited and void, and that the same is revoked and annulled; and in case the defendant be found not guilty the order to show cause shall be discharged; in case a license be revoked, the person to whom the same was granted shall be disqualified for one year from receiving a license in this State, and for the same period no license shall be granted to sell spirituous, vinous, malt or brewed liquors in the premises for which the forfeited license was granted; but in case it appears that an owner, or the holder of a valid and unexpired lease, recorded as aforesaid, has not been served with said notice, and said owner or lessee shall not have been brought into said proceedings by an amendment of said original complaint and order, duly served during an adjournment of said proceedings had to permit such amendment and service, then said provision forbidding the granting of such a license at said premises for one year shall not apply to said premises, but the revocation of the license shall not be affected thereby; the court or body making such order to show cause may require the complainant to file a stipulation for costs, either by the filing of a bond by two freeholders, or of a bonding or surety company, or by a deposit of cash or of a check duly certified by some banking institution in an amount not to exceed one hundred and



fifty dollars; and the costs of such hearing shall be paid by the defendant if found guilty, and by the complainant if the rule or order to show cause be discharged; costs to be ascertained and determined by the court or body before which the hearing shall take place, in an amount sufficient to meet, but not to exceed, the actual expense involved in said hearing, including the taking stenographically and transcribing the testimony heard on said proceedings, if said testimony be so recorded, at the regular rates allowed a court stenographer, said costs so determined not to exceed in any particular similar costs in any similar legal proceedings. The remedy provided in this section is in addition to the other penalties provided by law.

If proceedings for the revocation of a license, as herein provided, are had before a licensing authority other than the Court of Common Pleas, or a judge thereof, and any party thereto deems there is sufficient ground therefor, said party may make application to the Court of Common Pleas in the county wherein said proceedings shall have been had for a hearing de novo of the matters so heard and determined, by a petition setting forth the grounds of said application, and if the judge of said court shall deem that there is sufficient ground therefor he may make such order, on such terms as he may deem just, to bring the matter before him for such hearing de novo, being guided by the provisions of this act as to a hearing of such matters, and after hearing said matter shall make such determination thereof as if the license had originally been granted by him, or some other judge of said court.

Taking  
appeal to  
common  
pleas court.

Whenever, hereafter, the holder of any license provided for in this act shall have been convicted of any crime involving any violation of the laws of this State relating to the sale of intoxicating liquor, it shall be the duty of the clerk of any court in which such conviction is had, or of the magistrate, if there be no clerk of the court, to at once

Revocation of  
license after  
conviction.

duly certify to the court or body having granted said license the fact of said conviction, setting forth the nature of the offense and the date of conviction, and the said court or other licensing authority on receiving proof of the record of such conviction shall forthwith declare said license revoked, and the same shall thereupon become and be null and void; and any person or persons, whether licensed or unlicensed, engaged in carrying on the sale of liquors who, directly or indirectly, violates the provisions of this section shall be guilty of the offense of keeping a disorderly house.

Section 4  
amended.

4. Section four of the act of which this act is an amendment is here amended so as to read as follows:

When license  
not granted.

11. No license shall be granted to sell spirituous, vinous, malt or brewed liquors by less measure than one quart in any store, shop, apartment, or place in which a grocery or other mercantile business, excepting the keeping of a restaurant, or the sale of tobacco and cigars by retail, is carried on, or in any new place within two hundred feet of the curtilage of a church edifice, schoolhouse or armory, measured between the nearest point of the same and nearest point of the building wherein such liquors, or any of them, are intended to be sold; or if not in an inn and tavern, or a hotel having at least ten spare rooms and beds for the accommodation of boarders, transients and travelers, or a restaurant where the business of furnishing meals to the public, for compensation, is regularly carried on, and which restaurant is conducted and operated on more than one floor or story of the building where such business is carried on, or a picnic or recreation ground, or a building entirely occupied by a regularly organized club or association, in any place, except in a bar or business room, upon the ground floor or basement of a building on a public street.

Within 200  
feet of  
church,  
school,  
armory.

As to hotels  
and  
restaurants.

Pleasure  
resorts.

If not in an inn and tavern, or a hotel having at least ten spare rooms and beds for the accommodation of boarders, transients and travelers, or a restaurant where the business of furnishing meals to the public, for compensation, is regularly carried on, and which restaurant is conducted and operated on more than one floor or story of the building where such business is carried on, or a picnic or recreation ground, or a building entirely occupied by a regularly organized club or association, no spirituous, vinous, malt, brewed or other intoxicating liquors shall be sold or served under such license in any room, except in such bar or business room, and the clear interior view of the whole of said bar or business room—except for toilet purposes—shall be in no way obstructed by a screen, nontransparent glass, shade, blind, door, shutter or merchandise, or any other article placed in any of said rooms. The court, excise board, or other board or authority having power by law to grant licenses in any municipality of this State, if said license is not in an inn and tavern, or a hotel having at least ten spare rooms and beds for the accommodation of boarders, transients and travelers, or a restaurant where the business of furnishing meals to the public, for compensation, is regularly carried on, and which restaurant is conducted and operated on more than one floor or story of the building where such business is carried on, or a picnic or recreation ground, or in a building entirely occupied by a regularly organized club or association, may at any or all times require that the entire interior of such bar or business room in which said liquors and other intoxicating drinks are sold and served shall be open to full view from the public street; and a full view of the entire interior of such bars or business rooms in such municipality shall not hereafter upon the days and times when the sale of intoxicating liquors is prohibited be obstructed from the public street by the use of nontransparent glass, or of a shade, blind,

Unobstructed  
view of  
interior of  
bar room.

Power of  
licensing  
body.

Unobstructed  
view from  
street during  
prohibited  
hours.

shutter, screen, merchandise, or any other article placed within or without the building in which such room is located.

Penalty for violations.

For a violation of any of the provisions of this section the license held by the person or persons so offending shall be forfeited in the manner provided by law; and any person or persons, whether licensed or unlicensed, engaged in carrying on the sale of liquors, who directly or indirectly, violates the provisions of this section shall be guilty of the offense of keeping a disorderly house.

Validity of act.

5. If any section or provision of this act shall be adjudged invalid or unconstitutional the same shall not affect any other section or provision hereof.

6. This act shall take effect immediately.

Approved March 4, 1918.

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## CHAPTER 255.

An Act to incorporate the borough of Wrightstown, in the county of Burlington and State of New Jersey.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Portions of townships of New Hanover and North Hanover incorporated as a borough.

1. The inhabitants of that portion of the townships of New Hanover and North Hanover, in the county of Burlington, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and the corporation in fact and in law by the name of "The Borough of Wrightstown," and shall be governed by the general laws of this State relating to boroughs.

2. The territorial limits of the said borough shall be as follows: Beginning at a point in the middle of Hanover road opposite the northernmost edge of the lands of the United States army reservation, and extending thence (1) southeasterly along said Hanover road to the branch of South Run creek, which crosses said Hanover road about 3,000 feet from the point of beginning; thence (2) extending northerly from the said intersection of South Run creek and Hanover road 4,500 feet to a point; thence (3) westerly from said point (and at right angles with the line last mentioned running north), 6,000 feet to a point; thence (4) southerly and at right angles to the last mentioned road to the lands of the United States army reservation; thence (5) easterly along the line of the lands of the United States army reservation to a point or place of beginning.

Boundaries  
of proposed  
borough of  
Wrightstown.

3. This act shall take effect immediately; *provided*, it shall not operate to affect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have been accepted by a vote of the majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within thirty days from the approval of this act, at which special election shall be submitted the approval or disapproval of this act; said election shall be held between the hours of six A. M. and seven P. M. on a day to be fixed by the township clerks of the townships of New Hanover and North Hanover, in the county of Burlington; those persons living in the territory above described lying in the township of New Hanover shall vote and hold the said election at the fire house, Camp Dix road, in Wrightstown, in the county of Burlington; and the election for those persons residing in the territory above described which lies in the township of North Hanover shall be held at Spence's hotel, Cookstown, in the said

Referendum.

Special  
election.

When and  
where held.

township of North Hanover, in the county of Burlington aforesaid.

Notices of  
election  
published.

The clerks of said townships shall cause to be published notices of the time, place and object of such election, to be given by advertisements signed by themselves and set up at least ten days prior to such election in at least ten public places within the parts of the described territory lying in each township, which said advertisements shall also be published once in a newspaper circulating in said described territory at least ten days prior to such election.

Election how  
conducted.

Said election shall be by ballot and shall be held at the fire house, Camp Dix road in Wrightstown, New Jersey, aforesaid, at the time stated above by the township clerks of the said townships, and said election shall be conducted by the present boards of registry and election for the townships of New Hanover and North Hanover, respectively, in the county of Burlington. The register of voters used at the last general election shall be used at such special election by the election boards of New Hanover and North Hanover townships, and said boards shall meet on Tuesday preceding said election at the places where the respective elections are to be held, from one o'clock P. M. to nine o'clock P. M., for the purpose of revising and correcting the registry list of the voters residing in the above-described territory and qualified to vote at said election, in the manner provided in the general laws of this State. Public notice of such meeting shall be given by the said board of registry at least ten days before meeting, by advertisements set up in at least five public places in said above-described territory, which advertisements shall be signed by the members of the board of registry and election for the townships of New Hanover and North Hanover.

Registry.

Meeting  
to revise  
registry.

Sample  
ballots.

4. The clerks of the said townships shall provide sample ballots for the said boards of registry and

election. The said boards of registry and election shall mail a sample ballot at least five days prior to said election to every legal voter within the above-described territory.

5. Upon the ballots provided for said election shall be printed the provisions with instructions to the voters in the following manner: Instructions to voters.

If you favor the proposition on the ballot make an X mark in the square to the left of and opposite the word "Yes." If you are opposed thereto make an X mark in the square to the left of and opposite the word "No."

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes" it shall be counted as a vote in favor of said proposition.

If the voter shall make an X mark in black ink or black pencil in the square to the left of and opposite the word "No" it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite either the word "Yes" or "No" it shall not be counted as a vote either for or against the proposition. Voting.

The said boards holding said election shall immediately at its close certify in writing under their hands in duplicate the result thereof, one of which certificates shall be filed with the clerk of the township of New Hanover for the elections representing the territory lying within that township, and one with the clerk of the county of Burlington; and in the case of the territory lying within the township of North Hanover, the said aforesaid boards holding said election shall file such certificate with the clerk of the township of North Hanover and with the clerk of the county of Burlington. The county board of elections of Burlington county shall proceed to canvass and determine the votes cast at said election at the time and in the manner provided by law and a statement of Results filed in duplicate.

Canvass by county election board.

Result.

the total result of said canvass shall be filed in the said Burlington county clerk's office, and the county clerk shall thereupon forward to the Secretary of State and to the clerks of the townships of New Hanover and North Hanover, respectively, a certified copy of such statement.

Approved March 4, 1918.

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### CHAPTER 256.

An Act providing for the retirement of certain judicial officers and fixing their compensation when retired.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Retirement  
of circuit  
court judge.

1. Any judge of the Circuit Court who shall have served the State in such judicial position for a period of not less than fifteen years, may retire from such service upon filing his resignation of such judicial office in the office of the Secretary of State, accompanied by a statement that it is so filed for the purpose of taking advantage of the provisions of this act; *provided*, that no judge of the Circuit Court shall be permitted to retire, under the authority of this section, who shall be under the age of seventy-five years.

Proviso.

Pension.

2. Any such judicial officer, retiring under the provisions of this act, shall be paid an annual salary or compensation during the period of his natural life, commencing with the date of his resignation, at the rate of one-third of the annual salary or compensation he was receiving at the time of the filing of the same in the office of the Secretary of State as aforesaid. Said salary or compensation



shall be paid monthly by the State Treasurer on the warrant of the Comptroller out of any funds appropriated for that purpose or from funds not otherwise appropriated.

3. This act shall take effect immediately.

Approved March 4, 1918.

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## CHAPTER 257.

An Act to incorporate the borough of Califon, in the county of Hunterdon.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The inhabitants of those portions of the townships of Tewksbury and Lebanon, in the county of Hunterdon and State of New Jersey, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of "The Borough of Califon," and as such shall be governed by the general laws of this State relating to boroughs.

Portions of townships of Tewksbury and Lebanon incorporated as borough

2. The territorial limits and boundaries of said borough shall be as follows:

Boundaries of proposed borough of Califon.

Beginning at a point in Lebanon township, in Weiss's lane, at fence angle and marked by a cross upon a stone; (1) south fifty-nine degrees east, two thousand one hundred and eighty feet across the the South Branch of the Raritan river, highway leading from Califon to Vernoy, High Bridge Branch railroad, to a dead tree on "Hog-Back," in the township of Tewksbury; (2) south twenty-six degrees and forty-five minutes east, four thousand four hundred and four feet, crossing the high-

way leading from Califon to Philhower's school-house, and the highway leading from Califon to Farmersville at the intersection of the last named highway with the highway leading to Mountainville to a point in the boundary line of the lands of Lorenzo D. Sutton and Harmon Sutton; (3) south eighty-two degrees and fifteen minutes west, one thousand two hundred and twenty-three and six-tenths feet, crossing the highway leading to Mountainville along the boundary lines of the said Lorenzo D. Sutton and Harmon Sutton; (4) north eighty-six degrees and forty-five minutes west, one thousand three hundred and thirty-three feet along lands of Lorenzo D. Sutton and Harmon Sutton; (5) south sixty-four degrees and forty-five minutes west, one thousand three hundred and eighty-one feet across "The Farley Lot"; (6) south eighty-seven degrees and fifteen minutes west, three-hundred and thirty feet to a point in the highway leading from Califon to Cokesbury—the dividing line between the townships of Tewksbury and Lebanon; (7) south one degree and fifteen minutes west, two hundred and seventeen feet along said highway last above-named; (8) south eighty-five degrees and forty-five minutes west, six hundred and forty-six and eight-tenths feet to the lands of Peter Robinson; (9) north eight degrees and forty-five minutes west, one thousand one hundred and twenty-eight and six-tenths feet along lands of Peter Robinson to an iron plug at fence corner; (10) north eighty-three degrees and forty-five minutes west, eight hundred and ten feet to a point fifty-one feet from a lone pine tree in clearing; (11) south sixty-four degrees and fifteen minutes west, one thousand seven hundred and seventy-seven feet; (12) north thirty-three degrees and forty-five minutes west, one thousand one hundred and thirty-two feet crossing the High Bridge Branch railroad and the highway leading from Califon to High Bridge to a point in the South Branch of the Raritan river;

(13) thence along the center of said stream following its several courses to a point in said river near Hoffman's quarries, being north fifty-nine degrees and forty-five minutes east, three thousand and fifty-three feet (air line); (14) north thirty-three degrees west, two thousand two hundred and eighty-eight feet along Cole's lane to a point in the highway leading from High Bridge to Middle Valley; (15) north forty-nine degrees and thirty minutes east, one thousand five hundred and fifteen feet along said highway to a point at the intersection of the highway leading from Anthony to Califon and the highway leading from High Bridge to Middle Valley; (16) north forty degrees and thirty minutes west, one hundred and eighty-seven feet along said highway leading to Anthony; (17) north forty-two degrees and thirty minutes east six hundred and fifty feet along lands of the Lower Valley Presbyterian Church; (18) north forty-seven degrees and thirty minutes west, fifty-seven feet; (19) north forty-two degrees and thirty minutes east, five hundred and thirty-one feet along the lands of the Lower Valley Union Cemetery Association; (20) south forty-seven degrees and thirty minutes east, two hundred and forty-six feet to the highway leading from High Bridge to Middle Valley; (21) south forty-two degrees and thirty minutes west, sixty feet along said highway last above-named; (22) south forty degrees and thirty minutes east, one thousand two hundred and ninety-seven feet to the place of beginning; embracing all that part of the township of Tewksbury lying east and north of a line passing through the center of the several courses of the South Branch of the Raritan river between Weiss's pond and the iron bridge spanning said river at Califon, and the center of the highway leading from the said iron bridge past the railroad station and the public school building from Califon to Cokesbury; and all that part of Lebanon township lying north, west

Referendum.	and south of the line above described and included within the lines of the proposed borough of Califon.
Special election.	3. This act shall take effect immediately; <i>provided</i> , it shall not operate to effect the incorporation of territory above described as a borough of this State until it shall have been accepted by a vote of a majority of the legal voters included in said territory residing in the townships of Tewksbury and Lebanon, respectively, voting separately in each township thereon at a special election to be held within said districts in each township respectively, within thirty days from the approval of this act, and within the hours of one P. M. and nine P. M. of the day fixed for the election. The voters
Where held.	of that portion of Tewksbury township to vote in Apgar's Hall, and the voters of that portion of Lebanon township to vote in the Califon public school building. The clerks of said townships of Tewksbury and Lebanon shall each cause public
Notices of election given.	notice of the time and place of holding of such elections to be given by advertisements, signed and set up in at least five public places within said districts respectively, of the townships of Tewksbury and Lebanon, and published in one or more newspapers printed or circulating therein at least ten days prior to the time of holding such election; and
Ballots.	the said clerks shall provide for each elector voting at such election ballots, to be printed or written or partly printed and partly written, on which shall be printed the word "For" and the word "Against" above and immediately preceding the
Voting.	title of this act; and if the word "For" be marked off or defaced upon the ballot it shall be counted as a vote against the acceptance of this act; if the word "Against" be marked off or defaced upon the ballot, it shall be counted as a vote in favor of the acceptance hereof; and in case neither or both the word "For" and the word "Against" be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such accept-

ance. Such election shall be held at the time and place so appointed in each township, and shall be conducted by the officers of the west election district of the township of Tewksbury and by the officers of the east election district of the township of Lebanon, respectively, except that no special form of ballot or envelope need be used. The respective officers holding such election shall make return forthwith to the township committees, and file the same with the respective township clerks of the townships of Tewksbury and Lebanon, respectively, of the result thereof by a statement, in writing, under their hands, respectively, and the same shall be entered, at length, by said clerks on the minutes of the said respective township committees, and thereupon, and upon such adoption by a majority of the legal voters of each of the said districts so voting separately, but not otherwise, this act shall, in all respects, be operative.

Election how conducted.

Returns.

4. The registers of voters of the voters within said districts, respectively, used at the general election next preceding the holding of such special election shall be used for the purpose of conducting such special election. It shall not be necessary for the board of registry and election conducting said election in said districts, respectively, to make a new registry of voters for such special election, but only to revise and correct the registers made for the last general election, and for that purpose, said boards shall meet at such place within said districts, respectively, the board of elections of the West Tewksbury district to meet in Apgar's Hall, and the board of election of East Lebanon district to meet in the Califon public school building, at least one week next preceding said election. Notice of the time and place of meeting shall be given by the clerk of the townships, respectively, by posting in at least five of the most public places in said district. Said meetings of said boards of registry and election, in

Registry.

Revision of register.

Registering  
by affidavit.

their respective townships, shall begin at one o'clock in the afternoon and continue until nine o'clock in the evening of that day for the purpose of revising and correcting the register and adding thereto the names of all persons entitled to vote within said district at said special election, who shall appear in person before them and establish to the satisfaction of a majority of the board that they are entitled to vote at said election, or who shall be sworn by a written affidavit of a voter residing in the said district to be entitled so to vote. A separate affidavit shall be required for each person so registered, which shall contain the address of the affiant, and shall be signed by him, and on the following day, one copy thereof shall be delivered to the chairman of the county board of elections of Hunterdon county, to be filed by said board, and one copy shall be retained for use by said board of elections, respectively, at such special election.

Certified  
result filed  
with county  
clerk.

5. Immediately after the statement of the result of such election shall be made to the township committees of said townships of Tewksbury and Lebanon, respectively, a copy thereof, certified by their respective clerks, shall be forthwith filed in the office of the county clerk of said county of Hunterdon.

Approved March 4, 1918.

## CHAPTER 258.

An Act defining mattresses, regulating the making, remaking and sale thereof, prohibiting the use of unsanitary and unhealthful materials therein, requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labelled, and providing for the enforcement of the provisions of this act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

## DEFINITIONS.

1. (a) The term "mattress" as used in this act shall be construed to mean any quilted pad, mattress, mattress pad, bunk quilt, or cushion, stuffed or filled with wool, hair, or other soft material, except feathers, to be used on a couch or other bed for sleeping or reclining purposes. "Mattress."

(b) The term "person," as used in this act, shall be construed to include all individuals and all firms or copartnerships. "Person."

(c) The term "corporation," as used in this act, shall be construed to include all corporations, companies, associations, and joint-stock associations or companies. "Corporation."

(d) Whenever the singular is used in this act it shall be construed to include the plural; whenever the masculine gender is used in this act it shall include the feminine and neuter genders. Grammatical use.

2. No person or corporation, by himself or his agents, servants, or employees, shall employ or use in the making, remaking or renovating of any mattress: Forbidden materials:

- Diseased;** (a) Any material of any kind that has been used in, or has formed a part of, any mattress used for or about any person having any infectious or contagious disease;
- Shoddy;** (b) Any material known as "shoddy," and made in whole or in part from old or worn clothing, carpets or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed;
- Used materials unless approved.** (c) Any material, not otherwise prohibited by this act, of which prior use has been made, unless the said material has been thoroughly sterilized and disinfected by a reasonable process approved by the Department of Health of this State.
- Forbidden sale, etc.:** No person or corporation, by himself or by his agents, servants, or employees, shall sell, lease, offer to sell, or lease or deliver, or consign in sale or lease, or have in his possession with intent to sell, lease, deliver, or consign in sale or lease:
- Exposed to disease:** (a) Any mattress that has been used for or about any person having any infectious or contagious disease;
- Renovated;** (b) Any mattress made, remade, or renovated in violation of paragraph one of this section;
- Used mattress.** (c) Any mattress, not otherwise prohibited by this act, of which prior use has been made, unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the Department of Health of this State.
- Tag on goods for sale, showing:** 3. No person or corporation, by himself or by his agents, servants, or employees, shall, directly or indirectly, at wholesale or retail, or otherwise, sell, lease, offer to sell or lease, or consign in sale or lease, or have in their possession with intent to sell or lease, or consign in sale or lease, any mattress that shall not have plainly and indelibly written or printed thereon, or upon a plain muslin or linen tag securely sewed to the covering thereof, a statement in the English language setting forth:



(a) The materials used in filling said mattress, Filling:  
and whether the same are, in whole or in part, new  
or old;

(b) The name and address of the maker, vendor, Maker's  
name:  
or successive vendors;

(c) And, upon a mattress of which prior use has If used,  
"second-  
hand."  
been made, the words "Second-Hand," together  
with the date of sterilization and disinfection, and  
the name and address of the person or corporation  
sterilizing or disinfecting the same.

No additional information shall be contained in  
said statement.

4. It shall be unlawful to use in the said state- Use of  
"felt."  
ment concerning any mattress the word "Felt," or  
words of like import, if there has been used in fill-  
ing said mattress any materials which are not  
felted and filled in layers, unless the said state-  
ment shall plainly set forth all the different ma-  
terials so used.

5. It shall be unlawful to use in the description False  
description.  
in the said statement any misleading term or desig-  
nation, or term or designation likely to mislead.

6. The statement required under section three of Size of tag  
and form.  
this act shall be not less than three by four and a  
half inches in size, and in form shall be as follows:

OFFICIAL STATEMENT.

Materials used in filling.....

.....  
.....

Made by.....

Address.....

Vendor.....

Address.....

This article is made in compliance with the act  
of the Legislature of the State of New Jersey,  
approved this ..... day of .....  
one thousand nine hundred and eighteen.

Penalty for  
altering,  
removing tag.

7. Any person who shall remove, deface, alter, or in any manner attempt the same, or shall cause to be removed, defaced, or altered, any mark or statement placed upon any mattress under the provisions of this act, shall be guilty of a violation of this act.

Unit of  
offense.

8. The unit for a separate and distinct offense in violation of this act shall be each and every mattress made, remade, renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver or consign, contrary to the provisions hereof.

Penalty for  
violations.

9. Any person or corporation violating any of the provisions of this act shall be liable upon conviction to a penalty of not more than one hundred dollars for each offense.

Recovery  
of penalties.

10. All suits for the recovery of any penalty for violation of any of the provisions of this act shall be triable before any justice of the peace or District Court of the county in which such violation occurs.

11. This act shall take effect immediately.  
Approved March 4, 1918.

## CHAPTER 259.

An Act to amend an act entitled "An act to amend an act entitled 'An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission,' approved March twenty-second, one thousand nine hundred and sixteen," which amendatory act was approved March twenty-ninth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section thirteen of the act to which this is amendatory, as said section was amended by chapter 240 of the Laws of 1917, is hereby amended to read as follows:

13. Any municipality may temporarily finance the carrying out of any purpose for which it is herein authorized to issue bonds (including the payment of interest accruing during the construction period as defined in section one) by borrowing money and issuing from time to time temporary notes or temporary bonds, which shall state in general terms the purpose for which they are issued, and may from time to time renew the same. Such notes or bonds may be payable on demand or may mature in not exceeding six years from the date when the purpose for which they are issued has been carried out and may be subject to earlier call for payment, shall bear interest at not exceeding six per centum per annum, and shall be executed as herein provided for other bonds or in such other manner as the governing body may provide. Such notes or bonds shall be paid or funded within six

Section 13  
amended.

Temporary  
obligations.

Renewals.

When  
payable.

Rate.

Funding.

years after the purpose for which they are issued has been carried out; *provided*, that in the case of notes or bonds heretofore or hereafter issued for the cost of any property or improvement, any part of the cost of which is to be assessed upon property specially benefited, wherein the confirmation of the assessments is stayed by legal action, then and in such case the limit of time within which such notes or bonds shall mature, shall date from the time the court renders its final decision; *provided, further*, that should any municipality have heretofore issued any notes, bonds or other temporary obligations representing an indebtedness incurred in good faith, for other than current expenses, and now outstanding, prior to the issuance of which a debt statement was required to be filed under section twelve and no debt statement was so filed, then and in such case such debt statement may be filed prior to the funding of such notes, bonds or temporary obligations.

**Authoriza-  
tion.** Such notes or bonds shall be authorized by resolution, which shall fix the maximum rate of interest thereon. The other matters in respect thereof may be left to be determined by subsequent resolution or by the officials executing them or by a financial official. Such notes or bonds shall not be subject to the provisions of any other section hereof, except section twelve and section fourteen and section fifteen.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 260.

An Act to amend an act entitled "An act respecting the fees of surrogates, registers of deeds and mortgages, county clerks and sheriffs in certain counties of this State, and providing salaries for such officers," approved March thirtieth, nineteen hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section four of the act of which this act is amendatory be and the same hereby is amended to read as follows:

Section 4  
amended.

4. The said surrogates, registers of deeds and mortgages, county clerks and sheriffs shall receive, in lieu of all other compensation, annual salaries as follows: In counties having between one hundred and twenty-five thousand and three hundred thousand inhabitants, six thousand five hundred dollars; in counties having between one hundred thousand and one hundred and twenty-five thousand inhabitants, five thousand five hundred dollars; in counties having between sixty-five thousand and one hundred thousand inhabitants, four thousand five hundred dollars; in counties having between fifty thousand and sixty-five thousand inhabitants, three thousand five hundred dollars; in counties having between twenty-four thousand and fifty thousand inhabitants, two thousand five hundred dollars; in counties having less than twenty-four thousand inhabitants, two thousand four hundred dollars; to be paid by the proper disbursing officer of their respective counties in equal monthly payments. Such salaries shall be determined and paid upon the basis of population shown by the

Salaries of  
county  
officers in  
certain  
counties.

Basis of  
salary.

Proviso.

Deputies and  
assistants.

latest State or National census promulgated without regard to the date of the election or appointment of such surrogates, registers of deeds and mortgages, county clerks and sheriffs; *provided*, that nothing contained in this act shall be applied to effect a reduction in the salary of any such surrogate, registers of deeds and mortgages, county clerk or sheriff during the term of office to which he has been or may be elected or appointed immediately preceding the promulgation of such State or National census. Said surrogates, county clerks, registers of deeds and mortgages and sheriffs in any county of this State shall select and employ the necessary deputies and assistants for said offices respectively, who shall receive such compensation as shall be approved by the judge of the Court of Common Pleas of their respective counties, by certificate filed by said judge in the office of the clerk of the respective counties, such compensation to be paid monthly by the proper disbursing officers of said counties, upon warrants approved by said surrogates, county clerks, registers of deeds and mortgages and sheriffs.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 261.

A Supplement to an act entitled "An act to regulate elections (Revision of 1898)."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Hereafter county clerks and municipal clerks, placing the names of candidates on the printed ballots at the primaries or elections under this act, shall not place the names of the candidates in alphabetical order, but shall take the whole number of names to be placed on the ballot and shall draw lots placing the names of candidates for the respective offices in the order in which the names appear by lot instead of as now placing them alphabetically. The manner of casting the lots shall be as follows: Paper cards with the names of candidates written thereon for each set of offices shall be placed in a covered box with an aperture in the top large enough to allow the said strips to be drawn therefrom, each strip containing one name and shall be drawn therefrom by the clerk in the presence of a member from each of the two dominant parties, who shall be selected by the chairman of these respective parties, he endeavoring to draw same so it shall be without knowledge on his part as to what names he is drawing, and the name first appearing shall have the first place on the ballot and the name second appearing shall have second place, and so on, in numerical order until the last name shall be drawn, which shall have the last place on the ballot. If names are to be bracketed and placed under or beside a party designation they shall all be put separately from names not to be bracketed in a box and drawn and printed in the ballot as above set forth.

Arrangement  
of names  
by lot.

Manner of  
casting lots.

Printed in  
order of  
drawing.

Bracketed  
names.

Approved March 4, 1918.

## CHAPTER 262.

An Act to amend an act entitled "An act to establish a Department of Agriculture, and to prescribe its powers and duties," approved March twenty-ninth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section four of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Section 4  
amended.

4. The members of the State Board of Agriculture shall be thus chosen: At a convention to be held once in each year in the city of Trenton, delegates chosen as hereinafter provided shall assemble and elect, by a majority vote of the delegates present, the members of the State Board of Agriculture. At the first convention held pursuant to the provisions of this act, eight members shall be elected and their terms of office specified. At each annual convention thereafter two members shall be elected to fill vacancies caused by the expiration of terms of office. And in the same manner the convention shall fill any vacancy in the membership of said board arising from death or resignation, for the unexpired term only. Any vacancy arising when such convention is not in session may be temporarily filled by appointment by the President of the State Board of Agriculture, subject to confirmation by a majority of the remaining members of the board. The person so appointed shall serve temporarily as a member of the board until the vacancy shall be filled by the said convention in the manner above stated. The delegates in any such convention shall have power to pass upon and determine the validity of the selection and qualifications of any delegate, and a majority of all delegates shall constitute a quorum. Each convention

Members  
chosen by  
convention.

Vacancies.

Qualification  
of delegates.

Officers, etc.



shall choose its own officers, determine the rules of its proceedings, and fix the time for the holding of the succeeding convention.

2. This act shall take effect immediately.

Approved March 4, 1918.

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CHAPTER 263, LAWS OF 1918.

CHAPTER 263.

An Act to amend an act entitled, "An act relating to the propagation, planting, preservation and gathering of clams and oysters in the tidal waters of this State, and enlarging and defining the powers and duties of the Board of Shell Fisheries," approved March twenty-fourth, one thousand nine hundred and seventeen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. The Board of Shell Fisheries shall have power to lease to applicants therefor any of the lands of this State that have been or may hereafter be condemned by the State Department of Health in accordance with the provisions of chapter 24, P. L. 1912.

Power to  
lease certain  
condemned  
land.

2. The Board of Shell Fisheries shall have power to make such rules and regulations (not inconsistent with the regulations of the State Department of Health) for the removal and distribution of shell fish from the said leased grounds as in their judgment will be in thorough accord with the object for which the said grounds were condemned, and may require the lessee to give bond in a sum not to exceed ten thousand dollars for the faithful observance of such rules and regulations.

Removal of  
shell fish.

Bond  
required.

3. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 264.

An Act for the relief of Sarah Brensinger and her minor children.

Preamble.

WHEREAS, George F. Brensinger, a resident of the city of Jersey City and State of New Jersey, while a member of the National Guard of New Jersey, holding the rank of major in the Judge Advocate General's Department, was killed as the result of an automobile accident occurring on the eleventh day of September, one thousand nine hundred and seventeen, and while the said decedent was on his way to Camp Dix, Wrightstown, New Jersey, in response to an official communication requiring his presence there; and

Preamble.

WHEREAS, The said decedent left him surviving a widow, Sarah Brensinger, and two minor children, George B. Brensinger and Joseph H. Brensinger,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Amount of pension.

1. There shall be paid as a pension to the said Sarah Brensinger, for the support of herself and said children, from the treasury of this State the sum of seventy-five (75) dollars per month. Such pension shall commence from the date of the passage of this act, and shall continue until the younger of said children shall have reached the age of sixteen (16) years, or the widow shall sooner remarry.

Continuance.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 265.

An Act to regulate the assessment and collection of taxes upon the shares of the capital stock of banks, banking associations and trust companies incorporated under the laws of the United States, or of this State, and engaged in business within this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The shares of the capital stock of banks and banking associations organized under the authority of this State, or of the United States, and trust companies organized under the laws of this State, whose principal place of business is within this State, shall be assessed and taxed according to their true value, to be determined in the manner hereinafter prescribed; *provided, however*, that the assessment and taxation shall not be at a greater rate than is made or assessed upon other moneyed capital in the hands of individual citizens of this State.

Taxation of  
bank stock.

Proviso.

2. The value of each share of stock of each bank, banking association or trust company, shall be ascertained and determined by adding together the amount of the capital, surplus and undivided profits of such bank, banking association or trust company, and deducting therefrom the assessed value of the real property of such bank, banking association or trust company, and by dividing the result by the number of outstanding shares of such bank, banking association or trust company. No deduction or exemption shall be allowed or made from the value determined as herein provided.

How value  
determined.

Statement  
for purposes  
of assessment  
filed with  
county board  
of taxation.

Duplicate  
filed in  
banking de-  
partment.

List of stock-  
holders and  
shares held  
kept.

Tax rate.

3. For purposes of assessment, the chief fiscal officer of every bank, banking association and trust company, organized under the authority of this State, or of the United States, whose principal place of business is located within this State, shall, on or before the first day of July in the year one thousand nine hundred and eighteen, and on or before the tenth day of January in each year thereafter, file with the secretary of the board of taxation of the county within which its principal place of business is located, a true statement, under the oath of the president or the cashier, or the treasurer of the same, setting forth its name and principal place of business, the names, residences and total number of its stockholders, and the number of shares held by each, the amount of capital, surplus and undivided profits, as the same are indicated by the books of the company upon the twentieth day of May in the year one thousand nine hundred and eighteen, and thereafter on the first day of January of the year in and for which such statement is filed, and the assessed value of its real property. A duplicate of this statement shall be filed, at the same time, with the Commissioner of Banking and Insurance, to remain in his office as a public record. There shall, in addition to such report, be kept at the principal place of business of every such bank, banking association or trust company, a full and correct list of the names and residences of all stockholders therein, and of the number of shares held by each, which said lists shall be subject to the inspection of the board of taxation of the county within which said bank, banking association or trust company maintains its principal place of business, at all times during business hours.

4. The rate of tax upon the shares of stock of banks, banking associations and trust companies shall be, throughout this State, three-quarters of one per centum upon the value thereof, as ascertained and fixed in the manner hereinbefore pro-

vided, and the owners of such stock shall be entitled to no deduction from the taxable value of their shares because of the personal indebtedness of such owners, or for any other reason whatsoever. The said tax shall be in lieu of all other State, county or local taxation upon such shares or upon any personal property held or owned by banks, banking associations or trust companies, the value of which enters into the taxing value of such shares of stock.

No deductions.

Tax in lieu of all others.

Tax reviewable.

5. The tax hereby imposed shall be subject to the same proceedings for review, correction and equalization as are applicable to the assessment and levy of other taxes, pursuant to the provisions of the general tax law of the State and the supplements thereto, and amendments thereof, except as the same may be modified by the provisions of this act or are inconsistent therewith.

6. The county board of taxation of each county shall, on the first day of August in the year one thousand nine hundred and eighteen, and thereafter on the fifteenth day of January of each year, ascertain from an inspection of the statements filed, and from any other sources of information which may be open to them, the names and places of business of all banks, banking associations and trust companies in the county, the number of shares of capital stock of each issued and outstanding, the aggregate amount of the capital, surplus and undivided profits of each, the assessed value of its real property, the true value of all the capital stock of each issued and outstanding and the true value of a single share of each, determined in accordance with the provisions of section two of this act, and the amount of tax levied upon the capital stock of each at the uniform rate. The amount thus ascertained to be due upon the shares of stock of each bank, banking association and trust company shall be the tax levied and to be paid in accordance with the provisions of this act, subject to review, correction and equalization, as hereinbefore provided. The county board of taxation shall

Annual ascertainment pertaining to banks, as to capital, stock, value per share, and tax levied.

Tax per share.

Amount due  
county and  
taxing  
district.

Tabulation of  
taxes at-  
tached to  
table of  
aggregates.

Tax collected  
by county  
collector.

Stockholders  
assessed.

Tax a lien.

Bank to pay  
tax assessed  
to stock-  
holder.

One half each  
to county and  
tax district.

also estimate the amounts of such taxes which will be payable to the county and to any taxing district therein under the provisions of this act, and in fixing the respective tax rates for the current year such sums shall be deducted from the amounts to be raised by taxation. The county board of taxation shall attach to the table of aggregates required to be transmitted to the county collector a tabulation of the taxes so assessed and levied, which tabulation shall not be included among the ratables of any county or taxing district for any purpose other than the collection of the taxes imposed according to the provisions of this act. The tax imposed in accordance with the provisions of this act shall be collected by the county collector from the bank, banking association and trust company against the capital stock of which the same is levied, in the same manner and at the same time as the general taxes are collected.

7. The shares of stock of every bank, banking association and trust company shall be assessed against the stockholders in the taxing district within which the principal place of business of such bank, banking association or trust company is located, and the tax assessed against such stockholders shall be a lien upon their stock from the twentieth day of May in the year one thousand nine hundred and eighteen, and thereafter from the first day of January in each year, and said stock may be levied upon and sold by the collector on default of payment, and moreover, it shall be the duty of said bank, banking association and trust company to pay said tax assessed against such shareholders on demand, and said bank, banking association or trust company shall have a lien upon the shares for such payment and may retain the amount so paid out of the dividends that may be declared on such shares. The tax so paid to the county collector shall be apportioned at the rate of fifty per centum to the county within which such bank, banking association or trust company is lo-

cated, and fifty per centum to the taxing district within which its principal place of business is located, and the amount so due to any taxing district shall be paid forthwith by the disbursing officer of said county, setting forth, in detail, the amount of such tax received, the institutions by which it is paid, the aggregate amount thereof, and the basis of apportionment.

8. If any bank, banking association or trust company shall, by resolution of its board of directors filed as hereinafter provided, request the county board of taxation to assess to and in the name of the bank, banking association or trust company the entire taxable value of all the shares of stock therein, instead of assessing the same to and in the name of the individual shareholders owning the same, and if such bank, banking association or trust company shall promise and agree that it will pay the taxes levied against such shares at the time when due and payable, then the total amount of capital, surplus and undivided profits shall be assessed to and in the name of the bank, banking association or trust company, and no list of shareholders shall be required; all other provisions of this section shall apply, and the tax shall be a lien against the property and assets of the bank or trust company and collectible as other taxes are collected; *provided*, that nothing herein contained shall be construed as a taxation of property as distinguished from capital stock. A certified copy of any such resolution shall be filed with the county board of taxation of the county at least thirty days before the twentieth day of May in the year one thousand nine hundred and eighteen, and thereafter at least thirty days before the first day of January in any year and an additional copy shall be filed at the same time with the Commissioner of Banking and Insurance; such resolution shall be binding and in force until revoked; notice of revo-

Bank may  
assume and  
pay tax.

Proviso.

Resolution  
to be filed  
with county  
tax board.

cation to be valid must be similarly filed at least thirty days before assessment day in any year.

Penalty for  
not comply-  
ing with act.

9. In case of neglect, refusal or failure on the part of any bank, banking association or trust company to comply with the provisions of this act, with reference to the filing of the statements herein required to be made, on or before the time herein provided for the filing of the same, or to submit to the inspection of any officer or agent of the county board of taxation the list or statement herein required to be kept in the office of such company, and submitted to inspection, the company so neglecting, refusing or failing shall be liable to a penalty of one hundred dollars, and an additional sum of ten dollars for each day during which such neglect, refusal or failure continues.

Penalty for  
delinquents.

10. Taxes imposed under this act which are not paid on or before the time herein limited for the payment of the same shall be subject to the same penalty by way of interest, and proceedings for collection of the same, as apply to other taxes levied under the provisions of the general tax laws of the State, the supplements thereto and amendments thereof.

Collection  
of penalty.

The penalty imposed by this act shall be collected by suit in the nature of an action for debt, instituted by the county collector of the county within which such bank, banking association or trust company has its principal office or place of business, and the proceeds thereof shall be divided between the county and the taxing district within which such bank, banking association or trust company has its principal office or place of business, in the same manner as the taxes contemplated to be assessed, levied and collected by this act are apportioned.

Savings  
banks  
exempt.

11. Savings banks incorporated as such under the laws of this State relative thereto, as distinguished from other banks, banking associations and trust companies, shall be exempt from taxation under this act.



12. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 4, 1918.

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## CHAPTER 266.

An Act to amend an act entitled "An act creating a Department of Municipal Accounts and the office of Commissioner of Municipal Accounts, and defining his duties and powers," approved March twenty-seventh, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section three is hereby amended to read as follows: Section 3  
amended.

(a) It shall be the duty of the Commissioner of Municipal Accounts or his agents to visit each municipality, county and school district in the State and examine the books, papers, securities and moneys in the custody of the sinking fund commission thereof at least once in every two years, and oftener if deemed necessary, and every sinking fund commission shall exhibit its books, papers, securities and moneys to such commissioner or his agent and facilitate the examination of such sinking funds so far as it may be in its power to do so. The Commissioner may make such recommendations as he may deem advisable concerning the sinking fund of any municipality or county, or school district, and the secretary of the Commissioner  
to visit and  
examine  
books, se-  
curities, etc.  
  
Advise as to  
sinking fund.

Examine  
officers and  
employees.

Prescribe  
system of  
accounts.

Form of  
statements.

Procedure in  
case of  
errors, irregu-  
larities, etc.

Officials and  
records  
summoned.

sinking fund commission shall immediately send a copy of such recommendations to each member of the sinking fund commission and to the executive head of the municipality or county, or school district, as the case may be, and shall advise the commissioner within thirty days after receiving such recommendations as to the action of the sinking fund commission with reference thereto. The commissioner or his agent shall have power to examine, under oath or affirmation, any officer, or member of the governing body, or employee, of the municipality, county, school district or sinking fund commission relative to sinking funds. The commissioner shall have power to prescribe the method or system of setting up and keeping sinking fund accounts in the several municipalities, counties or school districts, and to prescribe the form of reports and statements to be made to the State by municipal, county or school district officials or sinking fund commissions with reference to said sinking fund.

(b) If, upon examination of the reports of audit and recommendations made by any registered municipal accountant of New Jersey for any municipality or county, there shall appear any errors, irregularities, inaccuracies or omissions in such report of audit or recommendation in connection with the financial affairs of any municipality or county, or if the Commissioner of Municipal Accounts has reason to believe that there are irregularities in the financial affairs of any municipality or county, he may call for any or all books of account, papers or memoranda in connection with the financial or other affairs of the municipality or county, or may call for the appearance of any auditor or auditors, officials or employees, of such municipality or county, or any other person who, in the commissioner's opinion, may be able to give information in connection with the affairs of such municipality or county, and if need

be to enforce the production of books, papers, memoranda or other materials, and the presence of the auditor or auditors, officials, employees or any other such persons, may issue subpoenas, and is hereby authorized to issue and serve or have served such subpoenas and to administer oath or affirmation, and if necessary to employ counsel, accountants or other assistants which the examination of the affairs of such municipality or county may require. The Commissioner of Municipal Accounts may, and authority is hereby given him to, call a meeting of the members of the governing body, of any committee, of any commission or of any department of the municipality or county to appear at public or private hearing and to answer such questions or give such explanations as the commissioner may deem valuable in ascertaining the true financial conditions of such municipality's or county's affairs. The Commissioner of Municipal Accounts is hereby authorized and empowered to enforce the provisions of the recommendations of the registered municipal accountant or to make such recommendations as he may deem necessary for the proper accounting of the affairs of the several municipalities and counties of the State, and such recommendations shall forthwith be carried out by the officials of such municipality or county, as the case may be. If, within sixty days after notice from the Commissioner of Municipal Accounts, there shall have been no steps taken to carry out the recommendations or orders issued by the Commissioner of Municipal Accounts, the officials or member or members of the governing body so responsible for the nonconformance to the orders and requirements of the Commissioner of Municipal Accounts shall be subject to a fine of twenty-five dollars (\$25.00), payable to the State. For the services of the Commissioner of Municipal Accounts or his representatives or assistants, whether permanent

Subpoenas  
may issue.

Explanations  
sought.

Enforce  
recommendations.

Penalty for  
nonconformance.

Allowance for  
services of  
commissioner.

employees of the department or not, the State shall be paid by the municipality or county a per diem allowance of twenty-five dollars (\$25.00) for each person for work done in connection with the examination of the accounts of any municipality or county; such payment for services or fines shall be made to the Treasurer of the State of New Jersey, on behalf of the State, who may collect same by suit on contract in any court of competent jurisdiction.

Uniform  
system of  
accounting.

(c) The Commissioner of Municipal Accounts shall have the power to establish a uniform system of accounting for the municipalities and counties within the State, and to make and enforce recommendations for the correction of any details or methods of accounting.

Authority of  
commissioner as  
to budget.

(d) The Commissioner of Municipal Accounts may inquire into any item of any budget or certification of requirements and may order any item required by law to be raised by taxation for municipal, county or school purposes which has been omitted in whole or in part from any budget to be included in the budget or the tax ordinance or resolution or the tax levy or may inquire into any item of the budget, and if wrongly stated in such budget he may order same to be corrected and properly stated in the budget before its adoption, or to have the error corrected and adjusted in the tax ordinance or resolution or in the tax levy, and all such orders shall constitute a mandatory obligation upon the governing body of any municipality, county or school district or the sinking fund commission or the county board of taxation, as the case may be.

2. This act shall take effect immediately.

Approved March 4, 1918.

## CHAPTER 267.

## An Act concerning municipal accountants.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. On and after July first next the work of auditing the accounts of municipalities and counties within the State shall be done only by auditors or accountants who shall hold an uncanceled certificate of registration as municipal accountant for New Jersey.

County and  
municipal  
auditing.

2. Before any person shall undertake the work of auditing the accounts of any municipality or county within this State he shall qualify as municipal accountant for New Jersey by subscribing to the following declarations:

Qualifications  
as account-  
ant:

(a) That he is fully acquainted with the laws controlling and governing the finances of municipalities and counties of New Jersey and is a competent and experienced auditor of public accounts.

Acquainted  
with laws  
and ex-  
perienced;

(b) That he will honestly and faithfully audit the books and accounts of a municipality or county when engaged so to do, and report any error, omission, irregularity, violation of law, discrepancy or other nonconformity to the law, together with his recommendations to the governing body of such municipality or county.

Faithfulness  
in auditing  
and reporting  
errors.

3. Every such municipal accountant shall within five days after filing the report of his audit and recommendations with the municipality or county, as the case may be, file a certified duplicate copy of the report and recommendations as filed with the municipality or county, as the case may be, over his signature, with the Commissioner of Municipal Accounts at the State House in Trenton.

File dupli-  
cate reports.

Reasons for  
canceling  
license.

4. In event of the proof that any accountant so registered shall have knowingly omitted to report any error, omission, irregularity, violation of law or discrepancy found in the books or accounts, or to have issued false reports of his audit of any municipality or county, or if he shall fail to file such report and recommendations as herein directed, his registration license may be cancelled by the Commissioner of Municipal Accounts; *provided, however*, that if the party whose license is thus cancelled shall feel that there was not sufficient cause for the cancellation of the license as herein described, he shall have the right of appeal to a Vice-Chancellor, and the Vice-Chancellor may, pending the hearing of such cause, issue an injunction upon the Commissioner of Municipal Accounts, which shall act as a stay against the cancellation of such license until the case has been heard and the decision of the Vice-Chancellor has been handed down.

Proviso.

Registration  
fee and  
license  
period.

5. The license fee for the registration of each accountant who shall apply for a license to practice as a municipal accountant for New Jersey as herein described shall be five dollars (\$5.00). Licenses shall be issued annually thereafter and like fees imposed for each annual registration or renewal. All registration licenses shall date from June first preceding date of application.

Penalty.

6. A fine of fifty dollars (\$50.00) is hereby imposed by the State upon any person who shall enter into the work of auditing the accounts of any municipality or county within this State who shall not hold an uncanceled license or a license against which an injunction has been issued as above described. Such fine shall be collected by the Treasurer of the State of New Jersey by suit brought in any court of competent jurisdiction.

Auditing by  
firm or  
corporation.

7. In case any auditor or accountant coming within the provisions of this act shall be a member or employee of any firm or corporation engaged

in the work of auditing and accounting, the report of audit, statement, certificate or recommendations of such auditor or accountant may be signed and attested in the name of such firm or corporation, but by the individual name of such auditor or accountant added thereto, and if such report of audit, statement, certificate or recommendations be signed or attested in the name of such firm or corporation, under proper authority, said firm or corporation shall be equally responsible with the individual auditor or accountant for full compliance with the requirements of this act.

8. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 268.

An Act requiring the audit of public accounts.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. On and after the first day of July following the passage and approval of this act, each county and each municipality having an assessed valuation in excess of three million dollars shall cause an annual audit of its accounts and financial transactions to be made and completed within four months after the close of its fiscal year, and for such purpose shall employ a registered municipal accountant for New Jersey, and each municipality having an assessed valuation of less than three million dollars shall have an audit of its accounts and financial transactions made at least once in two years. Such audit shall be made and com-

Annual audit  
by counties  
and municip-  
alities.

Biennial  
audit.

pleted within four months after the close of each second fiscal year by a registered municipal accountant, for New Jersey.

Synopsis  
of audit  
published.

2. A synopsis or summary of all audits, together with the recommendations made by the municipal accountant, shall be published at least twice in the official newspaper of said county or municipality, if there be such, or if there be none, in a newspaper published in the county or municipality, but in event there is no newspaper published within such county or municipality, then in a newspaper having a general circulation in such county or municipality, as the case may be.

Municipal  
clerks to  
prepare  
synopsis.

3. The clerk of the municipality or the clerk of the board of freeholders, as the case may be, is hereby required to prepare, or have prepared, a synopsis or summary of such audit and recommendations, and to have same published as hereinbefore directed, and if such clerk fails to have such publication made within thirty days after receipt of the report of audit and recommendations, he shall be subject to a fine of ten dollars (\$10.00), payable to the county or municipality, as the case may be, for each day after the expiration of said thirty days that such publications fail to appear, as herein provided.

Penalty for  
failure.

Act super-  
sedes all  
others.

4. This act shall take effect immediately and shall supersede all other acts as regards the subject matter hereof.

Approved March 4, 1918.



## CHAPTER 269.

A Supplement to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In addition to the powers given to the Board of Public Utility Commissioners by the act to which this is a supplement, said board shall have power to prescribe and fix the rates or charges to be made by any corporation subject to the provisions of said act for the detention of any railroad car containing property transported by railroad to any point in this State, or for the use of the railroad tracks occupied by such car (commonly called demurrage or car service), or for both such detention and use; such rates or charges shall conform, as nearly as possible, to the rates and charges for demurrage or car service prescribed and fixed by the InterState Commerce Commission for similar service.

Demurrage  
rates.

Approved March 4, 1918.

## CHAPTER 270.

An Act to amend an act entitled "An act directing the descent of real estates," approved April sixteenth, eighteen hundred and forty-six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 3  
amended.

1. Section three of the act of which this act is amendatory be and the same is amended hereby to read as follows:

When prop-  
erty inherited  
by parents.

3. When any person shall die seized of any lands, tenements or hereditaments as aforesaid, without devising the same in due form of law, and without leaving lawful issue, and without leaving a brother or sister of the whole blood, or any lawful issue of any such brother or sister, leaving a father and mother, then the inheritance shall go to the father and mother of the said person so seized, as tenants by the entirety, in fee simple; but if the mother shall not survive such person, then the inheritance shall go to the father of the said person so seized, in fee simple, unless the said inheritance came to the person so seized from the part of his or her mother by descent, devise or gift, in which case it shall descend as if such person so seized had survived his or her father.

When by  
father.

Section 4  
amended.

2. Section four of the act of which this is amendatory be and the same is amended hereby to read as follows:

Inheritance  
of property  
by mother.

4. When any person shall die seized of any lands, tenements or hereditaments, in his or her own right in fee simple, without devising the same in due form of law, and without leaving lawful issue, and without leaving a brother or sister of the whole blood, or any lawful issue of any such brother or

sister, and without leaving a father, leaving a mother, then the inheritance shall go to the mother of the said person so seized, in fee simple, unless the said inheritance came to the person so seized from the part of his or her father by descent, devise or gift, in which case it shall descend as if such person so seized had survived his or her mother.

Approved March 4, 1918.

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## CHAPTER 271.

An Act to amend an act entitled "An act concerning corporations (Revision of 1896)," approved April twenty-first, eighteen hundred and ninety-six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one hundred and four of the act entitled "An act concerning corporations (Revision of 1896)," is hereby amended to read as follows:

Section 104  
amended.

104. Corporations of this State or of this and other States may merge and consolidate.

Merger.

Any two or more corporations organized or to be organized under any law or laws of this State, or any corporation organized under the laws of this State and any corporation organized under the laws of any other State for the purpose of carrying on any kind of business of the same or a similar nature, may merge or consolidate into a single corporation, which may be either one of said merging or consolidating corporations; *provided*, the same be a corporation originally organized under the laws of this State, or a new corporation under the laws of this State to be formed by means of such

Two or more  
corporations  
may merge.

Proviso.

- Proviso.** merger and consolidation; *and provided, further,* that a merger or consolidation of the corporation so proposed to be merged or consolidated with such New Jersey corporation is authorized by the laws of such other State; but the provisions of this act relative to merger and consolidation shall not apply to any railroad company, insurance company, banking companies, savings banks (or other corporation intended to derive profit from the loan and use of money), turnpike company, canal company.
- Exceptions.**
- Repealer.** 2. All acts and parts of acts inconsistent herewith are hereby repealed.  
3. This act shall take effect immediately.

Approved March 4, 1918.

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#### CHAPTER 272.

An Act to amend an act entitled "An act concerning tuberculosis," approved March twenty-eighth, one thousand nine hundred and twelve, as amended by an act entitled "An act to amend an act entitled 'An act concerning tuberculosis,' approved March twenty-eighth, one thousand nine hundred and twelve," which amendment was approved March twenty-seventh, one thousand nine hundred and seventeen.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

**Section 1  
amended.**

1. Section one of the act to which this act is an amendment shall be and the same is hereby amended to read as follows:

1. The board of chosen freeholders of any county shall have power to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis.

County hospitals for tubercular diseases.

When said board shall have voted to establish such hospital, it shall have the following powers:

Powers of freeholders:

To purchase and lease real property therefor, or acquire such real property and easements therein, by condemnation proceedings, in the manner prescribed by an act to regulate the ascertainment or payment of compensation for property condemned or taken for public use (Revision of 1900), and the supplements thereto and the amendments thereof.

Property:

To erect all necessary buildings, make all necessary improvements and repairs and alter any existing buildings for the use of said hospital; *provided*, that the plans for such erection, alteration or repair shall first be approved by the State Board of Health.

Buildings:

Proviso.

To appoint a board of managers for said hospital as hereinafter provided.

Managers:

Upon request of the board of managers to equip the hospital with all necessary furniture, appliances, fixtures and other needed facilities for the care and treatment of patients and for the use of officers and employees thereof, and shall purchase all necessary supplies.

Equipment, care of patients, officers:

To cause to be assessed, levied and collected such sums of money as it shall deem necessary for suitable lands, buildings and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor on the credit of the county, and issue county obligations therefor, in such manner as it may do for other county purposes.

Money provided:

To accept and hold in trust for the county any grant or devise of land, or any gift or bequest of

Trusteeship.

money or other personal property or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

Section 3  
amended.

2. Section three of the act to which this act is an amendment is hereby amended to read as follows:

Organization.

3. The board of managers shall elect from among its members a president and one or more vice-presidents. It shall appoint a superintendent of the hospital, who shall be also treasurer and secretary of the board, and shall hold office at the pleasure of the board. Said superintendent shall not be a member of the board of managers, and shall be a qualified practitioner of medicine or other person trained for work of said character.

Superintendent.

Duties of  
board of  
managers.

Said board of managers shall fix the salaries of the superintendent and all other officers and employees, subject to the approval of the board of chosen freeholders, within the limits of the appropriation made therefor by such board of chosen freeholders, and such salaries shall be compensation in full for all services rendered. The board of managers shall determine the amount of time required to be spent at the hospital by said superintendent in the discharge of his duties; shall have the general superintendence, management and control of the said hospital, of the grounds, buildings, officers and employees thereof, of the inmates therein, and of all matters relating to the government, discipline, contracts and fiscal concerns thereof, and make such rules and regulations as may seem to them necessary for carrying out the purposes of such hospital; shall maintain an effective inspection of said hospital and keep itself informed of the affairs and management thereof; shall meet at the hospital at least once in every month, and at such other times as may be prescribed in the by-laws, and shall hold its annual meeting at least three weeks prior to the meeting

Rules and  
regulations.

Meetings.

of the board of freeholders, at which appropriations for the ensuing year are to be considered.

Shall keep in a book provided for that purpose a proper record of its proceedings, which shall be open at all times to the inspection of its members, to the members of the board of freeholders of the county and to duly authorized representatives of the State Commissioner of Charities and Corrections and of the State Board of Health.

Records kept.

Shall certify all bills and accounts, including the salaries and wages, and transmit them to the board of freeholders of the county, who shall provide for their payment in the same manner as other charges against the county are paid.

Certification of accounts.

Shall make to the board of freeholders of the county, annually, at such time as said freeholders shall direct, a detailed report of the operations of the hospital during the year, the number of patients received, the methods and results of their treatment, together with suitable recommendations and such other matter as may be required of them, and full and detailed estimates of the appropriations required during the ensuing year for all purposes, including maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments or other necessary purposes.

Annual report to freeholders—what to show.

3. Section four of the act to which this act is an amendment is hereby amended to read as follows:

Section 4 amended.

4. The superintendent shall be chief executive officer of the hospital and subject to the by-laws, rules and regulations thereof, and to the powers of the board of managers.

The superintendent.

Shall have general supervision and control of the records, accounts and buildings of the hospital, and all internal affairs, and maintain discipline therein, and enforce compliance with and obedience to all rules, by-laws and regulations adopted by the board of managers for the government, discipline and management of said hospital and the employees and inmates thereof. He shall make

General duties of superintendent.

Rules and  
regulations.

such further rules, regulations and orders as he may deem necessary, not inconsistent with law or with the rules, regulations and directions of the board of managers.

Resident  
officers and  
employees.

Shall, with the consent of the board of managers, appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties; and for cause stated in writing, after an opportunity to be heard, discharge any such officer or employee at his discretion.

Accounts and  
records.

Shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day in books and on records provided for that purpose; and see that such accounts and records are correctly made up for the annual report to the board of freeholders, as required by section three of this chapter, and present the same to the board of managers, who shall incorporate them in their report to the said freeholders.

Receive ap-  
plicants.

Shall receive into the hospital, under the general direction of the board of managers, in the order of application, any person found to be suffering from tuberculosis in any form, who has a legal settlement in the county, or who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application for admission to said hospital, or any person who may be committed to said hospital by an order of any judge of the Court of Common Pleas. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation and place of last employment.

Record of  
admissions.

Physical  
condition of  
patients.

Shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital and provide for the treatment of each such patient according to his need; and shall cause



a record to be kept of the condition of each patient when admitted and from time to time thereafter.

Shall temporarily discharge from said hospital any patient who shall wilfully or habitually violate the rules thereof; or who is found not to have tuberculosis; or who is found to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of managers; who shall make such final disposition of the case as they may think proper.

Discharge  
certain  
inmates

Shall collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at a monthly meeting of the board of managers, and transmit the same to the county collector within ten days after such meeting.

Financial  
matters.

Shall, before entering upon the discharge of his duties, give a bond in such sum as the board of managers may determine to secure the faithful performance of such duties.

Bond given.

4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 4, 1918.

## CHAPTER 273.

An Act to amend an act entitled "An act for the prevention of frauds and perjuries," (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, which said amendment was approved May first, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 10  
amended.

1. Section ten of the act to which this is an amendment be and the same is hereby amended to read as follows:

Authority for  
agent to act  
must be  
in writing.

10. No broker or real estate agent selling or exchanging land for or on account of the owner shall be entitled to any commission for the sale or exchange of any real estate, unless the authority for selling or exchanging such land is in writing, and signed by the owner or his authorized agent, or the authority of the broker or real estate agent to make a sale or exchange of such land is recognized in a writing or memorandum signed by the owner or his authorized agent, whether or not such writing or memorandum is signed by said owner or agent before or after such sale or exchange has been effected, and the rate of commission on the dollar shall have been stated therein; *provided, however,* that any broker or real estate agent who may hereafter be employed by any owner of real estate by oral agreement, to sell or exchange any real estate belonging to such owner, and who shall actually effect the sale or exchange of such real estate pursuant to such oral agreement, before the same shall have been terminated by such owner, in writing, as herein-

Rate stated.

Proviso.

after provided, may recover from such owner the amount of commission on such sale or exchange, provided such broker or agent shall within five days after the making of such oral agreement serve upon such owner a notice, in writing, setting forth the terms of such oral agreement and stating the rate or amount of commission to be paid thereunder, and provided said owner shall not have repudiated or terminated such agreement prior to the actual sale or exchange of said real estate; said owner shall have the right, at any time after receiving such notice, to repudiate or terminate such oral agreement by serving upon such broker or agent a notice, in writing, to that effect, and upon the repudiation or termination of such agreement by the serving of such notices upon such agent or broker prior to the actual sale or exchange of such property by such agent, such agreement shall be null and void and no recovery of any commission shall be had thereunder; *provided, however,* that if any broker or agent shall have entered into negotiations with a prospective customer in good faith, under such agreement, for the sale or exchange of such property, and such negotiations shall be pending at the time of the repudiation or termination of such agreement by such owner, and such sale or exchange is subsequently consummated between such owner and such customer, such agent or broker shall be entitled to recover his commission on such sale or exchange, notwithstanding the repudiation or termination of such agreement. The notice provided for herein shall be served either personally or by forwarding the same to the person to be served, by registered mail, to the last known post-office address of such person.

Terminating  
oral agree-  
ment.

Proviso.

How notice  
given.

2. This act shall take effect immediately.

Approved March 5, 1918.

## CHAPTER 274.

An Act to declare the mooring, grounding or otherwise attaching or fastening of boats, barges or rafts to or upon the riparian lands of the State, nuisances, and to provide for the abatement thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Using  
riparian  
lands to  
moor boats,  
etc., a mis-  
demeanor.

1. The mooring, grounding or otherwise attaching or fastening of boats, barges or rafts to or upon the riparian lands of the State, and permitting the same to remain so moored, grounded or otherwise attached or fastened for a period of ten days, is hereby declared to be a nuisance, and any person, firm or corporation who shall willfully moor, ground or otherwise attach or fasten, or authorize, cause or permit to be moored, grounded or otherwise attached or fastened, any boat, barge or raft to the riparian lands of the State, for a period of more than ten days consecutively, shall be guilty of a misdemeanor.

Removal of  
boat, etc.

2. The Board of Commerce and Navigation shall have the power and it hereby is authorized to remove or cause to be removed any such boat, barge or raft so moored, grounded or otherwise attached or fastened to the riparian lands of the State, and in addition to any proceedings which may be had under the first section hereof, the said Board of Commerce and Navigation may cause any such boat, barge or raft to be removed in the following manner, to wit: the Board of Commerce and Navigation may cause a written notice to be posted upon any boat, barge or raft moored, grounded or otherwise attached or fastened to the riparian lands of the State, to the effect that unless such boat,

Notice to  
remove.

barge or raft is removed from such riparian lands of the State, to the effect that unless such boat, barge or raft is removed from such riparian lands within forty-eight hours from the time of posting of any such notice, that the Board of Commerce and Navigation will cause such boat, barge or raft to be removed therefrom, and will make the cost of such removal out of the value of such boat, barge or raft. Such notice shall be signed by the chief engineer of the Board of Commerce and Navigation. In case any such boat, barge or raft to which the aforesaid notice shall have been affixed shall not be removed from the riparian lands of the State within forty-eight hours from the time of posting such notice, it shall be the duty of the Board of Commerce and Navigation to cause such boat, barge or raft to be removed from off such riparian lands of the State, and the cost of such removal shall be a lien upon such boat, barge or raft, and shall be enforced by the sale thereof as hereinafter provided.

Cost of  
removal a  
lien.

3. In case the said Board of Commerce and Navigation shall have removed any boat, barge or raft in accordance with the preceding section, it shall enforce the lien thereby given for the cost of such removal by sale of such boat, barge or raft. Written notice of the aforesaid lien and of the amount thereof, and of the sale, shall be given by posting a copy of such notice, signed by the chief engineer of commerce and navigation, upon said boat, barge or raft, and in three public places at least fifteen days before the date of sale. If the amount of said lien and accrued costs is not satisfied before the day fixed for sale, said boat, barge or raft shall be sold to the highest bidder therefor, and out of the proceeds shall be deducted the cost of such sale, which shall consist of ten dollars for the preparation and posting of notices and ten dollars for selling and execution of the certificate of sale, and the amount of the cost of removal of said boat, barge or raft; the balance, if any, shall be paid to the

Enforce-  
ment of lien  
by sale.

Disposition of  
proceeds.

Clerk in Chancery, to be held by said clerk for the benefit of the owner of said boat, barge or raft, to be paid out only upon the order of the Chancellor.

Expenses  
paid by  
treasurer;  
reimburse-  
ment.

4. The cost and expenses of removing any such boat, barge or raft shall be paid by the State Treasurer upon the certificate of the Board of Commerce and Navigation, and the proceeds of any sale up to the amount of such cost of removal, together with the fees hereinbefore provided for, shall be paid to the State Treasurer for the use of the State.

Does not  
apply to  
parks.

5. Nothing herein contained shall be deemed to apply to riparian lands of the State devoted by the State to public park purposes.

6. This act shall take effect immediately.

Approved March 5, 1918.

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#### CHAPTER 275

A Supplement to an act entitled "An act to improve the condition of tenement houses in this State and to establish a State Board of Tenement House Supervision," approved March twenty-fifth, one thousand nine hundred and four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Dwelling  
altered to  
tenement  
house.

1. Any dwelling of brick or stone, not more than four stories in height and erected prior to March twenty-fifth, one thousand nine hundred and four, may be altered or converted into a tenement house to be used or occupied as the home or residence of not more than three families, living independently of each other, and doing their cooking upon the premises.

2. Any building converted into a tenement house under the provisions of this supplement shall be made to conform in all respects to and shall at all times be maintained in accordance with the requirements of the act to which this act is a supplement, applicable to buildings converted into tenement houses subsequent to March twenty-fifth, one thousand nine hundred and four, except as in this act specifically provided and all of the provisions of said act referring to the filing and approval of plans, the issuance of permits; the imposition of penalties and the procedure for the enforcement of said act, shall apply to any building converted into a tenement house under the provisions of this act and to the owner thereof, and to the enforcement of the provisions of this act as though this act had been originally enacted as a part of the act to which this act is a supplement.

Require-  
ments.

Act  
applicable.

A. A fireproof scuttle and iron ladder may be installed in lieu of the fireproof bulkhead and stairs required in paragraphs 49 and 50 of the act to which this act is a supplement.

Scuttle and  
ladder.

B. An iron ladder leading to a fireproof scuttle in the roof may be installed in lieu of a stairway from the top floor to the roof, as required in paragraph 52 of the act to which this act is a supplement.

Ladder  
instead of  
stairs.

C. The provisions of paragraph 52 of the act to which this act is a supplement shall not apply to existing stairs, entrance halls or public halls if such stairs, entrance halls or public halls are at least two feet six inches wide in the clear in buildings of the kind mentioned in section one of this act.

Sundry pro-  
visions of  
tenement  
house super-  
vision law  
not to apply.

D. The provisions of paragraph 55 of the act to which this act is a supplement shall not apply to existing stairs, which are substantially constructed and in good repair, in buildings of the kind mentioned in section one of this act.

E. The provisions of paragraph 56 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

F. The provisions of paragraph 61 of the act to which this act is a supplement shall not apply to existing partitions enclosing public halls or stair halls, and the ceiling of any cellar or other lowest story, in buildings of the kind mentioned in section one of this act.

G. The provisions of paragraph 62 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

H. The provisions of paragraph 63 of the act to which this act is a supplement shall not apply to existing walls in buildings of the kind mentioned in section one of this act.

I. The provisions of paragraph 64 of the act to which this act is a supplement shall not apply to existing partitions in buildings of the kind mentioned in section one of this act.

J. The provisions of paragraph 75 of the act to which this act is a supplement shall not apply to existing party walls in buildings of the kind mentioned in section one of this act.

K. The provisions of paragraph 76 of the act to which this act is a supplement shall not apply to existing flues and chimneys in buildings of the kind mentioned in section one of this act.

L. The provisions of paragraph 77 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act, except that there shall be under the stove or range in every kitchen of such building a hearth of cement, concrete or stone, three feet by four feet in size.

M. The provisions of paragraph 81 of the act to which this act is a supplement shall not apply to



existing flues in buildings of the kind mentioned in section one of this act.

N. The provisions of paragraph 84 of the act to which this act is a supplement relating to firebacks or fireplaces shall not apply to existing firebacks in buildings of the kind mentioned in section one of this act.

O. The provisions of paragraph 85 of the act to which this act is a supplement shall not apply to existing division or party walls in buildings of the kind mentioned in section one of this act.

P. The provisions of paragraph 86 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

Q. The provisions of paragraph 108 of the act to which this act is a supplement, which require direct access to the bottom of a court by a doorway opening to the public hall of the building, shall not apply to buildings of the kind mentioned in section one of this act.

R. The provisions of paragraph 114 of the act to which this act is a supplement, which requires that a room in a tenement house which opens upon an inner court less than ten feet wide shall be provided with a sash window communicating with another room in the same apartment, shall not apply to buildings of the kind mentioned in section one of this act.

S. The provisions of paragraph 115 of the act to which this act is a supplement shall not apply to existing windows in buildings of the kind mentioned in section one of this act.

T. The provisions of paragraph 116 of the act to which this act is a supplement shall not apply to existing rooms in buildings of the kind mentioned in section one of this act, and no part of such provisions shall apply to any new room constructed in or added to any such building, except

the provisions that no new room shall have a floor area of less than ninety square feet.

U. The provisions of paragraph 118 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

V. The provisions of paragraph 119 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

W. The provisions of paragraph 120 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

X. The provisions of paragraph 124 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

Y. The provisions of paragraph 131 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one of this act.

Z. The provisions of paragraph 148 of the act to which this act is a supplement shall not apply to existing foundation walls of buildings of the kind mentioned in section one of this act.

AA. The provisions of paragraph 155 of the act to which this act is a supplement shall not apply to existing floor beams and roof beams in buildings of the kind mentioned in section one of this act.

BB. The provisions of paragraph 156 of the act to which this act is a supplement shall not apply to existing partitions in buildings of the kind mentioned in section one of this act.

CC. The provisions of paragraph 157 of the act to which this act is a supplement shall not apply to buildings of the kind mentioned in section one

of this act, except that an existing air space shall be properly ventilated with louvres or approved ventilators.

3. Every room in a building of the kind mentioned in section one of this act, shall have at least one window opening directly upon the street or upon a yard or court. In buildings three stories in height, the area of an inner court on the lot line shall be not less than forty square feet and its least dimension shall be not less than four feet. In buildings four stories in height, the area of an inner court on the lot line shall be not less than seventy-two square feet and its least dimension shall be not less than six feet; *provided*, that in buildings four stories in height, in which every room on the first or ground floor has a window opening to the street or yard, such court may begin at the second tier of beams and be of the size required for three-story buildings.

Windows

Area of  
court.

Proviso.

4. In a building of the kind mentioned in section one of this act, the walls of an inner court may be of frame construction, but if of frame construction, the space between the studding shall be filled in solid with brick, concrete or other approved fireproof material, and the outside face of such walls shall be covered with stucco on metal lath or other approved fireproof material and the inside face shall be lathed and properly plastered.

Space  
between  
studding  
filled with  
fireproof  
material.

5. In a building of the kind mentioned in section one of this act, no room in the cellar of such building shall be used for living purposes, nor shall any room in the basement of such building be used for sleeping purposes.

Cellar and  
basement  
rooms.

6. In a building of the kind mentioned in section one of this act there shall be a cellar, or an air-space, at least eighteen inches in the clear, beneath the floor beams of the entire basement or first floor.

Air space.

7. In a building of the kind mentioned in section one of this act there shall be within each apart-

Bathroom.

ment at least one bathroom equipped with proper fixtures and running water, and such bathroom shall have a window at least three square feet in area opening directly upon the street, a yard, or court.

Water-closet.

8. In a building of the kind mentioned in section one of this act, every water closet compartment shall have a window at least three square feet in area, opening directly upon the street, a yard, or court, and no such compartment shall have a doorway opening to any entrance hall, stair hall, or public hall.

Ceiling of basement.

9. In a building of the kind mentioned in section one of this act, the ceiling of any room in the basement shall be at least four feet above the surface of the ground outside of and immediately adjoining such room.

Height of ceiling.

10. In a building of the kind mentioned in section one of this act, no room shall be occupied for living purposes which is not in every part seven feet from the finished floor to the finished ceiling.

Inside cellar stairs.

11. In a building of the kind mentioned in section one of this act, inside cellar stairs shall be enclosed in brick walls and there shall be a fire-proof self-closing door at the bottom of said stairs.

Metal lath for basement ceiling.

12. In a building of the kind mentioned in section one of this act, the ceiling of the cellar or the basement, if such basement is used for the purposes for which a cellar is ordinarily used, shall be plastered over metal lath or approved plaster board.

Entrance hall.

13. In every entrance hall in a building of the kind mentioned in section one of this act, the entrance door or doors and the vestibule door or doors, where there is a vestibule, shall contain at least five square feet of glazed surface. Every public hall, excepting an entrance hall, shall have at least one window with an area of not less than ten square feet of glazed surface opening to the

street, a yard, or a court, or in case no such window is provided each door leading from such hall shall be provided with translucent glass panels having an area of not less than four square feet, and in addition to such translucent glass panels a ventilating skylight having an area of not less than twenty square feet shall be provided in the roof over the hall on the top floor; *provided, however*, that any ventilating skylight installed in said house prior to its conversion into a tenement house shall be sufficient if it contained a glazed surface of not less than twelve square feet.

Proviso.

14. Wherever any word defined in the act to which this act is a supplement is used in this act such word shall have the meaning given to it by the definition contained in the act to which this act is a supplement.

Definition.

15. When application shall be made to the Board of Tenement House Supervision for a permit to convert or alter a building of the kind mentioned in section one of this act into a tenement house, and it shall appear to said board that it is not practical to comply strictly with the provisions of this act, the board may require an equivalent form of construction, provided such construction conforms to the spirit of the act to which this act is a supplement.

Equivalent  
form of  
construction  
may be  
required.

Approved March 5, 1918.

## CHAPTER 276.

An Act to change the date of annual meeting for voting appropriations in certain municipalities.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Date of  
meeting to  
vote appro-  
priation for  
municipal-  
ities.

1. Wherever there exists in this State any municipality, or any district or subdivision thereof, except school districts, whose inhabitants or legal voters are authorized or required to meet annually for the purpose of voting appropriations of money for any purpose, to be raised by taxation, such annual meeting, unless now provided by law to be held at some time between January first and March first, shall be held on the third Saturday of February, to the end that appropriations so voted may be certified to the county board of taxation on or before March first.

Act effective.

2. This act shall take effect October first, nineteen hundred and eighteen.

Approved March 5, 1918.

## CHAPTER 277.

An Act to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the appointment of commissioners for the better protection of the fishing interests of the State of New Jersey," approved March seventeenth, one thousand eight hundred and seventy,' which supplement was approved May fifteenth, one thousand eight hundred and ninety-four," approved March twenty-second, one thousand eight hundred and ninety-five.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section three of the act of which this act is amendatory be and the same is hereby amended so as to read as follows: Section 3 amended.

3. The said Board of Fish and Game Commissioners may appoint twenty-nine competent men, who shall be known as fish and game wardens, whose powers and duties are hereinafter defined, and the said board shall designate one of said wardens as the fish and game protector, who shall, under the supervision of the board, have the direction, supervision and control of the other fish and game wardens, and said board shall designate two of the said wardens to be assistant fish and game protectors; the fish and game protector shall give bond to the State of New Jersey, with sureties, in the penal sum of one thousand dollars, and each of the said wardens shall give bond to said State, with sureties, in the penal sum of five hundred dollars, conditional for the faithful discharge of his duties, such bond to be approved by the commissioners, and upon default an action thereon shall be brought in the name of the State; the compensation of the Fish and game wardens.  
Protectors.  
Bond.  
Salary of chief protector.

fish and game protector shall be eighteen hundred dollars per annum for the protector serving as such for the first year; eighteen hundred and fifty dollars per annum for the protector serving as such for the second year; nineteen hundred dollars for the protector serving as such for the third year; two thousand dollars per annum for the protector serving as such for the fourth year and twenty-one hundred dollars per annum for the protector serving as such for at least five or more years; *provided, however*, that the salary of the protector heretofore appointed shall not be decreased by this act; *and provided, further*, that such compensation shall be payable semimonthly, and such protector shall be allowed his expenses in the performance of his duties. The compensation of each of the assistant fish and game protectors shall be twelve hundred dollars per annum for all assistant protectors serving as such for the first year; twelve hundred and fifty dollars for all assistant protectors serving as such for the second year; thirteen hundred dollars per annum for all assistant protectors serving as such for the third year; fourteen hundred dollars per annum for all assistant protectors serving as such for the fourth year, and fifteen hundred dollars per annum for all assistant protectors serving as such for at least five or more years; *provided, however*, that the salaries of all assistant fish and game protectors heretofore appointed shall not be decreased by this act; *and provided, further*, that such compensation shall be payable semimonthly, and expenses allowed in the performances of duties. The compensation of said wardens, other than protector and assistant protector, shall be nine hundred dollars per annum for all wardens serving as such for the first year; nine hundred and fifty dollars for all wardens serving as such for the second year; one thousand dollars per annum for all wardens serving as such for the third year; eleven hundred dollars per annum for all wardens serving as such for the fourth

Proviso.

Proviso.

Salaries of assistant protectors.

Proviso.

Proviso.

Salary of wardens.



year, and twelve hundred dollars per annum for all wardens serving as such for at least five or more years; *provided, however*, that the salaries of wardens heretofore appointed shall not be decreased by this act; *and further provided*, that such compensation shall be payable semimonthly, and an allowance to each for expenses, not exceeding three hundred dollars per annum, each of the said wardens, when appointed, shall give his entire time to the duties prescribed for wardens, and they shall not be engaged in any other business or occupation; the payment of traveling and incidental expenses for said fish and game wardens shall be made upon the statement of said fish and game protector, duly sworn to by him that the charges for which payment is asked have been incurred in the discharge of official duties, and that the bill is true and correct; such bill so certified to by the said fish and game protector shall be approved by the said board before payment; the compensation and expenses incurred under this act may be paid by the State Treasurer, on warrants of the Comptroller, on bills properly approved by said board out of the resident license fund and other receipts of said board, received through said board, or otherwise.

Proviso.

Proviso.

Expenses  
allowed.Payments  
made from  
funds of  
board.

2. This act shall take effect immediately.

Approved March 5, 1918.

## CHAPTER 278.

An Act to amend an amendment to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight, which amendment was approved April fourteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 43  
amended.

1. Section forty-three of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Statement  
furnished by  
secretary of  
state to  
county  
clerks.

43. It shall be the duty of the Secretary of State at least twenty days before any election whereat any candidates nominated in any certificate or petition filed with him is to be voted for, to make and certify, under his hand and seal of office, and forward to the clerks of the several counties of the State, a statement of all the candidates nominated by certificate or petitions filed in his office for whom voters within any such county may be by law entitled to vote at such election; such statement, in addition to the names of the candidates for President and Vice-President of the United States, if any such have been included in any such certificate or petition filed with him shall also contain the names and residences of all other candidates, the offices for which they are respectively nominated, and the names of the parties by which or the political appellation under which, they are respectively nominated; candidates nominated by petition, without distinctive political appellation, shall be certified as independent candidates.

What state-  
ment to  
show.

2. Section forty-four of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 44  
amended.

44. Whenever any person nominated for public office by any of the modes in this act provided shall at least twenty days before the day of election, in a writing signed by him and duly acknowledged, notify the officer with whom the original certificate of his nomination was filed that he declines such nomination, the same shall be void, and his name shall not be printed upon the ballots. The officer to whom such notification is given shall forthwith inform by mail or otherwise the chairman and secretary whose names are attached to the original certificate of nomination if the nomination was by certificate, that such nomination has been declined; or if the nomination was by petition, then the officer to whom the notification or declination is given shall forthwith, by mail or otherwise, inform at least five of the persons who signed the petition nominating such candidates that such nomination has been declined.

In case of  
declining  
nomination.

Notification  
of declina-  
tion.

3. Section forty-five of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 45  
amended.

45. Should any person so nominated die twenty days before election day or decline the nomination as in this act provided, or shall any certificate or petition of nomination be insufficient or inoperative, the vacancy or vacancies thus occasioned may be filled in the manner required for original nominations; if the original nomination was made by a party convention which had delegated to a committee the power to fill vacancies, such committee may, upon the occurring of such vacancies, proceed to fill the same; the chairman and secretary of such committee shall thereupon make and file with the proper officer a certificate setting forth the cause of the vacancy, the name of the person nominated,

Provision for  
filling  
vacancies.

the office for which he was nominated, the name of the person for whom the new nominee is to be substituted, the fact that the committee was authorized to fill vacancies and such further information as is required to be given in any original certificate of nomination; the certificate so made be executed and sworn to by the chairman and secretary of such committee in the manner prescribed for the original certificate of nomination, and shall, upon being filed at least twenty days before election, have the same force and effect as an original certificate of nomination; when such certificate shall be filed with the Secretary of State, he shall, in certifying the nomination to the various county clerks, insert the name of the person who has thus been nominated to fill a vacancy, and in the event that he has already sent forward his certificate, he shall forthwith certify to the clerks of the proper counties the name and description of the person so nominated to fill a vacancy, the office he is nominated for, the party or political principle he represents, and the name of the person for whom such nomination is substituted.

Notification  
to county  
clerks.

Section 46  
amended.

4. Section forty-six of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Validity of  
certificates of  
nominations.

46. All certificates of nomination which are in apparent conformity with the provisions of this act shall be deemed to be valid, unless objection thereto shall be duly made in writing and filed with the officer with whom the original certificate was filed within two days after the filing of said certificates; in case such objection is made, notice thereof signed by said clerk shall forthwith be mailed to all candidates who may be affected thereby, addressed to them at their respective places of residence as given in said certificate of nomination; the said officer with whom the original certificate was filed shall in the first instance pass upon the validity of such objection, unless an order

Objections.

shall be made in the matter by a court of competent jurisdiction, and file his determination in writing in his office at least twenty days before the election, which determination shall be open for public inspection, and the justice of the Supreme Court holding the Circuit Court in and for the county in which any certificate of nomination shall be filed, on the application or complaint, duly verified, of any candidate setting forth any invasion or threatened invasion of his rights under the certificate of nomination filed with any county or municipal clerk, is hereby empowered and required to determine upon said application or complaint in a summary way and make such order thereupon as will protect and enforce the rights of such candidate.

Summary  
determination  
by court.

5. All other acts or parts inconsistent therewith are hereby repealed. Repealer.

6. This act shall take effect immediately.

Approved March 5, 1918.

#### CHAPTER 279.

A Supplement to an act entitled "An act respecting the Orphans' Court and relating to the powers and duties of the ordinary, and the Orphans' Court and surrogates" (Revision, 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever any administrator has filed his final account, or shall hereafter file his final account, and application has been made, or shall be

Unknown  
persons en-  
titled to  
share of  
estate.

made, for an order of distribution, and it appears, or shall appear, that in addition to the persons who are known to have an interest in such estate, any other person or persons, whose names or places of residence are unknown, may be entitled to participate in the distribution of the estate, respecting which an accounting is made, the judge before whom such matter is pending may, in his discretion, make an order requiring all such persons, whose addresses are unknown and who may have an interest in such matter, to appear in such suit or to file their claims with such administrator within thirty days from the date of making such order. Such notice shall be published for five consecutive days in a newspaper printed or circulating in the county in which such order is made, and the last publication shall appear at least twenty days before the date fixed for the filing of such claims. The judge making such order shall require that the administrator or his proctor or agent actually intrusted with the management and conduct of the passing of his account make diligent and careful inquiry for the names and places of residence of all persons who may be entitled to participate in the distribution of the estate and file due proof of such inquiry and of the information obtained thereby and may require that a copy of said notice be mailed to the last known post-office address of such person whose present post-office address is unknown, which notice shall be enclosed in a wrapper with postage prepaid thereon. All such persons failing to appear or to file their claims within the time prescribed by said order shall forever thereafter be debarred from all right, title or claim to the decedent's estate, and the court shall proceed to make an order of distribution upon the proofs submitted by the claimants to such estate, or upon such other proofs as he may require to be taken, and any order of distribution made pursuant to this act shall be made in conformity with the

Order to  
file claim.

Notice by  
publication.

Careful in-  
quiry to be  
made.

Failure to  
file claim to  
debar all  
rights.

statute as it existed at the time of the death of the decedent.

2. This act shall take effect immediately.

Approved March 5, 1918.

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#### CHAPTER 280.

An Act to secure the payment of laborers, mechanics, merchants, traders and persons employed upon or furnishing materials toward the performing of any work in cities, towns, townships and other municipalities in this State (Revision of 1918).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any person who as laborer, mechanic, merchant or trader or subcontractor, shall hereafter, in pursuance of or conformity with the terms of any contract for any public improvement made between any person or corporation and any county, city, town, township, public commission, public board or other municipality in this State authorized by law to make contracts for the making of any public improvement, perform any labor or furnish any materials toward the performance or completion of any such contract shall, on complying with the provision of the second section of this act, have a lien for the value of such labor or materials, or both, upon the moneys in the control of said municipality due or to grow due under said contract to the full value of such claim or demand, and these liens may be filed, and to the extent of the amount due or to grow due under said contract,

Labor or materials furnished for public improvements a lien.

Proviso.

become absolute liens to the full or par value of all such work and materials in favor of every person and his representatives and assigns who shall be employed by or furnish materials to the contractor or to any subcontractor under him; *provided*, that no such municipality shall be required to pay a greater amount than the contract price of the work and materials furnished or the value thereof when no specific contract is made with respect to the same by the contractor or subcontractor, respectively.

Filing  
claims.

2. At any time before the whole work to be performed by the contractor for the municipality is either completed or accepted by resolution of the municipality, or within sixty days thereafter, any claimant may file with the chairman or other head officer, or with the secretary or clerk of the county, city, town, township, public board or commission, or other municipality, with which the contract for said work was made, a notice of claim, verified by oath or affirmation, which notice shall state the residence or place of business of the claimant, the amount claimed, from whom due, and if not due, when it will be due, and shall state as nearly as may be the amount of the demand after deducting all just credits and offsets, the name of the person by whom employed, or to whom the materials were furnished, and shall state whether such person is the contractor with the municipality or a subcontractor, and shall state generally the nature of the public work to which the contract relates, and give the name of the contractor with the municipality and the county, city, town, township, public board or commission or other municipality with which the contract was made, and shall allege that the labor was performed or materials furnished to the said contractor or subcontractor, specifying which, and that they were actually performed or used in the execution or completion of the said contract with the said municipality; but no variance as to



the name of the contractor or subcontractor or name of the municipality shall affect the validity of said claim or lien.

3. It shall be the duty of the officer upon whom notice of lien is served to give notice of the filing thereof to the financial officer of the municipality, and thereupon the latter shall enter in a book to be kept by him for the purpose, to be known as the lien book, the name and residence or place of business of the claimant, the name of the contractor and of the subcontractor, if any, referred to in the lien, the amount and date of the filing and a brief designation of the municipal contract upon which the claim is made, but no failure of the said officer to notify the financial officer, or failure of the financial officer to make entry in the book, shall affect the validity of the claim.

Entries in  
lien book.

4. No lien provided for in this act shall be binding, on the funds of the municipality therein referred to, unless an action to enforce the lien claim be brought within sixty days from the filing thereof, but if any action be brought by any claimant the lien of any other claimant may be preserved and enforced by filing an answer setting up his claim in said suit within the time provided for in the practice of the court, or such time as may be allowed him by the court in said suit.

Time to  
enforce lien.

5. The lien shall attach from the time of the filing thereof to the extent of the liability of the contractor or subcontractor, as the case may be, for the claim preferred upon any funds which may be due or to grow due to the said contractor from the municipality under the contract against which the lien is filed. *Provided, however,* that the funds due or to grow due to the said contractor from said city, town, township or other municipality may be released and paid to the said contractor by the financial officer of said city, town, township or other municipality upon the filing with said financial officer of a bond in double the sum of all claims

Extent of  
lien.

Proviso.

filed under the provisions of this act against the said contract or the funds due or to grow due thereunder conditioned for the payment of such sum or sums as may be decreed to be due under any such claims, which bond shall be approved as to form by the chief law officer of such municipality and as to sufficiency by the financial officer with whom it is filed.

Priority  
of lien.

6. The lien of any laborer, or of any person, persons or corporation furnishing any material hereafter filed under the act to which this is a supplement, shall have priority over any assignment by a contractor or subcontractor to any third person or persons of any money due or to grow due to such contractor or subcontractor for any labor or material furnished for any public improvement referred to in said act, notwithstanding such assignment may have been made prior to the filing of notice by any such laborer, or any such person, persons or corporation furnishing any material, provided such money shall not have been paid to such assignee at the time of the filing of such notice.

Notice of  
filing claim.

7. The city, town, township or other municipality with whom any laborer, or with whom any person, persons or corporation furnishing material, may hereafter file any notice of lien claim under the act to which this is a supplement, may serve notice upon the contractor against whom such claim is made, and upon any person who by the records of the municipality may appear to have any interest in the fund in the possession of the municipality against which such labor claim or claim for material furnished is filed, that such claim has been filed, and requiring the said contractor or person in interest to show cause before the governing board of such municipality within five days from the service of such notice why the said claim should not be paid. And unless within the time so limited the said contractor or person in interest shall file

Municipality  
may pay  
claim unless  
statement  
filed.

with the financial officer of the municipality a statement, duly verified, that the claim of the said laborer, or of the said person, persons or corporation who has furnished material is unfounded and untrue, and specifying in what respects the said claim is unfounded and untrue, the said municipality may pay, without the order of any court, the claim of such laborer, or of such person, persons or corporation who has furnished material, out of the fund of its possession upon which such laborer, or upon which such person, persons or corporations who has furnished material, has a lien. The said city, town, township or other municipality shall be entitled to credit upon its contract for any money so paid, and shall not be obliged to pay the same to the contractor or any other person whatever; *provided, however*, nothing in this act contained shall be so construed as to in anywise impair the right of the priority of the claim or lien of any laborer as between the right of such laborer and any other claimant or person entitled to a lien.

Credit  
allowed.

Proviso.

8. Any claimant who has filed the notice mentioned in the second section of this act may enforce his claim against the said fund therein designated by a suit in the Court of Chancery and actions to determine or terminate said liens may be brought in the Court of Chancery by the contractor, the subcontractor, or the municipality.

Enforcement  
of claim.

9. The claimant first bringing an action for the enforcement of his claim in the Court of Chancery must make parties to the suit all who have filed claims, the contractor, the subcontractor referred to in the claims, and the county, city, town, township commission, public board or other municipality with whom the contract was made, and if the public board or commission is not a corporation, then the municipality under which it is constituted must be made a party defendant. Subpoena may be issued against all parties and served either actually or by publications according to the

Parties to  
suit.

Subpoenas.

practice of the Court of Chancery, and with the subpoena the complainant shall serve notice stating briefly the object of the suit, and whether or not any personal claim is made against the defendant served. And all parties who have filed claims may, by answer in the suit, set forth their claims, and the court may decide as to the extent, justice and priority of the claims of all parties to the action. If at any time pending such suit it shall be made to appear to the court by the contractor, the subcontractor, municipality or other party defendant, that any such party has a valid defense at law to any suit wherein any of the claimants was plaintiff, but which cannot be set up in defense in a court of equity, the court shall, if it be necessary for the administration of justice in the premises, stay further proceedings in the suit until the determination of such matters or things by a court of law, either on a feigned issue or by action at law. Unless the claimant shall institute such proceeding at law within thirty days thereafter, his claim shall be dismissed with costs and the Court of Chancery shall have power upon notice to dismiss the lien in case the suit is not prosecuted with diligence. The record of any judgment in any such suit so instituted may be set up in such suit in the Court of Chancery and shall be conclusive as to so much of the amount of said lien as may have been at issue in the said suit at law.

10. The Court of Chancery shall determine the validity of the lien of the complainants and defendants and of all other liens which may be filed within the time prescribed by this act and the amount due from the municipality to the contractor under the contract, and from the contractor or subcontractor to the respective claimants, and shall make a decree directing the municipality, out of the moneys due from it to the contractor, to pay over to the several claimants the sums found due to them respectively, with interest and costs upon

Claims set forth and decided.

Stay of proceedings.

Dismissal of claim.

Validity of liens determined.

Decree.

claims adjudged to be just and valid under this act for work done or materials furnished in the execution of the contract or contracts with the municipality, but if the amount due from the municipality to the contractor is not sufficient to make such payments in full, then distribution shall be made ratably, without regard to the priority in filing the claims, and in either case the claims of subcontractors shall be chargeable with the amounts paid to claimants under them for work done or materials furnished in the execution of the subcontract; *provided, however*, that laborers shall have a lien to other liens upon filing notices under this act at any time before payments are due and made, and the lien of any laborer filed under this act shall have priority over any assignment by a contractor or subcontractor to any third person of any money due to such contractor or subcontractor for any labor or material furnished for any public improvements referred to in this act, notwithstanding the assignment may have been made prior to the filing of the notice by the laborer; *provided*, such moneys shall not have been paid to the assignee prior to the time of the filing of the notice. The municipality with which any laborer may file such notice may serve notice upon the contractor and upon any person who by the records of the municipality may appear to have any interest in the fund in the possession of the municipality against which such laborer's claim is filed, stating that such claim has been filed and requiring the person in interest to show cause before the governing board of the municipality within five days from the service of the notice why said claim should not be paid, and unless within the time so limited the contractor or person in interest shall file with the financial officer of the municipality a statement duly verified that the claim of the laborer is unfounded and untrue, the municipality may pay without order of any court the claim of

If amount  
insufficient,  
ratable dis-  
tribution.

Proviso.

Proviso.

Payment of  
claim of  
laborer by  
municipality.

Credit allowed.	such laborer out of the fund in its possession, upon which the laborer has the lien. The municipality shall be entitled to credit on its contract for any moneys so paid, and shall not be obliged to pay the same to the contractor or any person whatever.
Suits may be consoli- dated.	11. When separate suits are commenced the court may, upon application of the municipality or of any of the defendants, consolidate them.
Costs.	12. The cost shall rest in the discretion of the court and shall be awarded against complainants or defendants, or any or either of them, as the court may think just.
Payment into court during suit.	13. The municipality may at any time during the progress of the suit pay into the Court of Chancery the amount which it is willing to admit to be due to the principal contractor upon the contract, but this shall not preclude the contractor or any of the claimants from asking for a decree for a further sum subject to costs in case of failure to sustain the contention.
Right to recover not affected.	14. Nothing contained in this act shall be construed to impair or affect the right of any person to whom any debt may be due for work or materials furnished, to maintain a personal action to recover such debt against the person liable therefor.
Discharge of lien.	15. The lien may be discharged as follows: First, by filing a certificate in the office of the county clerk of county where building is situate of the claimant or his successor in interest duly acknowledged or proved, stating that the lien is discharged. Second, by a lapse of time, when sixty days have elapsed since filing of the claim and no action shall have been commenced in the Court of Chancery to enforce any lien claim under the contract with the municipality, or when after such action has been brought the claimant (not being the complainant) has failed to file an answer within the time fixed by law or such further time as may be granted by the Court of Chancery, setting

up his claim. Third, by satisfaction of any decree that may have been rendered in any suit to enforce the said lien or claim. Fourth, by the final decree of the Court of Chancery in any suit to enforce the lien to which the claimant was a party.

16. The term "contractor" as used in this act shall be construed as meaning the person with whom the contract with the municipality is made, his assigns or legal representatives. The term "subcontractor" shall be construed as meaning the person having a contract under him for the performance of the same work, or any specified part thereof, and also a person having such a contract with a subcontractor, for the performance of the same work or any specified part thereof.

17. The word "person" as used in this act shall include corporation, and the word "municipality" as used in this act shall be construed to include every form of municipality, including those specified in the first section of the act. Words used in the singular number shall include the plural form.

18. This act shall take effect immediately, but nothing herein contained may affect claims under contracts made by municipalities in this State prior to its passage; *provided, however*, that all the proceedings to enforce liens on claims may be subject to the provisions of said act so far as same shall be applicable.

19. This act shall be known and may be cited by the short title "Municipal Mechanics' Lien Law (Revision of 1918)."

20. Except as above specified, the following acts are hereby repealed:

(1) The act entitled "An act to secure the payment of laborers, mechanics, merchants, traders, and persons employed upon or furnishing materials toward the performing of any work in public improvements in cities, towns, townships, and other municipalities in this State," approved

"Contractor."

"Subcontractor."

"Person."

"Municipality."

Prior claims not affected.

Proviso.

Short title.

Acts repealed.

March thirtieth, one thousand eight hundred and ninety-two.

(2) The amendment of said act, approved April nineteenth, one thousand nine hundred and nine.

(3) The supplement to said act, approved June fourteenth, one thousand nine hundred and eleven.

Approved March 5, 1918.

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#### CHAPTER 281.

An Act to repeal sundry acts relative to charitable, correctional, reformatory and penal institutions, boards and commissions supported in whole or in part by State funds.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Sundry acts  
repealed.

1. From and after the time when this act shall take effect the following acts and parts of acts be repealed:

“An act to create the office of commissioner of charities and corrections and to define his powers and duties,” approved March 25, 1905.

“An act to amend an act entitled ‘An act to create the office of commissioner of charities and corrections and to define his powers and duties,’ approved March twenty-fifth, one thousand nine hundred and five,” approved March 9, 1906.

“An act to amend an act entitled ‘An act to create the office of Commissioner of Charities and Corrections, and to define his powers and duties,’ approved March twenty-fifth, one thousand nine hundred and five,” approved April 15, 1907.



"A supplement to an act entitled 'An act to create the office of Commissioner of Charities and Corrections, and to define his powers and duties,' approved March twenty-fifth, one thousand nine hundred and five," approved March 22, 1910.

"A supplement to an act entitled 'An act to create the office of Commissioner of Charities and Corrections, and to define his powers and duties,' approved March twenty-fifth, one thousand nine hundred and five, relating to private charities," approved April 7, 1914.

"An act determining the existence of vacancies on boards of managers, trustees and other governing bodies of the institutions of this State," approved April 1, 1909.

"An act concerning admissions to feeble-minded, epileptic, tubercular and blind institutions," approved April 9, 1910.

"An act for the creation of a State Board of Children's Guardians, and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or hereafter to become public charges of this State," approved March 24, 1899.

"A supplement to an act entitled 'An act for the creation of a State Board of Children's Guardians, and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or hereafter to become public charges of this State,' approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 22, 1900.

"An act to amend an act entitled 'An act for the creation of a State Board of Children's Guardians, and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or here-

after to become public charges of this State,' approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 3, 1902.

"An act to regulate the importation of dependent children, and providing a penalty for violation thereof," approved May 10, 1907.

"An act to amend an act entitled 'An act to regulate the importation of dependent children, and providing a penalty for violation thereof,' approved May tenth, one thousand nine hundred and seven, so as to admit the importation of blind children under the age of twelve years," approved March 27, 1912.

(Comp. Stats., p. 455, "Admission and transfer of inmates of State institutions," sections.)

"An act providing for the transfer from State institutions, in certain cases, of inmates and patients," approved April 14, 1908.

"An act to amend the title and body of an act entitled 'An act providing for the transfer from State institutions, in certain cases, of inmates and patients,' approved April fourteenth, one thousand nine hundred and eight," approved April 20, 1914.

"An act relative to the government and management of hospitals for the insane owned by the State of New Jersey," approved March 17, 1916.

"An act to amend an act entitled 'An act relative to the government and management of hospitals for the insane owned by the State of New Jersey,' approved March seventeenth, one thousand nine hundred and sixteen," approved March 20, 1917.

"An act concerning the insane; providing for their commitment to hospitals for the insane and their confinement therein, including care, treatment and support (Revision of 1916)," approved March 16, 1916.

"An act to amend an act entitled 'An act concerning the insane; providing for their commitment to hospitals for the insane and their confinement therein, including care, treatment and sup-

port (Revision of 1916),' approved March sixteenth, one thousand nine hundred and sixteen," approved March 27, 1917.

"An act to establish a sanatorium for persons afflicted with tuberculous diseases, and to provide for the selection of a site and the erection of buildings therefor, and the government thereof," approved April 3, 1902.

"An act to amend an act entitled 'An act to establish a sanatorium for persons afflicted with tuberculous diseases, and to provide for the selection of a site and the erection of buildings therefor and the government thereof,' approved April third, one thousand nine hundred and two," approved March 13, 1903.

"A supplement to an act entitled 'An act to establish a sanatorium for persons afflicted with tuberculous diseases, and to provide for the selection of a site and the erection of buildings therefor, and the government thereof,' approved April third, one thousand nine hundred and two," approved March 13, 1903.

"An act making a further appropriation for the erection and equipment of "The New Jersey Sanatorium for Tuberculous Diseases," approved March 28, 1904.

"An act to amend an act entitled 'An act to establish a sanatorium for persons afflicted with tuberculous diseases, and to provide for the selection of a site and the erection of buildings therefor and the government thereof,' approved April third, one thousand nine hundred and two," approved May 13, 1907.

"An act to establish a Village for Epileptics and to repeal certain acts inconsistent therewith," approved March 21, 1901.

"An act to amend an act entitled 'An act to establish a Village for Epileptics, and to repeal certain acts inconsistent therewith,' approved March twenty-first, one thousand nine hundred and one," approved April 2, 1902.

"A supplement to an act entitled 'An act to establish a Village for Epileptics and to repeal certain acts inconsistent therewith,' approved March twenty-first, one thousand nine hundred and one," approved April 9, 1910.

"An act to amend an act entitled 'An act to establish a Village for Epileptics, and to repeal certain acts inconsistent therewith,' approved March twenty-first, one thousand nine hundred and one, and to repeal a portion thereof," approved April 17, 1914.

"A supplement to an act entitled 'An act to establish a Village for Epileptics, and to repeal certain acts inconsistent therewith,' approved March twenty-first, nineteen hundred and one," approved March 16, 1916.

"An act to provide for the organization of the New Jersey Home for Disabled Soldiers," approved April 4, 1866.

"An act to amend section seven of the act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, eighteen hundred and sixty-six; also providing an additional appropriation for the support of the home provided for by the said act," approved March 24, 1885.

"A supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six," approved March 26, 1886.

"A supplement to an act entitled 'A supplement to an act for the organization of the New Jersey Home for Disabled Soldiers,' approved March twenty-six, one thousand eight hundred and eighty-six," approved April 28, 1886.

"A supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six," approved May 13, 1889.

"A supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six," approved April 7, 1890.

"A supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six," approved April 22, 1897.

"A further supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six, and the supplements thereto," approved February 28, 1900.

"A further supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six," approved March 19, 1901.

"A supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six," approved March 29, 1904.

"A further supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six, and the supplements thereto," approved March 25, 1905.

"An act to create the Commander of the Department of New Jersey of the Grand Army of the Republic ex officio a member of the board of managers of the New Jersey Home for Disabled Soldiers, at Kearny, and the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland," approved March 18, 1914.

"A further supplement to an act entitled 'An act to provide for the organization of the New Jer-

sey Home for Disabled Soldiers,' approved April fourth, eighteen hundred and sixty-six," approved April 7, 1914.

"An act to amend an act entitled 'A further supplement to an act entitled "An act to provide for the organization of the New Jersey Home for Disabled Soldiers," approved April fourth, one thousand eight hundred and sixty-six, and the supplements thereto,' approved February twenty-eighth, one thousand nine hundred," approved April 15, 1914.

"A further supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers,' approved April fourth, one thousand eight hundred and sixty-six," approved April 8, 1915.

"An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives," approved April 20, 1898.

"An act to amend 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives,' approved April twentieth, eighteen hundred and ninety-eight," approved March 23, 1900.

"A supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives,' approved April twentieth, one thousand eight hundred and ninety-eight," approved April 10, 1902.

"A supplement to the act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives,' approved April twentieth, one thousand eight hundred and ninety-eight," approved March 31, 1903.

"A further supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives,' approved April twentieth, one thou-

sand eight hundred and ninety-eight," approved March 25, 1905.

"An act to amend an act entitled 'A further supplement to an act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives,' approved April twentieth, one thousand eight hundred and ninety-eight,' which further supplement was approved March twenty-fifth, one thousand nine hundred and five," approved April 16, 1909.

"An act providing for the erection and equipment of a hospital at the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland," approved February 19, 1912.

"An act to amend an act entitled 'An act to amend "An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives," approved April twentieth, eighteen hundred and ninety-eight,' approved March twenty-third, nineteen hundred," approved March 26, 1912.

"An amendment to an act entitled 'A supplement to an act entitled "An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives," approved April twentieth, one thousand eight hundred and ninety-eight,' approved March thirty-first, one thousand nine hundred and three," approved March 27, 1913.

"An act to provide for the alterations, repairs and furnishings of the building purchased as a Home for Veteran Soldiers, Sailors or Marines and their Wives," approved March 21, 1899.

"An act providing for the care and maintenance of the widows of soldiers, sailors and marines at the State institution at Vineland, organized and existing under the provisions of the act entitled 'An act to provide for the organization of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives,' approved April twentieth, one

thousand eight hundred and ninety-eight," approved March 13, 1903.

"An act concerning the support and maintenance of the State Home at Vineland for Veterans and their Wives and Widows, established under chapter one hundred and seventy-four of the laws of one thousand eight hundred and ninety-eight and chapter sixty-seven of the laws of one thousand nine hundred and three," approved March 31, 1905.

"An act for the enlargement of the New Jersey Home for Disabled Soldiers, Sailors or Marines and their Wives, at Vineland," approved April 30, 1906.

"An act for the enlargement of the New Jersey Home for Disabled Soldiers, Sailors or Marines and their Wives at Vineland."

"An act constituting a commission for ameliorating the condition of the blind and defining its powers and duties," approved April 16, 1909.

"An act to amend an act entitled 'An act constituting a commission for ameliorating the condition of the blind, and defining its powers and duties,' approved April sixteenth, one thousand nine hundred and nine," approved March 30, 1911.

"A supplement to an act entitled 'An act constituting a commission for ameliorating the condition of the blind, and defining its powers and duties,' approved April sixteenth, nineteen hundred and nine," approved March 3, 1916.

"A supplement to an act entitled 'An act constituting a Commission for Ameliorating the Condition of the Blind, and defining its powers and duties,' approved April sixteenth, nineteen hundred and nine," approved March 7, 1916.

"An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State," approved March 12, 1873.

"A further supplement to an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons,



inhabitants of this State,' approved March twelfth, one thousand eight hundred and seventy-three," approved March 8, 1888.

"An act to amend an act entitled 'A further supplement to an act entitled "An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State," approved March twelfth, one thousand eight hundred and seventy-three, which said act hereby intended to be amended was approved March eighth, one thousand eight hundred and eighty-eight," approved April 3, 1891.

"An act to amend an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State' (Revision), approved March twelfth, one thousand eight hundred and seventy-three," approved March 15, 1893.

"An act to amend an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State,' approved March twelfth, one thousand eight hundred and seventy-three," approved March 28, 1904.

"A supplement to an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State,' approved March twelfth, one thousand eight hundred and seventy-three," approved March 28, 1904.

"An act to amend an act entitled 'An act to amend an act entitled "An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State (Revision)," approved March twelfth, one thousand eight hundred and seventy-three,' which said act hereby intended to be amended was approved March fifteenth, one thousand eight hundred and ninety-three," approved April 8, 1910.

"A further supplement to an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State,' approved March twelfth, one thousand eight hundred and seventy-three," approved April 9, 1910.

"An act to amend an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State,' approved March twelfth, one thousand eight hundred and seventy-three," approved April 14, 1915.

"An act to amend an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State,' approved March twelfth, one thousand eight hundred and seventy-three," approved March 16, 1916.

"An act to provide for the establishment of a home for the care and training of feeble-minded women," approved March 27, 1888.

"An act to amend the title and body of an act entitled 'An act to provide for the establishment of a home for the care and training of feeble-minded women,' approved March twenty-seventh, one thousand eight hundred and eighty-eighth," approved April 5, 1915.

"An act authorizing the establishment of colonies for the custody and care of feeble-minded males on State lands and providing for the management and control thereof," approved March 15, 1916.

"An act relating to the management of the New Jersey Reformatory," approved March 21, 1901.

"An act to amend an act entitled 'An act relating to the management of the New Jersey Reformatory,' approved March twenty-first, one thousand nine hundred and one," approved March 16, 1909.

"A supplement to 'An act relating to the management of the New Jersey Reformatory,' approved March twenty-first, one thousand nine hundred and one," approved April 15, 1908.

"A supplement to an act entitled 'An act relating to the State Reformatory,' approved March twenty-eighth, one thousand eight hundred and eighty-five," approved March 15, 1910.

"A supplement to an act entitled 'An act relating to the management of the New Jersey Reformatory,' approved March Twenty-first, one thousand nine hundred and one," approved April 8, 1910.

"An act to amend an act entitled 'An act to amend an act entitled "An act relating to the management of the New Jersey Reformatory," approved March twenty-first, one thousand nine hundred and one,' which amendatory act was approved March sixteenth, one thousand nine hundred and nine," approved April 6, 1911.

"Supplement to an act entitled 'An act relating to the management of the New Jersey Reformatory,' approved March twenty-first, one thousand nine hundred and one," approved April 27, 1911.

"Supplement to 'An act relating to the management of the New Jersey Reformatory,' approved March twenty-first, one thousand nine hundred and one," approved March 13, 1912.

"An act to establish a State Reformatory for Women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offenses," approved April 1, 1910.

"A supplement to an act entitled 'An act to establish a State Reformatory for Women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offenses,' approved April first, nineteen hundred and ten," approved February 5, 1913.

"An act to supplement and amend an act entitled "An act to establish a State Reformatory for Women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offenses," approved March 19, 1912.

"An act to amend an act entitled 'An act to establish a State Reformatory for Women, to provide for the government thereof, and the commitment thereto of women convicted of crimes and other offenses,' approved April first, one thousand nine hundred and ten," approved March 24, 1913.

"An act for the erection and management of a house of detention for convict or criminal insane upon the grounds of the New Jersey State Hospital at Trenton, and to regulate commitments thereto," approved April 27, 1911.

"An act to establish and regulate the State Home for Boys (Revision of 1900)," approved March 22, 1900.

"An act to provide for the transfer of inmates from the State Home for Boys to the State Reformatory and for the transfer of inmates from the State Reformatory to the State Prison," approved April 6, 1911.

"An act to amend an act entitled 'An act to establish and regulate the State Home for Boys (Revision of 1900), approved March twenty-second, nineteen hundred,'" approved March 13, 1916.

"An act to establish and regulate the State Home for Girls (Revision of 1900)," approved March 23, 1900.

"A supplement to the act entitled 'An act to establish and regulate the State Home for Girls' (Revision of one thousand nine hundred), approved March twenty-third, nineteen hundred,'" approved May 7, 1901.

"An act to authorize the construction of a sewer for the State Home for Girls," approved March 1, 1905.

"A supplement to an act entitled 'An act to establish and regulate the State Home for Girls (Revision of 1900),' approved March twenty-third one thousand nine hundred," approved May 11, 1905.

"An act to amend an act entitled 'An act to establish and regulate the State Home for Girls (Revision of 1900),' approved March twenty-third, one thousand nine hundred," approved April 5, 1909.

"An act to provide for the legal commitment of any wayward female or females convicted of a misdemeanor, or high misdemeanor, or adjudged to be a disorderly person or persons, to any charitable institution in this State maintained for the reformation of wayward females," approved February 26, 1913.

"A further supplement to an act entitled 'An act to establish and regulate the State Home for Girls (Revision of 1900),' approved March twenty-third, one thousand nine hundred," approved April 17, 1914.

"A further supplement to an act to amend an act entitled 'An act to establish and regulate the State Home for Girls (Revision of 1900),' approved March twenty-third, one thousand nine hundred," approved March 16, 1917.

"An act for the government and regulation of the State Prison," approved April 21, 1876.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, eighteen hundred and seventy-six," approved April 2, 1885.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand eight hundred and seventy-six," approved April 20, 1889.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April second, eighteen hundred and eighty-five," approved April 17, 1891.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, eighteen hundred and seventy-six," approved March 14, 1878.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand eight hundred and seventy-six," approved March 25, 1881.

"An act to amend an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, eighteen hundred and seventy-six," approved March 18, 1914.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved March 22, 1888.

"An amendment to 'A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' and approved March twenty-second, one thousand eight hundred and eighty-eight,' " approved March 31, 1911.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved March 23, 1883.

"An act to amend an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved March 29, 1910.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand

eight hundred and seventy-six," approved April 30, 1887.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, anno Domini one thousand eight hundred and seventy-six," passed March 26, 1889.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved March 24, 1892.

"An act to amend an act entitled 'A supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand eight hundred and seventy-six,' which supplement was approved March twenty-fourth, one thousand eight hundred and ninety-two," approved April 30, 1906.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand eight hundred and seventy-six," passed May 17, 1894.

"An act to amend an act entitled 'A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand eight hundred and seventy-six, which supplement was passed May seventeenth, one thousand eight hundred and ninety-four," approved May 17, 1906.

"An act to amend a further supplement to an act entitled 'An act for the government and regulation of the State Prison, approved May seventeenth, one thousand eight hundred and ninety-four," approved April 11, 1910.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved March 12, 1902.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand eight hundred and seventy-six," approved April 1, 1902.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, one thousand eight hundred and seventy-six," approved May 13, 1907.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved April 1, 1908.

"A further supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved April 8, 1910.

"An act to provide for a supply of water at the New Jersey State Prison," approved April 5, 1878.

"An act regulating the purchase of supplies for the New Jersey State Prison," approved March 3, 1881.

"An act to provide for the enlargement and improvement of the State Prison," approved March 25, 1895.

"An act to make provision for lighting the State Prison," approved April 14, 1896.

"An act to amend an act entitled 'An act to make provisions for lighting the State Prison,' approved April fourteenth, one thousand eight hundred and ninety-six," approved May 13, 1907.

"An act to provide for certain increased conveniences in the State Prison," approved March 24, 1899.

"An act to provide for increasing the capacity of the State Prison," approved March 31, 1905.



"An act to establish a parole agent for the State Prison," approved May 11, 1905.

"An act to amend an act entitled 'An act to establish a parole agent for the State Prison,' approved May eleventh, one thousand nine hundred and five," approved April 23, 1915.

"An act to establish a school and to provide school facilities and accommodations in the State Prison," approved April 15, 1907.

"An act for the government of the State Prison, to better the condition of prisoners upon their discharge," approved March 29, 1910.

"An act for the government and regulation of the State Prison, authorizing the managing authorities of the State Prison to employ prisoners confined in the State Prison on work required for prison purposes to be employed outside the walls of the prison," approved April 11, 1910.

"An act defining the State Prison and providing for the government and regulation thereof and providing for the control and management of persons committed thereto," approved April 20, 1914.

"An act to amend an act defining State Prison and providing for the government and regulation thereof and providing for the control and management of persons committed thereto, approved April twentieth, one thousand nine hundred and fourteen," approved April 23, 1915.

"An act authorizing the board of inspectors of the New Jersey State Prison to expend moneys already appropriated for other purposes," approved April 6, 1915.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," approved April 8, 1915.

"A supplement to an act entitled 'An act for the government and regulation of the State Prison,' approved April twenty-first, eighteen hundred and seventy-six," approved April 14, 1915.

"An act to abolish and prohibit the employment under contract of convicts and inmates of prisons, jails, penitentiaries and all public reformatory institutions in the State of New Jersey," approved February 21, 1884.

"An act to provide for the employment of the inmates of any prison, penitentiary, jail or public reformatory institution located within this State," approved April 18, 1884.

"An act providing for the employment of inmates of penal, correctional or reformatory institutions of this State and creating a board for the control, regulation and supervision of the labor of such institutions, and for the disposal of the products of the labor of such inmates," approved June 7, 1911.

"An act to amend an act entitled 'An act providing for the employment of inmates of penal, correctional or reformatory institutions of this State, and creating a board for the control, regulation and supervision of the labor of such institutions, and for the disposal of the products of the labor of such inmates,' approved June seventh, one thousand nine hundred and eleven," passed April 16, 1912.

"An act to amend an act entitled 'An act providing for the employment of inmates of penal, correctional or reformatory institutions of this State, and creating a board for the control, regulation and supervision of the labor of such institutions, and for the disposal of the products of the labor of such inmates,' approved June eleventh, one thousand nine hundred and eleven," approved March 25, 1912.

"An act to provide for the employment of inmates of penal, correctional and reformatory institutions of this State, or of any political subdivision thereof, upon the roads and highways of the State and its political subdivisions," approved March 28, 1912.

"An act to amend an act entitled 'An act providing for the employment of inmates of penal, correctional or reformatory institutions of this State, and creating a board for the control, regulation and supervision of the labor of such institutions, and for the disposal of the products of the labor of such inmates,' approved June seventh, one thousand nine hundred and eleven," approved April 20, 1914.

"An act to amend an act entitled 'An act to provide for the employment of inmates of penal, correctional and reformatory institutions of this State, or of any political subdivision thereof, upon the roads and highways of the State and its political subdivisions,' approved March twenty-eighth, one thousand nine hundred and twelve," approved April 9, 1913.

"An act authorizing the transfer of inmates of the New Jersey State Prison to lands acquired for the purpose of employing State prisoners in agricultural and similar pursuits and in the quarrying and preparation of building and road materials," approved April 3, 1913.

"An act to authorize the acquisition of the Prison Labor Commission of lands for the employment of State prisoners in agricultural and similar pursuits, and in the quarrying of stone and preparation of building and road materials, and making appropriations therefor," approved April 9, 1913.

"An act relating to the employment of inmates of penal, correctional or reformatory institutions of this State," approved April 14, 1913.

"A supplement to 'An act providing for the employment of inmates of penal, correctional or reformatory institutions of this State, and creating a board for the control, regulation and supervision of the labor of such institutions, and for the disposal of the products of the labor of such

inmates,' approved June seventh, one thousand nine hundred and eleven," approved April 21, 1915.

"An amendment to an act entitled 'A supplement to an act providing for the employment of inmates of penal, correctional or reformatory institutions of this State, and creating a board for the control, regulation and supervision of the labor of such institutions, and the disposal of the products of the labor of such inmates,' approved June seventeenth, one thousand nine hundred and eleven, which supplement was approved April twenty-first, one thousand nine hundred and fifteen," approved March 21, 1916.

"An act providing for the transfer from State institutions, in certain cases, of inmates and patients," approved April 14, 1908.

"An act to amend the title and body of an act entitled 'An act providing for the transfer from State institutions, in certain cases, of inmates and patients,' approved April fourteenth, one thousand nine hundred and eight," approved April 20, 1914.

"An act to provide for the transfer of inmates from the State Home for Boys to the State Reformatory and for the transfer of inmates from the State Reformatory to the State Prison," approved April 6, 1911.

"An act for the erection and management of a house of detention for convict or criminal insane upon the grounds of the New Jersey State Hospital at Trenton, and to regulate commitments thereto," approved April 27, 1911.

"An act authorizing the transfer of female inmates from one penal or correctional institution to another penal or correctional institution in this State," approved April 12, 1915.

Appropriations to continue in force.

2. Nothing herein contained, however, shall affect, rescind or repeal any appropriation heretofore made by any of the Legislatures of the State of New Jersey for the support and maintenance

of any of the institutions or noninstitutional agencies mentioned in any of the acts hereinbefore repealed, but such appropriation shall remain in full force and effect, except, however, as modified by an act entitled "An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions supported in whole or in part by State funds (Revision of 1918)."

3. This act shall not revive any act heretofore repealed; nor shall any proceeding for the commitment, discharge or transfer of inmates or patients to any of the institutions or noninstitutional activities governed by any of the acts mentioned in the first paragraph hereof, undertaken or commenced prior to the time this act takes effect, abate; but such proceeding for commitment, discharge or transfer shall and may continue as prescribed in the various acts under which the same were undertaken and commenced.

Proceedings  
commenced  
before this  
act to con-  
tinue.

4. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Repealed  
acts con-  
tinue so.

5. Wherever in any statute repealed by this act, reference is made to the Department of Charities and Corrections, or to the Commissioner of Charities and Corrections, or to any board of managers or other board or official of any of the penal, correctional or charitable institutions or noninstitutional agencies placed within the jurisdiction of the State Commission of Charities and Corrections, constituted under and by virtue of the provisions of an act entitled "An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from State funds (Revision of 1918)," the reference shall be taken to apply to the authority established in accordance with the provisions of that act, which by virtue thereof exercises the

Explanation  
of terms.

powers and performs the duties with regard to which such reference is made.

Validity of  
things done  
under acts  
repealed.

.6 Nothing herein contained shall be held to invalidate any act or thing done or performed under and by virtue of any of the acts hereby repealed, but the same shall continue in full force and effect, except as the same may be modified or changed by virtue of the provisions of the said act of one thousand nine hundred and eighteen, referred to in the fifth paragraph of this act.

Act  
effective.

7. This act shall take effect July first, one thousand nine hundred and eighteen.

Approved March 5, 1918.

## CHAPTER 282.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning railroads' (Revision of 1903), approved April fourteenth, one thousand nine hundred and three," which amendment was approved June twenty-sixth, one thousand nine hundred and seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 47  
amended.

1. Section forty-seven of the act mentioned in the title hereof be and the same is hereby amended so as to read as follows:

Responsibility  
for freight  
not delivered  
at station.

47. When any freight has been carried on the railroad and delivered by the company at any point specified by the consignor, other than a station of the company, the company shall not, after such delivery, be responsible for the safety and security thereof. Where the consignee of prop-

Demurrage.

erty transported by railroad to any point in this State cannot be found, or refuses to receive and pay charges and remove such property, the company may make and collect such reasonable charges for the detention of any railroad car containing such property, or for the use of the railroad track occupied by such car, or for both such detention and use, commonly called demurrage or car service, as the Board of Public Utility Commissioners in this State shall by order or rule determine; *provided*, that notice is given to the consignee or owner, or to the shipper in cases where the consignee or owner cannot be found on whom to serve such notice, and to add such charge to the charge for the transportation of such property.

Proviso.

Such company shall have a lien upon such property, or so much thereof as has not been taken, for the charges for such detention and use; *provided*, that in all cases where a claim made by any railroad company for detention of any car, or for demurrage, or car service charges is disputed, the consignee or owner, or the agent of either shall, on the giving to said railroad company of a bond with sufficient surety, in double the amount of such disputed charge (in no case, however, to be less than fifty dollars), conditioned for the payment of such sum as shall be found to be due, by agreement of the parties, or by judgment of any court in any suit for the same, with costs, be entitled to delivery of the goods transported in the car for the detention of which such demurrage charge is claimed free from any lien or claim for such charge; and, by memorandum of agreement signed by both principal and surety, any such bond may be extended or continued to cover other disputed demurrage charges claimed thereafter.

Lien on freight.

Proviso.

Bond given.

Bond may be extended.

Approved March 5, 1918.

## CHAPTER 283.

An Act to amend an act entitled "An act to tax the transfer of property of resident and nonresident decedents, by devise, bequest, descent, distribution by statute, gift, deed, grant, bargain and sale, in certain cases," approved April twentieth, one thousand nine hundred and nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 2  
amended.

1. That section two of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Estate in  
remainder  
appraised.

When any person shall bequeath or devise, convey, grant, sell, or give any property or interest therein, or income therefrom, to any person or corporation for life or for a term of years, and a vested interest in the remainder or corpus of said property to any person, or to any body politic or corporate, the whole of said property so transferred as aforesaid, shall be appraised immediately at its clear market value; and the value of said life estate or estate for a term of years shall be fixed in the manner hereinafter provided by section fourteen of this act; and the value of the remainder in said property so limited shall be ascertained by deducting the value of the said life estate or estate for a term of years from the appraised market value of the property so limited; and the tax on the said estate or estates, remainder or remainders, interest or interests, shall be immediately due and payable and remain a lien upon the entire property so limited until paid.

Value of  
remainder  
fixed.

Tax a lien.



2. That section three of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 3  
amended.

3. Where an instrument creates an executory devise, or an estate in expectancy of any kind or character which is contingent or defeasible, the property transferred in accordance with such executory devise, or the property in which such contingent or defeasible interest is created by any such instrument, shall be appraised immediately at its clear market value, and after deducting from such appraisement the value of the life estate, or estate for a term of years, created by such instrument, the tax on such life estate, or estate for a term of years, if taxable under this act, shall be immediately levied and assessed but the tax on the balance of said appraised value of such estate shall not be levied or assessed until the person or corporation entitled to said property comes into the beneficial enjoyment, seizin or possession thereof, and if taxable shall then be taxed. Where an instrument creates a power of appointment, the life estate, or estate for a term of years, created and transferred by such instrument, if taxable, shall be immediately appraised and taxed at its clear market value, but the appraisal and taxation of the interest or interests in remainder to be disposed of by the donee of power shall be suspended until the exercise of the power of appointment, and shall then be taxed, if taxable, at the clear market value of such property, which value of such property shall be determined as of the date of the death of the creator of the power.

When property contingent or defeasible.

Appraisement and deduction.

When balance due.

If power of appointment, estate taxed immediately.

A tax on an estate for life, or on an estate for a term of years, levied and assessed as directed in this section, shall be due and payable as provided in section five of this act. All other taxes levied and assessed as directed in this section and all taxes on any property which may be transferred to the residuary legatees, heir or next of kin of any decedent, or which may revert to the heir of

Time of payment.

any decedent by reason of the failure of any contingency upon which any remainder may be limited, shall be due and payable within two months after the person entitled to the property shall come into the enjoyment, seizin or possession thereof, and if not paid shall thenceforth bear interest at the rate of ten per centum per annum until paid.

Executors  
and trustees  
not to turn  
over estate  
until tax due  
State is paid.

No executor or trustee shall turn over any property of an estate mentioned in this section until the tax due thereon, and interest, if any, shall have been paid to the Treasurer of this State, and any executor or trustee who shall turn over any property prior to the payment of the tax due thereon, together with interest, shall be personally liable for such tax and interest, which said liability may be enforced by an action of debt in the name of the State of New Jersey.

Comptroller  
may agree to  
compound  
taxes.

The Comptroller of the Treasury of this State is hereby empowered and authorized to enter into an agreement with the executors or trustees of any estate in which remainders or expectant estates have been of such a nature, or so disposed and circumstanced that the taxes therein were held not presently payable, or where the interest of the legatees or devisees were not ascertainable at the death of the testator, grantor, donor or vendor, and to compound such taxes upon such terms as may be deemed equitable and expedient; and to grant discharge to said executors and trustees upon the payment of the taxes provided for in such composition; *provided, however*, that no such composition shall be conclusive in favor of said executors or trustees as against the interest of such cestuis que trust as may possess either present rights of enjoyment or fixed, absolute or indefeasible rights of future enjoyment, or of such as would possess such rights in the event of the immediate termination of particular estates, unless they consent thereto, either personally, when competent, or by guardian or committee.

Proviso.

*Provided further, however,* that if the executor, trustee or the person or persons, or body politic or corporate, beneficially interested in the property chargeable with the tax shall elect to defer the adjustment of the taxes until the said person or persons, or body politic or corporate, shall come into actual possession or enjoyment of the said property, such person or persons, or body politic or corporate, or the executor or trustee, shall execute a bond to the State of New Jersey, in a penalty of twice the amount of the tax imposed at the highest possible rate, with such surety or sureties as the Comptroller of the Treasury shall approve, conditioned for the payment of said tax and interest thereon at such time or period as hereinabove provided, which bond shall be filed in the office of the Comptroller of the Treasury. Upon the filing and approval of said bond, the Comptroller of the Treasury shall be authorized to issue consents permitting the transfer of any and all property disclosed in the proceeding.

Proviso.

3. That section five of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 5 amended.

5. All taxes imposed by this act shall be due and payable at the death of the testator, intestate, grantor, donor or vendor, unless in this act otherwise provided, and if the same are paid within six months from the date of the death of the testator, intestate, grantor, donor or vendor, a discount of five per centum shall be allowed and deducted from such taxes; if not paid within one year from the date of the death of the testator, intestate, grantor, donor or vendor, such tax shall bear interest at the rate of ten per centum per annum, to be computed from the expiration of one year from the date of the death of such testator, intestate, grantor, donor or vendor, until the same is paid, and in all cases where the executors, administrators, grantees, donees, vendees or trustees do not pay such tax within one year from the death of the decedent,

When taxes due.

Discount.

Penalty for not paying within year.

Bond exacted to insure payment.

they shall be required to give a bond to the State of New Jersey in double the amount of the tax, conditioned to pay said tax, and any interest which may fall due thereon, said bond to be approved as to the form and sufficiency thereof by the Comptroller of the Treasury of this State.

Taxes a  
lien.

All taxes levied and assessed under this act on the transfer of any real property shall be and remain a lien on said real property until paid or secured by bond, as provided for in the several provisions of this act.

4. This act shall take effect immediately.

Approved March 5, 1918.

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#### CHAPTER 284.

A Supplement to an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four," which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Meetings to  
ascertain true  
value of rail-  
road and  
canal prop-  
erty.

1. Hereafter the State Board of Taxes and Assessment shall meet annually at Trenton on the first Tuesday of March, and as much oftener during the year as their duties may require, for the purpose of ascertaining the true value of all property used for railroad or canal purposes as provided in section three of the act to which this act is a supplement.

2. On or before the first day of March in each year any person or company running, operating or constructing any railroad or canal in this State, shall return to the State Board of Taxes and Assessment statements or schedules, subscribed and sworn to by the president or other chief officer before some officer of the State authorized to administer oaths of the real estate and all other property of which returns are now required by law to be made to the State Board of Taxes and Assessment in connection with railroads and canals in this State, such statements or schedules to set forth the property of such railroad or canal as it existed on the first day of January preceding, and for each railroad and canal to be in the manner and form now prescribed by law, the same also to be made in conformity with such instructions and forms as may be prescribed by the said State Board of Taxes and Assessment, and such further statements shall be furnished as said board shall require; the said board shall prescribe the form of the oath to the said statements and schedules, and any person who shall make such oath falsely shall be deemed guilty of perjury.

Annual statement by railroads and canals of their property.

Returns made in prescribed form.

3. On or before the first day of March in each year the State Board of Taxes and Assessment shall certify the value of the real estate used for railroad or canal purposes in each taxing district in this State, separately valued and assessed under the provisions of subdivisions two (2) of section three (3) of the act to which this act is a supplement (commonly known as second class railroad or canal property), to the county boards of taxation in the several counties and to the assessors in the several taxing districts in which said property is situated. The value of such property so certified shall be included in the amount of ratables to be taxed in the several taxing districts, and the necessary tax rate for such districts shall be ascertained by the county board of taxation in each

Value of property in taxing districts.

Amount included in ratables.

Tax rate ascertained by county.

Tax assessed on railroads and canals.	county and certified to the State Board of Taxes and Assessment on or before the first day of April in each year, whereupon the State Board of Taxes and Assessment shall include in the taxes to be assessed by it upon railroad and canal property, a tax upon the property described in this section at the rate in each taxing district that is so as aforesaid certified to said board by the county boards of taxation, and said property shall not be subject to any other tax.
No other tax.	
Hearing.	4. On the first Monday of July the State Board of Taxes and Assessment shall meet at Trenton for the purpose of giving a hearing to all parties interested touching the valuation and assessment of their property as now provided in section five of the act to which this act is a supplement.
Completion of valuation and assessment.	5. The State Board of Taxes and Assessment shall complete their valuation and assessment, proceed to compute the tax and perform the other duties imposed by the provisions of section nine of the act to which this act is a supplement, and any supplements or amendments thereto, all by the first day of November, and shall serve a copy of the valuation and of the tax assessed, as provided in said section, within ten days after the said first day of November.
Review of proceedings.	6. The State Board of Taxes and Assessment shall meet on the third Monday of November for the purpose of reviewing their assessments, and shall complete their proceedings before the fifteenth day of February following, all as provided in section twelve of the act to which this act is a supplement, and any amendments or supplements thereto.
Contesting done by certiorari.	7. The contesting of the validity or amount of any tax levied upon property under the provisions of the act to which this act is a supplement, and of any amendment or supplement thereto, shall be made by certiorari, as provided in section thirteen of the act to which this act is a supplement.

8. The State Board of Taxes and Assessment shall certify and report to the Comptroller of the State on or before the first day of March following the completion of their proceedings for review of assessments a statement of the assessed valuation of the property of each company in the State, and of the separate valuation of property in each taxing district, as made by them, the amount of tax payable by such company with respect to its property separately valued in each taxing district, and the aggregate assessed valuation, and the total tax levied upon each company; such statement shall be made separately for each company, and as to said property separately valued, shall be arranged by taxing districts in such manner as to be of easy reference, and shall be recorded in books in the office of the State Comptroller, to be provided by him for that purpose, and shall be public records, subject to public inspection; and the amount of tax payable by each company, as shown by the said statements, shall be due and payable into the State treasury on any day between the fifteenth day of April and the first day of December following; and the payment or collection thereof shall not be stayed by any writ or order of any court of law or equity; it shall be the duty of the State Treasurer to receive payment of the said taxes from the said companies; if the taxes of any company, or any portion thereof, remain unpaid on the first day of December following the levying thereof, such company shall be considered in default, and such taxes, or such unpaid portion thereof, shall thenceforth bear interest at the rate of one per centum for each month until paid, notwithstanding the prosecution of any writ of certiorari or other remedy. So much of section ten of the act to which this act is a supplement as is inconsistent with the provisions of this section is hereby repealed.

9. The warrants of the Comptroller in favor of the several county collectors for the amount of tax upon property separately assessed in the dif-

Report to  
comptroller..

What to  
show.

Arrangement.

Recorded.

When tax  
payable.

Defaulted  
taxes.

Part of sec-  
tion 10  
repealed.

Distribution  
of taxes to  
counties and  
taxing  
districts.

ferent taxing districts, as provided in section eleven of the act to which this act is a supplement, shall be transmitted to the several county collectors on or before the tenth day of December, and the county collector shall forthwith and not later than the fifteenth day of December, pay to the collector or other proper officer of each taxing district the amount allotted thereto, as provided in said section eleven of the act to which this act is a supplement.

Taxes for  
1918 assessed  
under existing  
law.

Subsequent  
assessment  
and payments  
under this  
act.

10. The assessment and collection of taxes upon the property of railroads and canals for the year nineteen hundred and eighteen, and all proceedings and remedies relating thereto, shall be taken, completed and availed of as now provided by law. The assessment and collection of such taxes for the year nineteen hundred and nineteen, and all proceedings and remedies relating thereto, shall be conducted, completed and availed of within the calendar year of nineteen hundred and nineteen, at the times specified in this act, the same as if the assessment of such taxes had been made by November first, previous; and for the purpose of enabling such assessment and collection of taxes for the year nineteen hundred and nineteen, and all proceedings and remedies relating thereto, to be conducted, completed and availed of within said calendar year of nineteen hundred and nineteen, the assessment of such taxes shall be made on the fifteenth day of January, nineteen hundred and nineteen, and shall be considered to have been finally reviewed and determined by the State Board of Taxes and Assessment on that date, and shall be based upon the valuation of the property in question in the year nineteen hundred and eighteen; and all proceedings, acts and remedies in relation to the said taxes and to the payment thereof for the year nineteen hundred and nineteen, subsequent to the assessment made on January fifteenth, nineteen hundred and nineteen, as aforesaid, shall be in accordance with the dates fixed for the doing



and taking of such acts, proceedings and remedies under this act. It being the intent of this act that the proceedings relating to the taxes upon the property of railroads and canals for the year nineteen hundred and eighteen shall be conducted and completed in accordance with the present existing law; the proceedings relating to taxes upon said property for the year nineteen hundred and nineteen, and to the payment of said taxes, conducted and completed within the calendar year of nineteen hundred and nineteen, as nearly as may be in accordance with the schedule of dates fixed in this act; and the proceedings relating to taxes upon said property for the year nineteen hundred and twenty and subsequent years conducted and completed entirely in accordance with the schedule of dates fixed in this act.

11. In the event that the valuations of railroad and canal property upon which taxes are assessed on January fifteenth, nineteen hundred and nineteen, as provided in section ten of this act, shall be found by the State Board of Taxes and Assessment, in assessing during the year nineteen hundred and nineteen the railroad and canal property upon which taxes for the year nineteen hundred and twenty will be assessed, to be in fact greater than the valuations so fixed on January fifteenth, nineteen hundred and nineteen, then the said board shall compute the amount of tax upon the excess of such valuations at the same rate as that paid upon the valuations as fixed on January fifteenth, nineteen hundred and nineteen, and shall add such excess tax to the amount of tax payable upon such railroad and canal property for the year nineteen hundred and twenty, and certify the same to the Comptroller at such time as the taxes for the year nineteen hundred and twenty are certified to him; and if such valuations shall be found to be in fact less than the valuations so fixed on January fifteenth, nineteen hundred and nineteen, then the railroad or canal shall be entitled to a correspond-

As to valuations and assessments in 1919 and 1920.

ing credit on account of the taxes for the year nineteen hundred and twenty, to be similarly certified to the State Comptroller.

Repealer  
Act effective.

12. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect January first, nineteen hundred and nineteen.

Approved March 5, 1918.

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#### CHAPTER 285.

An Act to provide for the changing of the objects of any association not for pecuniary profit.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Certificate  
recorded in  
county clerk's  
office and  
filed with  
secretary of  
state.

1. Any association not for pecuniary profit heretofore or hereafter incorporated under any law of this State, the members of which have determined, or may hereafter determine, upon a change of the objects of such association, by a resolution passed by a majority vote of the members present at any regular or special meeting of such association, may accomplish such change of objects by recording with the clerk of the county in which its original certificate was recorded and filing in the office of the Secretary of State a certificate, signed by its president and secretary, under its corporate seal, and acknowledged or proved as in the case of deeds of real estate, setting forth the passage of such resolution, and upon the recording and filing of such certificate, as herein provided, the objects of such association shall be deemed to be changed accordingly.

2. This act shall take effect immediately.

Approved March 5, 1918.

## CHAPTER 286.

An Act to amend an act entitled "An act to amend an act entitled 'A general act relating to boroughs (Revision, 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," which amendatory act was approved March twenty-ninth, nineteen hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section twenty-six of an act entitled "A general act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, be and the same is hereby further amended to read as follows:

Section 26  
amended.

26. All ordinances shall be submitted in writing at a regular meeting of the council and passed at a subsequent regular meeting; *provided, however,* that no ordinance shall be finally passed except by the vote of a majority of the whole council; if approved by the mayor or passed over his veto, or if not returned by him with his approval or veto within five days, Sundays excepted, after he receives it, every ordinance shall be recorded in full by the borough clerk in a proper book to be kept for that purpose and advertised by publishing the same in at least one, and not more than two, newspapers published in or near said borough by insertion for two successive issues; said ordinance shall not take effect until so published, but in every case where such ordinance may come in question or be enforced, such publication shall be presumed to have been had until the contrary thereof be shown.

Passage of  
ordinances.

Proviso.

Action by  
mayor.

Advertised.

When in  
effect.

2. This act shall take effect immediately.

Approved March 6, 1918.

## CHAPTER 287.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, the title to which act was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve, giving to the commissioners of municipalities adopting the said act power to act as an excise board and to pass ordinances regulating the sale of spirituous, vinous, malt and brewed liquors.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Commission-  
ers consti-  
tuted a board  
of excise.

Powers:

Ordinances;

Licenses;

Form of  
application;

License fees;

1. Whenever the provisions of the act to which this act is supplemental have been adopted by any municipality having within their territorial limits a population of over ten thousand inhabitants, the commissioners elected either prior or subsequent to the passage of this act under the act to which this act is supplemental shall act as an excise board in said municipality and said commissioners acting as such excise board shall have power within such municipality to make, establish, amend or repeal ordinances and by-laws; to license and regulate the sale of intoxicating liquors in said municipality; to prescribe by ordinance the form of application to be used, and to fix the amount of license fees to be paid for the various licenses that may be used, and when licensed, to revoke or transfer such license, and to prohibit all traffic in or sale of intoxicating drink or drinks, to license, regulate or

prohibit billiard saloons or bowling alleys and to prescribe and enforce a penalty or penalties either by a fine not exceeding two hundred dollars or imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, not exceeding ninety days or both, for the violation of such ordinances or by-laws, which said penalties shall be enforced and collected by said board of commissioners acting as an excise board in such municipalities in the same manner as other penalties are enforced and collected in any municipality, and that every ordinance or by-law of said commissioners acting as an excise board in said municipality shall be introduced and passed in the same manner that other ordinances are introduced and passed in said municipality except franchise ordinances; and no license for such purposes within said municipality, granted by any other authority, shall be lawful; that all fees for licenses granted by said commissioners acting as an excise board for said municipality shall be paid to the clerk of said municipality who shall, in addition to his other duties, act as clerk of said commissioners acting as an excise board in said municipality, and by him said fees shall be paid over to the treasurer of said municipality; *provided, however*, that nothing in this act contained shall be held to repeal or alter any law of this State concerning any misdemeanor or other crime, and that no license shall be prescribed or issued for any character of business different from that now permitted by law or any license fee fixed for any amount less than the minimum amount fixed by law; *provided, however*, that nothing in this act contained shall be construed to prohibit the board of commissioners in cities adopting the provisions of the act to which this act is supplemental from the creation of a subordinate excise board in the same manner as the creation of other subordinate boards is authorized by paragraph four of section four of said act to which this act is supplemental.

Billiard  
saloons;

Penalties.

Passage of  
ordinances.

Clerk.

Proviso.

Proviso.

Subordinate  
excise  
board.

Effect of  
adoption of  
act.

2. Whenever the provisions of the act to which this act is supplemental have been adopted by any municipality either prior or subsequent to the passage of this act, this act shall abrogate, repeal and annul all acts or parts of acts then existing, whether general or special, in anywise affecting the government of such municipality, which are contrary to or inconsistent with the provisions of this act.

Validity of  
act.

3. If any proviso, clause or section of this act shall be attacked in any court, and it shall be declared invalid or unconstitutional, the rest of this act shall stand and the proviso, clause or section declared invalid or unconstitutional shall be excinded from this act.

This act does  
not affect  
chaps. 2 and  
3, Laws of  
1918.

4. Nothing contained herein shall be construed to repeal or affect the act entitled "An act to prohibit the sale, or offer, or expose for sale, or furnishing or otherwise dealing in intoxicating liquor as a beverage and the granting of licenses therefor in any town, township, village, borough, city or other municipality (not a county) in this State where the legal voters thereof shall decide by a majority vote in favor of such prohibition or the continuance thereof," approved January twenty-ninth, nineteen hundred and eighteen, or the act entitled "An act to regulate the sale, or offer, or exposure for sale, or furnishing or otherwise dealing in intoxicating liquor as a beverage and the granting of licenses therefor in any town, township, village, borough, city or other municipality (not a county) in this State, by ordinance, where the legal voters of such municipality shall initiate and vote in favor of such ordinance," approved January twenty-ninth, nineteen hundred and eighteen.

5. This act shall take effect immediately.

Approved March 6, 1918.

## CHAPTER 288.

An Act to amend an act entitled "An act to regulate the practice of pharmacy in this State," approved March nineteenth, one thousand nine hundred and one.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section three of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Section 3  
amended.

3. The board of pharmacy shall organize by electing a president, a secretary and treasurer; and shall have power to make by-laws and rules for the proper fulfilment of its duties under this act; it shall meet on the third Thursday of January, April, July and October, in the city of Trenton, and at such other places and dates as may be required; it shall examine into all applications for registration, and grant certificates of registration to all persons whom it shall judge on examination to be properly qualified to practice pharmacy; such examination shall include the subjects of materia medica, pharmacy, chemistry and toxicology; it shall keep a book of registration in which shall be entered the names and places of business of all persons registered under this act, and shall also keep a book of record of all its official transactions, which books shall be legal evidence of such transactions in any court of law; it shall have power to examine into all cases of alleged violations of this act and shall cause the prosecution of all persons not complying therewith; and it shall annually report to the Governor and to "The New Jersey Pharma-

Organization.

Meetings.

Examinations.

Registration.

Violations.

Report.

ceutical Association," on or before the first day of November in each year, upon the condition of pharmacy in the State, which report shall embrace a detailed statement of the receipts and expenditures of the board; the members of said board shall receive all traveling and other necessary expenses incurred in the performance of their duties. The secretary of said board shall receive compensation for his services, to be fixed by said board. No member of said board except the secretary, shall receive any salary or other compensation. All moneys collected by said board from fees, penalties or otherwise, except such as shall be retained for traveling and other necessary expenses and for the compensation of the secretary as above provided, shall be paid into the State treasury on or before the tenth day of the month following the month in which such moneys are collected; *provided, however*, that the said board shall be entitled to retain in addition to the sums above mentioned at least one hundred dollars in the treasury for the purpose of preparing and holding examinations for applications for licenses to practice the said profession; three members of the board shall constitute a quorum.

**Secretary's salary.**

**Fees, etc., paid into treasury monthly.**

**Proviso.**

**Act effective.** 2. This act shall take effect on the first day of July, one thousand nine hundred and eighteen.

Approved March 6, 1918.



## CHAPTER 289.

An Act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section three of the act of which this act is amendatory be and the same is hereby amended so as to read as follows: Section 3 amended.

3. The following property shall be exempt from taxation under this act, namely: Exemptions:

(1) The bonds and other securities of the United States, other than circulating notes of national banking associations and United States legal tender notes and other notes and certificates of the United States, payable on demand, and circulating or intended to circulate as currency and gold, silver or other coin, and all bonds, securities, improvement certificates and other evidences of indebtedness, heretofore or hereafter issued by this State or by any taxing district or school district of this State, and the personal property owned by citizens or corporations of this State situate and being out of the State upon which taxes shall have been actually assessed and paid within twelve months next before May twentieth, being the day prescribed by law for commencing the assessment. Securities of U. S., State, any taxing district, and personal property out of State.

(2) The property of the United States and of the State of New Jersey and of the respective counties, school districts, and taxing districts when used for public purposes, but this exemption shall not include real property bought in for debts or on foreclosures of mortgages given to secure loans Public property.

out of public funds or out of money in court, which property shall be taxed unless devoted to public uses.

Property  
used by  
military  
organizations.

(3) Any building, real estate or personal property used solely by any organization of the National Guard for military purposes, and purchased or erected at public expense; also any building and lot and the personal property in said building used for an armory and owned by an incorporated armory association composed entirely of members of the National Guard of this State and supported in whole or in part by annual State appropriation, on condition that all the income derived from said property above the expense of its maintenance and repair shall be used exclusively for such National Guard and armory.

Schools,  
colleges,  
libraries,  
churches,  
etc.

(4) All buildings actually used for colleges, schools, academics, seminaries, associations and corporations organized exclusively for the moral and mental improvement of men or women, or for religious, charitable, benevolent or hospital purposes, or for one or more such purposes not conducted for profit; also all buildings actually and exclusively used for public libraries, religious worship or for asylums or schools for feeble-minded or idiotic persons and children, and owned by corporations of this State authorized to carry on such charities; the land whereon the same are situated necessary to the fair use and enjoyment thereof, not exceeding five acres in extent for each; the furniture thereof and personal property used therein, and the endowment or fund held exclusively for the charitable, benevolent or religious purposes of the corporation owning such buildings; the parsonage and land whereon the same stands to an amount not exceeding five thousand dollars, owned by any religious corporation of this State while actually used by the officiating clergyman thereof; also all buildings used exclusively for purposes considered charitable under the common

Charitable  
institutions.

law, or belonging to any association or incorporated company formed for the purposes and actually engaged in the work of preventing cruelty to animals, with the land whereon the same are erected and which may be necessary for the fair enjoyment thereof, and the furniture and personal property used therein; the funds of all charitable and benevolent institutions and associations collected and held exclusively for the sick and disabled members thereof, or for the widows of deceased members, or for the education, support or maintenance of the children of deceased members and all endowments and funds held and administered exclusively for charitable, benevolent, religious or hospital purposes within this State, however such endowments and funds may be invested; no buildings used for any such purposes which may be hired for rental, paid to a landlord, shall be exempt. The exemption described in this paragraph of a building and land used for charitable, benevolent or religious purposes shall extend to cases where the said building and the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of the beneficiaries using or occupying the said building, provided the building is wholly controlled and the entire income therefrom is used for said charitable, benevolent or religious purposes. Any building and the lot of land on which the same is located, not exceeding two acres in area, having, because of its history or association, an historic interest, owned by any corporation or association having for its sole purpose the preservation of any historical landmark, which building and land are used exclusively for the preservation and free exhibition to the public generally of historic relics, and from which no income or profit of any kind is derived; *provided*, that the

Extent of  
exemption.

Historical  
associations.

Proviso.

value of any such building and land shall not exceed twenty-five thousand dollars.

Stock ex-  
empted by  
law.

(5) The shares of stock of any corporation of this State, which by contract with the State is expressly exempted from taxation, and the shares of stock of any corporation of this State the capital or property whereof is made taxable to and against said corporation. .

Burying  
grounds.

(6) Graveyards not exceeding ten acres of ground, cemeteries and buildings for cemetery use erected thereon.

Volunteer  
fire com-  
panies.

(7) The real and personal property of any exempt firemen's association, firemen's relief association, and volunteer fire company incorporated under the laws of this State, and which is used exclusively for the purposes of such corporation.

Certain rail-  
road prop-  
erty.

(8) All officers and franchises, and all property used for railroad and canal purposes, the taxation of which is provided for by any other law of this State.

2. This act shall take effect immediately.

Approved March 6, 1918.

## CHAPTER 290.

An Act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and nineteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Annual ap-  
propriations.

1. The following sums, or so much thereof as may be necessary, be and they are appropriated out of the State fund for the respective public officers and

for the several purposes herein specified, for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and nineteen, namely:

## 1.

## ADJUTANT GENERAL'S DEPARTMENT.

Adjutant  
general.

For salaries and for the expenses of maintenance and operation of the Adjutant General's Department:	
Adjutant General, for salary, .....	\$2,500 00
Head clerk, for salary, .....	2,500 00
Compensation for assistants, .....	15,740 00
Blanks and stationery, .....	2,500 00
Postage, telegraph, telephone and incidentals, .....	1,500 00
Office equipment, .....	300 00
	<hr/>
	\$25,040 00
	<hr/>

## 2.

## AGRICULTURAL COLLEGE.

Agricultural  
college.

To the Treasurer of Rutgers College, to pay the State Agricultural College, for the benefit of agriculture and the mechanic arts, pursuant to chapter 90 of the Laws of 1905, and amendments thereto, payment to be made pursuant to chapter 65 of the laws of 1909, .....	
	\$38,400 00
Salaries, supplies and all other expenses for the maintenance of short courses in practical and scientific agriculture, pursuant to chapter 55 of the Laws of 1905, and chapter 43 of the Laws of 1907, .....	
	20,000 00

Reference books and periodicals, . . . .	2,500 00
College farm grounds, for maintenance, . . . . .	2,500 00
Long courses in agriculture, . . . . .	10,000 00
Summer sessions, . . . . .	14,000 00
Farm buildings, for maintenance and repair, . . . . .	1,500 00
Clay working and ceramics, . . . . .	7,500 00
Agricultural building, for maintenance, . . . . .	1,500 00
Courses in engineering, . . . . .	6,000 00
Courses in chemistry, . . . . .	2,500 00
Courses in sanitary science and sanitary engineering, . . . . .	3,000 00
Course in military science, . . . . .	2,500 00
Courses in education, . . . . .	5,000 00
To the treasurer of Rutgers College, for interest on \$116,000, certificates of indebtedness of the State of New Jersey, due July 1st, 1918, and January 1st, 1919, pursuant to the provisions of chapter 135 of the Laws of 1896, . . . . .	5,800 00
Board of visitors, for expenses, . . . .	50 00
Advertising, pursuant to chapter 9, Laws of 1879, . . . . .	90 00
	<hr/>
	\$122,840 00
	<hr/>

## 3.

## AGRICULTURAL EXPERIMENT STATION.

Agricultural  
experiment  
station.

For salaries and wages and for the expenses of maintenance and operation of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities:	
Director, for salary, . . . . .	\$4,000 00

Chief clerk, for salary, .....	2,000 00
Chemist, for salary, .....	2,880 00
Chemists, speclaisits, stenogra- phers, clerks, helpers, assistants, and other employees, .....	24,120 00
Printing bulletins and circulars,...	7,000 00
Abolishing mosquito breeding salt marshes, pursuant to chapter 134, Laws of 1906, .....	10,000 00
Investigation of oyster propa- tion, pursuant to chapter 187, Laws of 1907, .....	900 00
Department of Poultry Husbandry, pursuant to chapter 52, Laws of 1911, .....	9,000 00
Seed inspection, pursuant to chapter 228, Laws of 1916, .....	4,000 00
Experimental work in vegetable production, .....	2,500 00
Insecticides inspection, pursuant to chapter 89, Laws of 1912, .....	1,000 00
Farm demonstration, pursuant to the provisions of chapter 364, Laws of 1913, .....	36,000 00
Cranberry investigation, .....	1,500 00
Egg laying and breeding tests, pur- suant to the provisions of chap- ter 16, Laws of 1916, .....	3,000 00
Equipment of a home economics laboratory, .....	2,000 00

All fees and receipts of the  
Experiment Station are hereby  
appropriated for the uses of the  
station.

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\$109,900 00

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## 4.

## ANNUITY FOR WIDOWS OF GOVERNORS.

Annuities to  
widows of  
governors.

For annuities for the widows of Gov-  
ernors of New Jersey, at the rate  
of \$1,500.00 per annum, each, .... \$3,000 00

## 5.

## ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-  
general's  
department.

For salaries and for the expenses of  
maintenance and operation of the  
Attorney-General's Department:

Attorney-General, for salary, .....	\$7,000 00
Assistant Attorney-General, for salary, .....	5,000 00
Second Assistant Attorney-General, for salary, .....	4,800 00
Compensation for assistant, .....	17,500 00
Blanks and stationery, .....	800 00
Traveling expenses, .....	1,000 00
Postage, telephone, supplies and in- cidentals, .....	1,650 00
Compensation and expenses of coun- sel employed by the Attorney- General in foreign States to col- lect taxes due from bankrupt and other insolvent corporations, ....	500 00
To Robert H. McCarter, for bal- ance of compensation for services rendered in the litigation pending in respect to the Passaic Valley sewerage matter, .....	2,500 00
To Walter H. Bacon, in full com- pensation and payment for ser- vices rendered as special counsel in the two cases of Smith vs. Board of Shell Fisheries, and Bate vs. Board of Shell Fisheries,	500 00



For the purpose of carrying on the prosecution of violations of the Corrupt Practice Act as presented to the current Legislature; *provided*, said bill becomes a law; *provided, however*, that the use of these funds may be applied for the procuring of evidence, counsel fees and such other expenses incident and necessary for such prosecution but for no other purpose whatsoever, .....

10,000 00

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\$51,250 00

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Proviso.

Proviso.

## 6.

## BLIND AND FEEBLE-MINDED.

Blind  
and feeble-  
minded.

For clothing, maintenance, support and instruction of blind persons, inhabitants of this State, .....

\$27,000 00

Clothing, maintenance, support and instruction of feeble-minded persons, inhabitants of this State,...

110,000 00

Tuition for the higher education of the blind, as provided for in chapter 336, Laws of 1912, .....

1,000 00

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\$138,000 00

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## 7.

## BOARD OF COMMERCE AND NAVIGATION.

Commerce  
and naviga-  
tion.

For salaries, and for the expenses of maintenance and operation of the Board of Commerce and Navigation:

Chief of board, for salary, .....	\$5,000 00
Consulting engineer, for salary, ...	4,500 00
First assistant engineer, for salary.	2,880 00
Chief draftsman, for salary, .....	2,400 00
Special counsel fees, .....	5,000 00
Draftsmen, engineers, clerks, stenographers, inspectors, and other employees, for salaries, .....	16,220 00
Traveling expenses, .....	3,000 00
Blanks, stationery, express, freight, postage, telephone, telegraph, and incidentals, .....	8,000 00
Maintenance and dredging of inland waterways, from Cape May to Bay Head, .....	6,000 00
Continuing construction of Bay Head-Manasquan canal, .....	25,000 00
For the construction, repair or preservation of the sea walls, bulkheads and jetties and other approved devices necessary and proper to protect the inland waterways, navigable rivers and waterways and riparian lands of this State, incident to the borough of Seabright, Monmouth county, New Jersey, .....	15,000 00

This appropriation shall become available only when appropriate certificates are filed with the Comptroller of the Treasury of this State, that there is for similar use in the Treasury of the United States a similar amount contributed by each, the National Government, the county of Monmouth, New Jersey, and the borough of Sea Bright, New Jersey.

For the survey of the Metedeconk river, pursuant to chapter 87, Laws of 1917, .....	2,000 00
To Charles S. Boyer, for expenses incurred during year 1915, as member of N. J. Harbor Commission,	115 33
	<hr/>
	\$95,115 33
	<hr/>

## 8.

## BOARD OF FISH AND GAME COMMISSIONERS.

Fish and  
game.

For salaries and wages, and for the expenses of maintenance and operation of the New Jersey Board of Fish and Game Commissioners to include the expenses of administration and of the fish hatchery and game farm:

All receipts from hunters' and anglers' licenses pursuant to the provisions of chapter 152 of the Laws of 1914.

All receipts, licenses and sales pursuant to the provisions of chapter 41 of the Laws of 1908.

All fines pursuant to the provisions of chapter 246 of the Laws of 1911.

All such receipts as are above set forth are hereby appropriated and any portion of receipts from the same sources that may not have been disbursed on or before the end of the fiscal year ending June 30, 1918, are also appropriated.

## 9.

Public utility  
commission.

## BOARD OF PUBLIC UTILITY COMMISSIONERS.

For salaries and for the expenses of  
maintenance and operation of the  
Board of Public Utility Commis-  
sioners:

Members of the board, for salary,...	\$37,500 00
Counsel, for salary, .....	5,000 00
Assistant counsel, for salary, .....	2,500 00
Advisory counsel, for salary, .....	2,500 00
Secretary, for salary, .....	4,000 00
Inspectors, engineers, experts, clerks, stenographers, and other employees, .....	64,000 00
Temporary employment of engi- neers and other experts, for special work, .....	10,000 00
Stenographers at hearings and transcripts of their notes,.....	5,000 00
Traveling and incidental expenses,.	9,000 00
Rent and insurance, .....	5,350 00
Printing and stationery, .....	7,500 00
Office equipment, .....	1,000 00
	<hr/>
	\$153,350 00
	<hr/>

## 10.

Shell  
fisheries.

## BOARD OF SHELL FISHERIES.

For salaries and wages and for the  
expenses of maintenance and  
operation of the Board of Shell  
Fisheries:

Director, for salary, .....	\$2,000 00
Research clerk, for salary, .....	600 00
Chiefs of bureaus, for salaries,....	3,700 00

Captains of boats, crews, guards, clerks and other employees,.....	25,275 00
Crew of State guard boat "Cypher" for maintenance, .....	1,000 00
Repairs to boats, .....	1,000 00
Rent of offices, .....	200 00
Coal and gasoline, .....	2,000 00
Surveying and mapping, .....	500 00
Blanks and stationery, .....	400 00
Traveling expenses, .....	2,500 00
Postage, telephone, telegraph and incidentals, .....	1,000 00
	<hr/>
	\$40,175 00

## 11.

## BUDGET ACT EXPENSES.

Budget.

For salaries and expenses for the pur- pose of carrying into effect the pro- visions of chapter 15, Laws of 1916, known as the "Budget Act," .....	<hr/> <hr/> \$10,000 00
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## 12.

## BURIAL GROUNDS.

Burying  
grounds.

For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, Laws of 1898, .....	<hr/> <hr/> \$75 00
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Civil service  
commission.

## 13.

## CIVIL SERVICE COMMISSION.

For salaries and for the expenses of  
maintenance and operation of the  
Civil Service Commission:

Commissioners, for salaries, .....	\$10,500 00
Chief examiner, and secretary, for salary, .....	4,000 00
Assistant secretary, for salary, ....	2,500 00
Examiner, for salary, .....	2,800 00
Examiner and clerk, for salary, ....	1,800 00
Clerks (22), for salaries.....	20,000 00
Compensation for special employ- ment, .....	5,000 00
Clerks in standardization depart- ment, for salaries, .....	5,000 00
Stationery, .....	7,000 00
Traveling expenses, .....	1,000 00
Postage, telephone, telegraph and incidentals, .....	4,000 00
Office supplies and equipment, ....	900 00
To J. L. Jacobs and Company, for services rendered and expenses incurred in connection with the classification plan and report on the New Jersey State government per- sonal service, provided said sum is received in full of all claims, .....	1,500 00
	<hr/>
	\$66,000 00
	<hr/>

## 14

Clerk in  
chancery.

## CLERK IN CHANCERY.

For salaries and for the expenses of  
maintenance and operation of the  
office of the Clerk in Chancery:

Clerk, for salary, .....	\$6,000 00
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Compensation for assistants, .....	41,000 00
Blanks and stationery, .....	5,000 00
Postage, expressage, telephone, telegraph and incidentals, .....	4,000 00
	<hr/>
	\$56,000 00
	<hr/>

## 15.

## CLERK OF SUPREME COURT.

Clerk of  
supreme  
court.

For salaries and for the expenses of maintenance and operation of the office of the Clerk of Supreme Court:

Clerk, for salary, .....	\$6,000 00
Compensation for assistants, .....	19,000 00
Blanks and stationery, .....	2,500 00
Postage, telegraph, telephone, express and incidentals, .....	1,900 00
	<hr/>
	\$29,400 00
	<hr/>

## 16.

## COMMISSION FOR THE BLIND.

Blind.

For salaries and wages and for the expenses of maintenance and operation of the New Jersey Commission for the Blind, pursuant to chapter 136, Laws of 1909:

Officers and employees, for salaries and wages, .....	\$7,700 00
Traveling expenses, .....	3,000 00
Fuel, supplies, books, postage, printing, stationery, express, telephone, telegraph, office furniture, insurance, rent, repairs, etc., .....	3,000 00

Revolving industrial fund, .....	1,000 00
Extension of home industries, .....	2,500 00
Preventive work, .....	2,000 00
Publicity demonstration and sales, .	250 00
	<hr/>
	\$19,450 00
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## 17.

Colonies  
for feeble-  
minded males.

## COLONIES FOR FEEBLE-MINDED MALES.

For salaries and wages, and for the expenses of maintenance of the Colonies for Feeble-Minded Males, at New Lisbon, and the inmates of the institution, based on an estimated number of 75 inmates and 15 employees:

Inmates at the rate of \$7.25 per week, per capita, for food, clothing, medical care, religious service, amusement, recreation and all other expenses necessary for the proper care of said inmates, ..... \$28,275 00

Such allowances as are above set forth, when due, are hereby appropriated for necessary maintenance expenditures not to exceed the following amounts:

Food, .....	\$9,000 00
Clothing, .....	1,500 00
Fuel and power, .....	1,500 00
Household supplies, ..	1,445 00



Farm, stable and grounds, including farm machinery, tools, implements, orchard trees, et cetera, .....	3,000 00	
Medical and surgical supplies, .....	500 00	
Sundry supplies, including paints, oils, glass, cement, sand, lumber, hardware, plumbing, postage, blanks, stationery, general office supplies and similar expenditures, .....	1,500 00	
Incidentals, including telephone, telegraph, freight, express, amusement, religious services, traveling expenses, and other similar expenditures,, .....	1,000 00	
Salaries and wages:		
Superintendent, .....	1,680 00	
Assistant superintendent, matron, clerk, housekeeper, housemaids, cook, laundress, seamstress, farmer, attendants, engineer and all other employees, ..	7,150 00	
Miscellaneous, .....		\$4,950 00
Office equipment, .....	\$500 00	
Insurance, .....	400 00	

Septic tank and drain-	
age, .....	3,000 00
Auto truck, .....	1,050 00

## 18.

Department  
of education.

## COMMISSIONER OF EDUCATION.

For salaries and expenses of maintenance and operation of the office of the Commissioner of Education:

Commissioner, for salary, .....	\$10,000 00
Assistant commissioners, for salary, .....	18,000 00
Chief of business division, for salary, .....	3,600 00
Chief examiner, for salary, .....	3,600 00
Assistant chief of business division, for salary, .....	1,320 00
Inspector of buildings, for salary, ..	3,000 00
Inspector of accounts, for salary, ..	2,800 00
Male auditor, for salary, .....	2,000 00
Compensation for assistants, .....	15,880 00
Physical training instructors, for salary, .....	9,000 00
Blanks, forms, stationery and printing, .....	19,000 00
Traveling expenses, .....	5,000 00
Office fixtures, postage, express and incidentals, .....	7,200 00
Educational bulletin, .....	1,300 00
Copies of Manual of the Legislature of New Jersey, provided manuals are furnished for school use only.	2,000 00
Physical training work, printing, traveling and incidental expenses.	1,000 00

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the super-

intendent of public instruction  
are required to be deducted pur-  
suant to chapter 65, Laws of 1909.

\$104,700 00

## 19.

## COMMISSIONERS OF PALISADES INTERSTATE PARK.

Palisades  
park.

For expenses incurred by the Com-  
missioners of the Palisades Inter-  
State Park, ..... \$30,000 00

## 20.

## COMMISSION ON ELIMINATION OF TOLL BRIDGES.

Free  
bridges.

For the expenses of the commission  
appointed pursuant to chapter  
297, Laws of 1912, ..... \$1,000 00  
Purchase of toll bridges, ..... 100,000 00  
\$101,000 00

## 21.

## COMMISSION ON PORT DEVELOPMENT.

Port de-  
velopment.

For the expenses of the commission in  
connection with the development of  
the Port of New York, pursuant to  
the provisions of chapter 130, Laws  
of 1917, provided the New York  
State Legislature appropriates a  
like amount, ..... \$100,000 00

## 22.

Commission  
on municipal  
financing.

## COMMISSION FOR SURVEY OF MUNICIPAL FINANCING.

For the expenses of the commission  
for the purpose of carrying into  
effect the provisions of Joint Reso-  
lution No. 7, approved March  
eighteenth, one thousand nine hun-  
dred and sixteen, ..... \$1,500 00

## 23.

Comptroller's  
department.

## COMPTROLLER'S DEPARTMENT.

For salaries and for expenses of  
maintenance and operation of the  
Comptroller's Department:

Comptroller, for salary, .....	\$6,000 00
Deputy Comptroller, for salary,...	5,000 00
Compensation for assistants, .....	17,500 00
Auditors, for salaries, .....	17,000 00
Auditors, for expenses, .....	1,000 00
Requisition Act expenses, .....	3,500 00
Premium on surety bonds of State Comptroller and deputy State Comptroller, .....	300 00
Blanks and stationery, .....	4,000 00
Postage, telephone, telegraph and incidentals, .....	6,500 00
Inheritance Tax Department, for salaries, .....	55,000 00
Inheritance Tax Department, for expenses, .....	10,000 00

For the repayment of collateral in-  
heritance taxes, paid, as as-  
sessed under the collateral inher-  
itance tax act and to the refund  
of which the estates having made

payment may be entitled under the decision of the Court of Errors and Appeals of this State, rendered July eighth, one thousand nine hundred and ten, in re Dixon vs. Russell (Collard estate), and also those estates which having made payment may be entitled to refund under the decision of the Supreme Court, in re Moss vs. Edwards, rendered July seventeenth, one thousand nine hundred and twelve (John L. Foote estate), provided the application for such repayment shall be made within two (2) years from the date of payment of such tax. Payment of such claims shall be made only when proven in form, manner and substance to the satisfaction of the State Comptroller and approved by the Attorney-General of this State, .....

1,000 00

The Comptroller of the Treasury is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of chapter two hundred and thirty-eight, Laws of one thousand nine hundred and nine, and to refund and pay such claims as may be necessary, and the State Treasurer shall pay same upon the warrants of the said comptroller, and there is hereby appropriated the amount necessary therefor.

## 24.

County tax  
boards.

## COUNTY BOARDS OF TAXATION.

For salaries of members of the county  
boards of taxation, ..... \$100,800 00

## 25.

County  
asylums.

## COUNTY LUNATIC ASYLUMS.

For the support of patients in county  
lunatic asylums:

Essex county, .....	\$190,000 00
Hudson county, .....	85,000 00
Camden county, .....	25,000 00
Burlington county, .....	14,000 00
Passaic county, .....	4,000 00
Gloucester county, .....	800 00
Cumberland county, .....	13,000 00
Salem county, .....	728 00
Atlantic county, .....	11,500 00
	<u>\$344,028 00</u>

## 26.

County su-  
perintendents.

## COUNTY SUPERINTENDENTS.

For county superintendents, for sal-  
aries, payment to be made pursuant  
to chapter 65, Laws of 1909, ..... \$63,000 00

## 27.

## COUNTY TUBERCULOSIS HOSPITALS.

County hos-  
pitals for  
tuberculosis.

For the support of patients, at the  
rate of \$3.00 per week, pursuant  
to chapter 217, Laws of 1912, in  
the following county hospitals:

Atlantic county, .....	\$5,460 00
Camden county, .....	6,800 00
Essex county, .....	14,500 00
Hudson county, .....	33,072 00
Mercer county, .....	9,600 00
Morris county, .....	4,212 00
Union county, .....	15,700 00

Said amounts to include payment  
of bills prior to current fiscal year.

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\$89,344 00

## 28.

## COURT OF CHANCERY.

Court of  
chancery.

For salaries and for the expenses of  
maintenance and operation of the  
Court of Chancery:

Chancellor, for salary, .....	\$13,000 00
Vice-Chancellors, for salaries, ....	96,000 00
Compensation and traveling ex- penses of sergeant-at-arms, .....	6,700 00
Compensation and allowance of advisory masters and their official stenographers, .....	15,000 00
Compensation of stenographers, and for services pursuant to sec- tion 103 of chapter 158 of the Laws of 1902, .....	23,000 00

Rent of rooms in Atlantic City, Jersey City, Newark and Trenton, ..	7,716 00
Miscellaneous expenses in connection with such rooms, .....	150 00
Stationery, .....	500 00
Compensation for stenographer for Chancellor, .....	900 00
	<u>\$162,966 00</u>

## 29.

Transferred  
suits.

## COURT EXPENSES.

For compensation of judges of the Court of Common Pleas pursuant to section 49, chapter 149, Laws of 1900, .....	\$750 00
	<u>          </u>

## 30.

Court of  
errors and  
appeals.

## COURT OF ERRORS AND APPEALS.

For salaries and for the expenses of maintenance and operation of the Court of Errors and Appeals:	
Compensation of judges of the Court of Errors and Appeals at \$20.00 per diem, .....	\$22,000 00
Compensation for officers, .....	2,250 00
Printed or typewritten copies of draft opinions under the direction of the presiding judge, .....	1,500 00
Postage, telephone, telegraph, expressage, incidentals, .....	200 00
	<u>\$25,950 00</u>



## 31.

## COURT OF PARDONS.

Court of  
pardons.

For salaries and for the expenses of  
maintenance and operation of the  
Court of Pardons:

Compensation of judges of the Court of Pardons at twenty dollars per diem, .....	\$5,500 00
Clerk, for salary, .....	1,200 00
Compensation for stenographer, ..	75 00
Printing, blanks, stationery, post- age, telephone, telegraph and in- cidentals, .....	750 00
Filing system and securing records of convicts, .....	1,000 00
	<hr/>
	\$8,525 00
	<hr/>

## 32

## DEPARTMENT OF AGRICULTURE.

For salaries and wages, and for the  
expenses of maintenance and  
operation of the Department of  
Agriculture:

Agricultural  
department.

Administration bureau, salaries, ..	\$12,340 00
Animal Industry Bureau, salaries, .	19,000 00
Lands, Crops and Market Bureau, salaries, .....	9,973 00
Statistics and Inspection Bureau, salaries, .....	14,830 00
Compensation for extra clerks, ....	650 00
Lectures for farmers' institute, ....	1,400 00
Lectures for Agricultural Week, ...	307 00
Veterinary service, .....	1,500 00
Traveling expenses, .....	20,110 00

Postage, express, telephone, telegraph and similar expenditures, .	6,250 00
Printing, office supplies, stationery and incidentals, .....	8,550 00
Tuberculin tags, rings, et cetera, ..	1,350 00
Advertising and other expenses, ...	500 00
Appraisement of, and indemnification for condemned cattle, .....	20,000 00
Extermination of Japanese beetle, provided an appropriation for this purpose of \$10,000 is made by the Federal Government, ....	5,000 00
Instruments and repairs to same, ..	250 00
Exhibits, .....	1,000 00
For the purpose of apportioning and paying to the county boards of agriculture of the State, in its discretion, sums of money to be devoted by said county boards to the collection of and reporting to the State Board, crop and other agricultural statistics, and for educational purposes, .....	1,000 00
	<hr/>
	\$124,010 00
	<hr/>

## 33.

## DEPARTMENT OF ARCHITECTURE.

Department  
of architec-  
ture.

For salaries and wages, and for the expenses of maintenance and operation of the Department of Architecture:	
State Architect, for salary, .....	\$4,000 00
Engineer, for salary, .....	2,400 00
Draughtsmen, inspectors, chief clerk, stenographer and other employees, .....	13,600 00

Office equipment, materials, stationery, postage, telephone, telegraph, freight, express and incidentals, .....	5,000 00
Traveling expenses, .....	3,000 00
	<hr/>
	\$28,000 00
	<hr/>

## 34.

## DEPARTMENT OF BANKING AND INSURANCE

For salaries and for the expenses of maintenance and operation of the Department of Banking and Insurance:		Banking and insurance department.
Commissioner, for salary, .....	\$6,000 00	
Deputy commissioner, for salary, ..	3,500 00	
Special deputy of the Compensation Rating and Insurance Bureau, provided legislation is enacted for the assessing of fees against insurance companies, .....	4,000 00	
Compensation for assistants, .....	22,075 00	
Compensation for building and loan association examiners, .....	25,380 00	
Compensation for examiners in miscellaneous investigations, attending hearings, etc., .....	1,100 00	
Blanks and stationery, .....	6,500 00	
Postage, telephone, telegraph and incidentals, .....	5,325 00	
Traveling expenses, .....	5,000 00	
Appraisals of real estate, .....	300 00	

There is hereby appropriated all receipts necessary for the payment of examinations required by law, services and expenses of assistants,

et cetera, heretofore disbursed by said department prior to their deposit in State treasury.

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\$79,180 00

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Charities and  
corrections.

35.

DEPARTMENT OF CHARITIES AND CORRECTIONS.

For salaries and wages, and for the expenses of maintenance and operation of the Department of Charities and Corrections; *provided*, an act entitled "An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported, in whole or in part, by county, municipal or State funds," becomes a law..... \$69,600 00

Working capital for the purchase of materials, equipment, machinery, and for the payment of all other expenses incident and necessary to the employment of inmates of charitable or correctional institutions in this State under the provision of Article 7, section 707, of an act entitled "An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported, in whole or in part, by county, municipal or State funds," *provided* said act becomes a law, .... 100,000 00

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\$169,600 00

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## 36.

## DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

Conservation  
and develop-  
ment.

For salaries and for the expenses of  
maintenance and operation of the  
Department of Conservation and  
Development:

Director, for salary, .....	\$4,200 00
State Geologist, for salary, .....	4,000 00
State Chemist, for salary, .....	3,000 00
Assistant State Geologist, for sal- ary, .....	2,800 00
State Fire Warden, for salary, ....	2,800 00
Water engineer, for salary, .....	2,400 00
Assistant forester, for salary, ....	1,600 00
Museum organizer, for salary, ....	1,800 00
Consulting engineer, for salary, ...	1,800 00
Division fire warden, for salary,...	1,800 00
Division fire wardens (3 at \$1,400) for salaries, .....	4,200 00
Consulting geologist, clerks, ste- nographers, forest fire watchers, State forest wardens, forest ranger, janitor, laboratory assist- ant, and other employees, .....	15,750 00
State's share of bills incurred by townships, in controlling forest fires, .....	6,500 00
Traveling expenses, .....	10,000 00
Fuel, power, blanks, stationery, postage, telephone, telegraph, freight, express and incidentals,.	6,000 00
Books, forest tax, insurance, equip- ment and museum materials,....	1,100 00
C. P. Gray for balance due for con- structing model of the State of New Jersey, providing the sum appropriated is received in full of all claims, .....	700 00

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\$70,450 00

## 37.

Health  
department.

## DEPARTMENT OF HEALTH.

For salaries and for the expenses of  
maintenance and operation of the  
Department of Health:

Director, for salary, .....	\$4,000 00
Assistant Director, salary, .....	3,600 00
Bureau and division chiefs, chem- ists, bacteriologist, inspectors, assistants, stenographers, and clerks, for salary, .....	95,140 00
Postage and stamped envelopes,...	2,000 00
Printing, stationery and office sup- plies, .....	7,500 00
Office furniture and equipment, ....	1,500 00
Expenses of oyster inspection boat,.	1,500 00
Laboratory supplies, .....	6,000 00
Exhibit equipment and supplies, ..	3,000 00
Monthly bulletin, .....	2,000 00
Incidentals, .....	4,000 00
Traveling expenses, .....	20,000 00
Salaries, expenses, supplies and ex- hibit material for the division of child hygiene, .....	25,000 00
	<hr/>
	\$175,240 00
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## 38.

Labor de-  
partment.

## DEPARTMENT OF LABOR.

For salaries and for the expenses of  
maintenance and operation of the  
Department of Labor:

Commissioner, for salary, .....	\$6,000 00
Assistant Commissioner, for salary,	3,000 00
Bureau chiefs (four at \$2,500), for salaries, .....	10,000 00

Examiners (three at \$1,500), for salaries, .....	4,500 00
Employers' Liability clerk, for salary, .....	2,500 00
Referees (two at \$2,000), for salaries, .....	4,000 00
Director of Employment, for salary, .....	2,000 00
Inspectors (fifteen at \$1,500), for salaries, .....	22,500 00
Disease expert, for salary, .....	1,500 00
Inspectors (seven at \$1,600), for salaries, .....	11,200 00
Special inspector, for salary, .....	1,500 00
Clerk, for salary, .....	1,900 00
Clerk, for salary, .....	1,440 00
Inspector, for salary, .....	1,200 00
Medical Examiner, for salary, ....	600 00
Compensation for other assistants, including stenographers, copyists, examiners, etc., .....	36,260 00
Traveling expenses, .....	19,000 00
Blanks, stationery, bulletins and other publications, postage, express, telegraph, telephone and incidentals, .....	18,900 00
Farm labor and employment service, .....	10,000 00
	<hr/>
	\$158,000 00
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## 39.

## DEPARTMENT OF PUBLIC REPORTS.

For salaries, and for the expenses of maintenance and operation of the Department of Public Reports:

Report.

Commissioner, for salary, .....	\$2,000 00
Clerk, for salary, .....	600 00
Blanks, stationery, incidentals,....	100 00
	<hr/>
	\$2,700 00
	<hr/>

## 40.

Weights and  
measures.

## DEPARTMENT OF WEIGHTS AND MEASURES.

For salaries and for the expenses of  
maintenance and operation of the  
Department of Weights and  
Measures:

Superintendent, for salary, .....	\$3,500 00
Compensation for assistants, .....	7,080 00
Traveling expenses, .....	3,000 00
Postage, telegraph, telephone and incidentals, .....	1,000 00
Stationery, .....	420 00
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	\$15,000 00
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## 41.

## Emergencies.

## EMERGENCY FUND.

For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental expense of commissioners appointed by him under statute, or in his discre- tion, .....	\$10,000 00
	<hr/>



## 42.

## EXECUTIVE DEPARTMENT.

Governor's  
office.

For salaries and for the expenses of  
maintenance and operation of the  
Executive Department:

Governor, for salary, .....	\$10,000 00
Secretary to the Governor, for salary, .....	4,000 00
Compensation of assistants, .....	7,960 00
Blanks and stationery, .....	1,500 00
Traveling expenses, .....	1,500 00
Postage, telephone, telegraph and incidentals, .....	3,500 00
	<hr/>
	\$28,460 00
	<hr/>

## 43.

## EVENING SCHOOLS FOR FOREIGN-BORN RESIDENTS.

Night schools.

For the purpose of carrying out the  
provisions of an act entitled "An  
act providing for the establish-  
ment of evening schools for for-  
eign-born residents in the State  
of New Jersey," approved April  
eleventh, one thousand nine hun-  
dred and seven, payment to be  
made pursuant to chapter 65,  
Laws of 1909, .....

\$8,350 00

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## 44.

## HEALTH OFFICERS, PORT OF PERTH AMBOY.

Salaries.

Health officer of the port of Perth Amboy, for salary, pursuant to chapter 328, Laws of 1906, .....	\$1,000 00
Deputy health officer, for salary, .....	250 00
	<hr/>
	\$1,250 00
	<hr/>

Soldiers' home  
at Kearny.

## HOME FOR DISABLED SOLDIERS, KEARNY.

For salaries and wages, and for the expenses of maintenance for the New Jersey Home for Disabled Soldiers, at Kearny, and the inmates of said institution, based on an estimated number of 425 inmates and 64 employees:

For inmates at the rate of \$5.00 per week per capita, for food, clothing, medical care, religious service, amusements, recreation, and for all other expenses necessary for the proper care of said inmates, .....\$110,500 00

Such allowances as above set forth, when due, together with the United States appropriation for disabled soldiers are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$75,000 00
Clothing, .....	8,500 00
Fuel and power, .....	14,450 00
Household supplies, ..	3,500 00
Farm, stable and grounds, including tools, implements, etc., .....	2,500 00
Medical and surgical supplies, .....	2,500 00

Sundry supplies, including paints, oils, glass, sand, cement, stone, hardware, steam fitting and plumbing supplies, stationery, printing, blanks, postage, books, magazines, tobacco, periodicals, office supplies, and similar expenditures, .....	7,500 00	
Incidentals, including telephone, telegraph, freight, express, amusements, recreation, religious service, traveling expenses and similar expenditures, ...	2,000 00	
Salaries and wages:		
Superintendent, .....	2,000 00	
Secretary, .....	1,500 00	
Surgeon, .....	2,000 00	
Chaplains, nurses, attendants, mechanics, clerks, and all other employees, .....	26,500 00	
Miscellaneous, .....		1,300 00
Insurance, .....	1,300 00	

46.

HOME FOR DISABLED SOLDIERS, SAILORS, ET CETERA,  
VINELAND.

For salaries and wages, and for the  
expenses of maintenance for the  
New Jersey Home for Disabled

Soldiers'  
home at  
Vineland.

Soldiers, Sailors, Marines and their wives, and for their widows, at Vineland, and the inmates of said institution, based on an estimated number of 400 inmates and 65 employees:

Inmates at the rate of \$6.00 per week per capita for food, clothing, medical care, religious service, amusements, recreation, and for all other expenses necessary for the proper care of said inmates, ..... \$124,800 00

Such allowances as above set forth, when due, together with the United States appropriation for Disabled Soldiers, Sailors and Marines, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$70,000 00
Clothing, .....	8,000 00
Fuel and power, .....	12,000 00
Household supplies, ..	3,500 00
Farm, stable and grounds, including tools, machinery, et cetera, .....	2,000 00
Medical and surgical supplies, .....	1,500 00
Sundry supplies, including paints, oils, glass, sand, cement, stone, hardware, steam fitting and	

plumbing supplies, stationery, printing, blanks, postage, books, magazines, periodicals, tobacco, office supplies, and similar expenditures, .....	7,000 00	
Incidentals, including telephone, telegraph, freight, express, amusements, recreation, religious service, traveling expenses and similar expenditures, .....	1,800 00	
Salaries and wages:		
Commandant, .....	1,500 00	
Adjutant, .....	1,000 00	
Chaplains, nurses, attendants, mechanics, clerks, and all other employees, .....	27,500 00	
Miscellaneous, .....		\$2,647 83
New screen and pump for well, .....	2,000 00	
Insurance, .....	500 00	
Walter L. Foulk, for balance due for work done on covered way from annex to main building, .....	147 83	

47.

## INDUSTRIAL EDUCATION.

For payments to schools established for industrial education, pursuant to chapter 78, Laws of 1909, .....	\$27,000 00
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Manual  
training  
schools.

Payments to schools for manual training, pursuant to Article 22, section 230, School law of 1903,.. 300,000 00

Of the amount hereby appropriated so much thereof as may be necessary shall be available for payment of allowances due school districts previous to the current fiscal year.

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\$327,000 00

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## 48.

Pensions for  
judges.

## JUDICIAL RETIREMENT FUND.

For the purposes of carrying out the provisions of chapter 313, Laws of 1908, and chapter 185, Laws of 1911, ..... \$6,666 66

Carrying out the provisions of a bill pending entitled "An act providing for the retirement of certain judicial officers and fixing their compensation when retired," provided said bill becomes a law, . 3,000 00

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\$9,666 66

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## 49.

Legal  
reports.

## LAW AND EQUITY REPORTS.

Chancery Reporter, for salary,.... \$500 00

Supreme Court Reporter, for salary, ..... 500 00

Publication of Chancery Reports,.. 5,000 00

Publication of Law Reports, ..... 5,000 00

Binding Chancery and Law Reports, ..... 1,000 00

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\$12,000 00

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## 50.

## LEGISLATURE.

Legislature.

For salaries and for the expenses of  
the New Jersey State Legisla-  
ture:

Senators and Assemblymen, for salary, .....	\$40,833 32
Officers and employees, for salary, ..	49,650 00
Manuals of the Legislature of New Jersey, .....	3,000 00
Indexing the Journal of the Senate and Minutes of the Executive Sessions, and the Minutes of the House of Assembly and other in- cidental and contingent expenses, ..	12,500 00
Toilet, and other necessary sup- plies to be furnished by the State House Commission, .....	1,000 00
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	\$106,983 32
	<hr/>

## 51.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR  
COLORED YOUTH.Bordentown  
school.

For salaries and wages, and for the  
expenses of maintenance and  
operation of the Manual Training  
and Industrial School for Col-  
ored Youth, at Bordentown, and  
the students of said institution,  
based on an estimated number of  
225 students and 26 instructors  
and employees, payments under  
this account to be made pursuant  
to chapter 65, Laws of 1909:

For students, at the rate of \$4.20 per week, per capita for food, clothing, medical care, moral and physical instruction, educational and all other expenses necessary to the proper care of said students, ..... \$49,150 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41, Laws of 1908, have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$10,500 00
Fuel and power, .....	7,500 00
Household supplies, ..	3,000 00
Farm, stable and grounds, .....	2,500 00
Medical and surgical supplies, .....	150 00
School supplies, .....	1,000 00
Industrial shop supplies, .....	1,000 00
Sundry supplies, including paints, oils, glass, sand, stone, cement, lumber, hardware, steam fitting and plumbing supplies, printing, stationery, blanks, postage, general office supplies, and similar expenditures, .....	5,900 00
Incidentals, including telephone, telegraph,	



freight, express, entertainments and traveling expenses..	1,500 00	
Salaries and wages:		
Principal, .....	2,200 00	
Principal of trade school, .....	1,500 00	
Farm manager, .....	1,420 00	
Preceptress, .....	500 00	
Teachers, mechanics, clerks, and all other employees, .....	19,480 00	
Repairs and replacement, .....		\$7,600 00
Improvements on tenement houses, .....	\$3,600 00	
Repair to boys' dormitory and digging cellar, .....	2,500 00	
Partitions in girls' dormitory, .....	1,500 00	
Miscellaneous, .....		\$8,550 00
Auto truck, .....	\$1,050 00	
Insurance, .....	1,300 00	
Equipment for trade building, .....	2,000 00	
Equipment for girls' dormitory, .....	4,200 00	
New buildings, .....		\$19,600 00
Barn and silo, .....	\$5,600 00	
Addition to girls' dormitory, .....	14,000 00	

52.

## MONMOUTH BATTLE MONUMENT.

Freehold  
monument.

For the commission having in charge the Monmouth battle monument and grounds, pursuant to chapter 118, Laws of 1906,.....	\$643 00
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## Military.

## NATIONAL GUARD.

For the expenses of the National Guard, the maintenance and operation of armories, the State Camp at Sea Girt, and other grounds and buildings; compensation for employees; allowances for officers and troops, and all other expenses:

Battalion headquarters, expenses, ..	\$2,800 00
Companies of infantry (forty at \$500), allowances, .....	20,000 00
State Camp Grounds, salaries, wages and maintenance, .....	10,000 00
State Arsenal, maintenance, .....	1,500 00
Regimental armories at Jersey City, Camden, Newark, Paterson and Trenton, maintenance, .....	22,500 00
Troop and battalion armories at Newark, East Orange, Camden, Elizabeth, Red Bank and Orange, maintenance, .....	23,000 00
Company armories at Somerville, Hackensack, Bridgeton, Asbury Park, New Brunswick and Elizabeth, maintenance, .....	9,000 00
Insurance, .....	4,200 00
Headquarters organizations and detachments of Medical Corps, support and maintenance, .....	1,000 00
Ordnance stores, uniforms, clothing, camp and garrison equipment, freight, expressage and miscellaneous supplies, .....	40,000 00
Clerk, attached to Instructor-Inspector's office, compensation, ...	600 00
Caretaker of military equipment of Signal Corps, salary, .....	1,200 00

Extraordinary repairs, alterations, additions, furnishings for the preservation, equipment and completion of regimental, battery, troop, battalion and company armories, .....	10,000 00
Transportation for battalion drills, inspection, parades and pay and expenses of inspecting officers,...	8,000 00
Compensation of officers and employees and expenses incurred in connection with rifle practice,....	9,000 00
Compensation of officers and enlisted men and expenses in connection with the annual encampment, .....	80,000 00
Military boards and courts-martial, expenses, .....	1,200 00
Transportation of disabled soldiers of the late rebellion and the Spanish-American War, .....	30 00
Horse allowance to officers,.....	2,000 00
Uniforms and equipment for officers of regiments, troops, batteries, companies, signal corps and the Naval Reserve, .....	5,000 00
Painting, repairing and general improvement of buildings at State Camp Grounds at Sea Girt, .....	3,000 00
Installing concrete floor in armory of Company H, Second Regiment, at New Brunswick, .....	1,000 00
	<hr/>
	\$255,030 00
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## 54.

Report.

## NEW JERSEY CONFERENCE OF CHARITIES AND CORRECTIONS.

For printing and distributing the proceedings of the annual conference of the New Jersey Conference of Charities and Corrections, for the year 1918, ..... \$600 00

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## 55.

Bridge and  
tunnel com-  
mission.

## NEW JERSEY INTER-STATE BRIDGE AND TUNNEL COMMISSION.

For the expenses of the commission to co-operate with similar commissions of New York and Pennsylvania, ..... \$10,000 00

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## 56.

Rahway  
reformatory.

## NEW JERSEY REFORMATORY.

For salaries and wages, and for the expenses of maintenance of the New Jersey Reformatory, Rahway, and the inmates within the custody of said institution, based on an estimated number of 580 inmates and 64 employees:

For inmates at the rate of \$6.05 per week, per capita, including food, clothing, medical care, religious service, moral instruction, educational expenses, amusement, recreation and all custodial expenses, ..... \$183,400 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41 of the Laws of 1908 have heretofore been available for disbursement,

are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$45,000 00
Clothing, .....	14,000 00
Fuel and power, .....	26,000 00
Household supplies, ..	4,000 00

Farm, stable and grounds, including live stock, farm machinery, tools and implements, .....	6,000 00
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Medical and surgical supplies, including surgical instruments, dental supplies, drugs and medicines, and all other supplies necessary for the medical care and treatment of inmates, .....	1,500 00
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School supplies, .....	640 00
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Sundry supplies, including paints, oils, glass, hardware, lumber, cement, sand, stone, steam fitting and plumbing supplies, books, magazines, and other periodicals, postage, blanks, stationery, tobacco, general office supplies, and other similar expenditures, .....	14,000 00
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Incidentals, including traveling expenses, bureau of identification, amusements,	
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recreation, tele- phone, telegraph, freight, express and other similar expen- ditures, .....	3,600 00	
Salaries and wages:		
Superintendent, .....	4,000 00	
Superintendent for ad- ditional allowance for salary in lieu of the State, providing a house of residence as contemplated by statute, .....	660 00	
Deputy superinten- dent, .....	1,800 00	
Medical director, ....	1,500 00	
Chief parole officer,...	1,800 00	
Bertillion operator, ...	1,500 00	
Chaplain, clerks, pa- role officers, keepers, instructors, guards and all other em- ployees, .....	63,400 00	
Miscellaneous, .....		\$10,300 00
Payments to dis- caped inmates, .... and recapturing es- caped inmates, ...	\$4,000 00	
Fire insurance pre- miums, .....	6,300 00	

57.

Deaf and  
and dumb  
school.

## NEW JERSEY SCHOOL FOR THE DEAF.

For salaries and wages, and for the  
expenses of maintenance and  
operation of the New Jersey

School for the Deaf, at Trenton, and the students of said institution, based on an estimated number of 200 students and 65 instructors and employees:

For students, at the rate of \$8.10 per week per capita for food, clothing, medical care, moral and physical instruction, educational and all other expenses necessary to the proper care of said students, ..... \$84,300 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41, Laws of 1908, have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$26,000 00
Clothing, .....	2,000 00
Fuel and power, .....	6,000 00
Household supplies, ..	1,000 00
School supplies, .....	3,500 00
Industrial shop supplies, .....	1,000 00
Medical and surgical supplies, .....	300 00
Sundry supplies, including paints, oil, glass, sand, stone, cement, lumber, hardware, steam fitting and plumbing supplies, printing, stationery, blanks, postage, general office supplies, and similar expenditures, .....	3,500 00

Incidentals, including telephone, telegraph, freight, express, en- tertainments and traveling expenses, ..	500 00	
Salaries and wages:		
Superintendent, .....	3,000 00	
Principal, .....	2,400 00	
Instructors, steward, secretary, book- keeper, physician, dentist, nurse, baker, engineer, su- pervisors, matron, and all other em- ployees of the in- stitution, .....	37,100 00	
Miscellaneous, .....		\$2,100 00
Insurance, .....	\$500 00	
Tailor-shop equipment,	150 00	
Bake-shop equipment, ..	600 00	
Shoe-shop equipment, ..	850 00	
New buildings, .....		\$25,000 00
Purchase of land for new site, .....	\$25,000 00	
Payments under this account to be made pursuant to chapter 65, Laws of 1909.		

## 58.

Old Bar-  
racks.

## OLD BARRACKS ASSOCIATION.

For the Old Barracks Association of Trenton, New Jersey, for main- tenance and administration of the Old Barracks, at Trenton, as a historical landmark and reposi- tory, .....	\$2,500 00
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Complete restoration and necessary reconstruction of the Old Barracks, including grading of grounds, construction of walks and drives, furniture, fittings, repairs and other alterations, .....	5,000 00
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	\$7,500 00
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59.

## PENSION RETIREMENT COMMISSION.

Pension investigation.

For the expenses of the commission appointed pursuant to Joint Resolution No. 11, approved March twenty-ninth, one thousand nine hundred and seventeen, to make a survey of the subject of pension and retirement funds for the employees of the various municipal, county and State governments, .....	\$10,000 00
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60.

## PENSIONS.

Pensions.

For amount required to pay pensions, pursuant to various acts relative thereto, irrespective of any provisions therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired, ...	15,000 00
Allowance to Randolph F. Disbrow, a pensioner of this State, as com-	

mutation for two hands lost at Yorktown, Virginia, October nine- teenth, one thousand eight hun- dred and eighty-one, .....	100 00
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	\$15,100 00
	<hr/>

## 61.

Library  
commission.

## PUBLIC LIBRARY COMMISSION.

For salaries and for the expenses of maintenance and operation of the Public Library Commission:	
Secretary, for salary, .....	\$400 00
Organizer and librarian, for salary, ..	2,100 00
Assistant librarian, for salary, ....	1,200 00
Second assistant librarian, for salary, .....	840 00
Third assistant librarian, for salary, .....	720 00
Traveling expenses, .....	1,200 00
Books, pamphlets, stationery, blanks, printing, postage, tele- graph, and incidentals, .....	12,000 00
Donations to libraries, .....	300 00
Formation and administration of libraries in the free public schools of the State, .....	7,000 00
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	\$25,760 00
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## 62.

Quarter-  
master-  
general's  
department.

## QUARTERMASTER-GENERAL'S DEPARTMENT.

For salaries and for the expenses of  
maintenance and operation of the  
Quartermaster-General's Depart-  
ment:

Quartermaster-General, for salary,.	\$2,500 00
Chief clerk, for salary, .....	2,500 00
Chief of Quartermaster's Corps, for salary, .....	2,500 00
Compensation for assistants, .....	8,840 00
Military storekeeper, for salary, ...	1,350 00
Carpenter, machinist, and persons having in charge accoutrements, etc., cleaning arms, etc., teamster, and other employees, .....	5,163 00
Blanks and stationery, .....	500 00
Postage, telephone, telegraph and incidentals, .....	650 00
	<u>\$24,003 00</u>

## 63.

## RED BANK BATTLE MONUMENT.

Red Bank  
monument.

To the board of chosen freeholders of the county of Gloucester, for the purpose of aiding in the care and supervision of the Red Bank Battle Monument in said county, and in the maintenance of the ground upon which the same is located with which they are charged by the provisions of chapter 79, Laws of 1905, .....	\$500 00
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## 64.

REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS. Refund of  
taxes.

For taxes improperly levied upon, or paid by corporations, to be re- funded, pursuant to law, .....	\$1,000 00
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## 65.

Overpaid  
taxes by  
railroads re-  
funded.

## REFUND OF RAILROAD TAX.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon for any year, pursuant to chapter one hundred and eighty-eight, Laws of one thousand eight hundred and eighty-eight, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by the Comptroller, said payments shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated.

## 66.

State  
emergencies.

## REVOLVING AND SUPPLEMENTAL FUND.

## State Emergency Fund.

For the Governor, the State Treasurer, and the State Comptroller, ex officio, constituting the State House Commission, to meet any condition of emergency until legislation appropriate therefor shall be enacted, the sum of..... \$250,000 00  
*provided, however,* that all disbursements therefrom shall be made only upon the written authority of each and all of the officials recited herein.

Proviso.

## Purchase Fund.

The unexpended balance of the "Purchase Fund" created in accordance with the provisions of chapter 277, P. L. 1917, item 100, together with such sums as may be returned to the State Treasury for the reimbursement of the appropriation provided by said item so that a "Purchase Fund" not exceeding \$250,000 will be established and maintained for the purpose of making payments for purchases in the operation of chapter 68, Pamphlet Laws of one thousand nine hundred and sixteen, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use so as to reimburse the said "Purchase Fund" for said purchases when so made; said amounts so apportioned to be credited to said fund when deposited in the State treasury for disbursement in accordance with the provisions of said chapter 68, P. L., 1916, so as to constitute it a revolving fund for purchases, is hereby appropriated.

Purchase and revolving fund established and maintained.

Cost apportioned.

## 67.

## SANATORIUM FOR TUBERCULOUS DISEASES.

For salaries and wages, and for the expenses of maintenance of the New Jersey State Sanatorium for Tuberculous Diseases, at Glen Gardner, and the patients of said

Sanatorium at Glen Garden.

institution, based on an estimated number of 275 patients and 100 employecs:

For patients, at the rate of \$9.80 per week per capita, for food, clothing, medical care, religious service, educational expenses, amusement, recreation, and for all other expenses necessary to the proper care, attention and treatment of such patients, ..... \$140,140 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41 of the Laws of 1908 have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$43,000 00
Fuel and power, .....	21,000 00
Household supplies, .....	6,000 00
Farm, stable and grounds, includ- in farm machinery, tools and im- plements, .....	10,000 00
Medical and surgical supplies, ....	2,800 00
School supplies, .....	100 00
Sundry supplies, including paints, oils, glass, lumber, hardware, plumbing and steam fitting sup- plies, sand, stone, cement, print- ing, blanks, stationery, books, magazines, periodicals, office sup- plies and similar expenditures, ..	8,240 00
Incidentals, including telephone, telegraph, freight, express, amusements, recreation, religious service, traveling expenses, and similar expenditures, .....	2,000 00

Salaries and wages:	
Superintendent, .....	3,600 00
Physicians (four), .....	6,000 00
Clerks (four), .....	2,880 00
Nurses, farm help, waiters, me- chanics, storekeeper, watchman, instructor, attendants, and all other employees, .....	44,520 00
New buildings, .....	\$7,500 00
Piggery, ..... \$2,000 00	
Farm additions, ..... 5,500 00	

68.

## SEA GIRT COTTAGE.

Governor's  
cottage.

For maintenance of cottage at Sea Girt and entertainment therein, ..	\$5,000 00
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69.

## SECRETARY OF STATE.

Department  
of state.

For salaries and for expenses of maintenance and operation of the office of the Secretary of State:	
Secretary of State, for salary, ....	\$6,000 00
Assistant Secretary of State, for salary, .....	3,000 00
Compensation of assistants, .....	24,500 00
Blanks and stationery, .....	11,700 00
Postage, telegraph, telephone and incidentals, .....	6,000 00
Preserving early probate records, ..	1,000 00
Purchase of metallic cases for cor- poration records, .....	500 00
Purchase of corporation folders, ..	500 00
Purchase of copies of corporation laws, .....	1,000 00

Carrying out the provisions of an act relative to voting by soldiers and sailors, for traveling expenses, salaries, printing, postage and incidental expenses, .....	10,000 00
	<hr/>
	\$64,200 00
	<hr/>

## 70.

Motor  
department.

SECRETARY OF STATE, DEPARTMENT OF MOTOR  
VEHICLES.

For salaries and for the expenses of maintenance and operation of the Motor Vehicle Department:

Commissioner, for salary, .....	\$1,500 00
Chief inspector, for salary, .....	2,100 00
Deputy chief inspector, for salary, ..	1,800 00
Inspectors (32), for salary, .....	47,500 00
Compensation for assistants, .....	13,860 00
Inspectors (32), for expenses and equipment, .....	25,000 00
Postage, express and incidentals, ..	6,000 00
Blanks and stationery, .....	9,800 00
Liability insurance of inspectors, ..	500 00
Purchase of automobiles, .....	5,000 00
Refunds to applicants, .....	300 00
Automobile markers, .....	60,000 00

Payment of the above items in this account to be made from the receipts of the department of motor vehicle regulation and registration, pursuant to chapter 235, Laws of 1909.

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\$173,360 00

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## 71.

## STATE BOARD OF CHILDREN'S GUARDIANS.

Children's  
guardians.

## Dependent Children.

For salaries, .....	\$20,940 00
Maintenance, including traveling expenses, supplies, stationery, printing, postage, express, advertising, car fare, meals, lodging and incidentals, .....	13,510 00
Miscellaneous, including office equipment, rent, telephone and insurance, .....	1,550 00

## Widows' Pension Act.

Salaries and wages, .....	16,000 00
Maintenance, including traveling expenses, supplies, stationery, printing, postage, et cetera, ....	11,400 00
Miscellaneous, including office supplies, rent, telephone, telegraph, insurance, et cetera, .....	2,600 00
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	\$66,000 00
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## 72.

## STATE BOARD OF EDUCATION.

Board of  
education.

For salaries and for expenses of maintenance and operation of the State Board of Education:	
Compensation for clerical service..	\$800 00
Stationery and printing,.....	800 00
Traveling and incidental expenses,.	1,900 00
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	\$3,500 00
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## 73.

State ex-  
aminers.

## STATE BOARD OF EXAMINERS.

For salaries and for expenses of main-  
tenance of the State Board of  
Examiners:

Supervisors, clerks, per diem of members, and other clerical ser- vices, .....	\$6,500 00
Blanks, stationery, postage, tele- graph, telephone and incidentals.	3,260 00
Traveling expenses, .....	240 00
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	\$10,000 00

## 74.

Board of  
taxes and  
assessment.

## STATE BOARD OF TAXES AND ASSESSMENT.

For salaries and for the expenses of  
maintenance and operation of the  
State Board of Taxes and Assess-  
ment:

President of the board, for salary,.	\$4,000 00
Members of the board, for salaries,.	12,000 00
Secretary, field secretary, chief en- gineer, expert stenographer and clerks, .....	41,000 00
Stationery and supplies, .....	3,000 00
Printing, .....	2,000 00
Traveling expenses, .....	1,500 00
Postage, .....	1,725 00
Telephone, telegraph and inci- dentals, .....	275 00
	<hr/>
	\$65,500 00

## 75 .

## STATE BOARD OF TENEMENT HOUSE SUPERVISION.

Tenement  
house super-  
vision.

For salaries and for the expenses of  
maintenance and operation of the  
State Board of Tenement House  
Supervision:

Secretary and executive officer, for salary, .....	\$3,600 00
Assistant secretary, for salary,....	1,800 00
Plan examiners (two at \$1,800), for salary, .....	3,600 00
Chief of old building bureau, for salary, .....	1,650 00
Chief inspector, for salary, .....	1,600 00
Clerks (four at \$1,500), for salary,.	6,000 00
Inspectors (thirty at \$1,400), for salary, .....	42,000 00
Compensation for all other em- ployees, .....	6,100 00
Printing and stationery, .....	400 00
Traveling expenses, .....	650 00
Inspectors, traveling and incidental expenses, .....	4,300 00
Office furnishings and supplies,....	200 00
Postage, telephone, telegraph and incidentals, .....	2,250 00
Rent of offices, .....	2,500 00
	<hr/>
	\$76,650 00
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## 76.

## STATE CHARITIES AID ASSOCIATION.

Expenses met.

For the expenses of the association,  
pursuant to chapter 120, Laws of  
1892, .....

\$600 00

## 77.

## STATE HIGHWAY COMMISSION.

## Roads.

For the State Road Fund,..... \$500,000 00

And the receipts, as and when received, of the Motor Vehicle Fund, less the amounts appropriated for maintenance of Department of Motor Vehicle Regulation and Registration and the State Road Tax and from Federal Aid, and other contributions, sales of condemned property, penalties and damages for the violation of any law for the protection of roads pursuant to chapter 15, P. L. 1917, and the amount accruing thereto pursuant to chapter 230, P. L. 1917.

There is hereby appropriated pursuant to chapter 223, Laws of 1916, ..... 25,000 00

State aid for construction of the Moorestown-Camden pike, ..... 28,000 00

## 78.

Jamesburg  
school for  
boys.

## STATE HOME FOR BOYS.

For salaries and wages and for the expenses of maintenance of the State Home for Boys at Jamesburg, and the inmates within the custody of such institution, based on an estimated number of 650 inmates and 93 employees.

For inmates at the rate of \$4.50 per week per capita, for food, clothing, medical care, religious service, moral and physical in-

struction, educational expenses,  
 amusement, recreation and for all  
 custodial expenses, ..... \$152,100 00

Such allowances as are above set  
 forth, when due, together with such  
 receipts of the institution as by the  
 operation of chapter 41 of the Laws  
 of 1908 have heretofore been avail-  
 able for disbursement, are hereby  
 appropriated for necessary main-  
 tenance expenditures, not to exceed  
 the following amounts:

Food, .....	\$34,100 00
Clothing, .....	13,000 00
Fuel and power, .....	15,000 00
Household supplies, ..	4,000 00
Farm, stable and grounds, including farm machinery, tools, implements, etc., .....	12,000 00
Medical and surgical supplies, .....	600 00
School supplies, .....	800 00
Sundry supplies, in- cluding paints, oils, glass, lumber, hard- ware, plumbing and steam-fitting sup- plies, sand, stone, ce- ment, printing, post- age, blanks, sta- tionery and office supplies and simi- lar expenditures, ...	18,520 00
Incidentals, including telegraph, telephone, freight, express, amusements, recrea- tion, religious ser- vices, traveling ex-	

penses and other similar expenditures,	3,000 00	
Salaries and wages:		
Superintendent, .....	2,000 00	
Assistant superintend- ent, .....	1,800 00	
Bookkeeper, .....	1,800 00	
Physician, .....	1,200 00	
Matron, .....	500 00	
Assistant matron, ....	480 00	
Chief parole officer, ...	1,800 00	
A s s i s t a n t p a r o l e o f f i c e r s (two at \$1,350), .....	2,700 00	
Military instructor, ...	480 00	
Chaplains (two at \$750), .....	1,500 00	
Stenographers, in- structors, cottage managers, and all other employees, ...	47,020 00	
Repairs and replace- ments, .....		\$43,500 00
Radial smokestack, ...	\$8,500 00	
Repairing steam heat- ing system, .....	25,000 00	
Altering sewage sys- tem, .....	10,000 00	
Miscellaneous, .....		\$2,500 00
Drainage, .....	\$2,500 00	
New buildings, .....		\$1,000 00
Purchase of land for coal siding, .....	\$1,000 00	

79.

Girls' home  
at Trenton.

STATE HOME FOR GIRLS.

For salaries and wages, and for the  
expenses of maintenance of the

State Home for Girls, at Trenton, and the inmates within the custody of such institution, based on an estimated number of two hundred and seventy inmates and sixty-three employees:

For inmates, at the rate of \$8.15 per week per capita, for food, clothing, medical care, religious service, moral and physical instruction, educational expenses, amusement, recreation, and for all custodial expenses, ..... \$114,500 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41 of the Laws of 1908 have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$22,800 00
Clothing, .....	8,100 00
Fuel and power, .....	10,000 00
Household supplies, .....	6,000 00
Farm, stable and grounds, including farm machinery, tools, implements, etc., .....	9,000 00
Medical and surgical supplies, including drugs, medicines, surgical instruments and hospital maintenance, .....	1,500 00
School supplies, .....	750 00
Sundry supplies, including paints, oils, glass, lumber, hardware, plumbing and steam fitting supplies, sand, stone, cement, printing, postage, blanks, stationery,	

books, magazines, office supplies, and similar expenditures, .....	16,350 00
Incidentals, including telephone, telegraph, freight, expressage, amusement, recreation, religious services, traveling expenses and similar expenditures, .....	2,500 00
Salaries and wages:	
Superintendent, .....	2,000 00
Physician, .....	1,600 00
Nurses, teachers, chaplains, clerks, and all other employees, .....	33,900 00
Miscellaneous, .....	\$900 00
Insurance, .....	\$900 00
New buildings, .....	\$35,000 00
New dormitory, .....	\$35,000 00

## 80.

Horticultural  
society.

## STATE HORTICULTURAL SOCIETY.

For salaries, and for the expenses of the New Jersey State Horticul- tural Society, pursuant to chap- ter 141, Laws of 1911, .....	\$3,000 00
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## 81.

Morris Plains  
asylum.

## STATE HOSPITAL AT MORRIS PLAINS.

For salaries and wages, and for the  
expenses of maintenance of the  
State Hospital at Morris Plains  
and the inmates of said institu-  
tion based on an estimated num-  
ber of 2,800 patients and 550 em-  
ployees:



For county patients at the rate of \$2.75 per week per capita; for criminal and insane convicts chargeable solely to the State at the rate of \$5.50 per week per capita and at the rate of \$3.25 per week per capita for such county patients and for State indigent patients at the rate of \$4.75 per week per capita for maintenance including food, clothing, medical care, religious service, moral instruction, amusement, recreation and all other expenses in connection with the care and support of such patients as herein described, ..... \$500,000 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41 of the Laws of 1908 have heretofore been available for disbursement, are hereby appropriated for necessary maintenance, expenditures not to exceed the following amounts:

Food, .....	\$300,000 00
Clothing, .....	35,000 00
Fuel and power, .....	65,000 00
Household supplies, ..	30,000 00
Farm, stable and grounds, including farm machinery,	

stock, implements, et cetera., .....	30,000 00
Medical and surgical supplies including research work, path- ological de p a r t - ment supplies, sur- gical instruments, dental supplies, and all other supplies in connection with the medical care and treatment of in- mates, .....	9,500 00
Sundry supplies, in- cluding industrial departments, photo- graphic supplies, phonograph records, paints, oils, glass, hardware, lumber, cement, sand, stone steam fitting and plumbing supplies, b o o k s, magazines and other periodi- cals, tobacco, post- age, blanks, sta- tionery, printing, general office sup- plies and other simi- lar sundries, .....	27,500 00
Incidentals, including telephone, telegraph, f r e i g h t, express, amusements, recrea- tion, religious scr- vice, traveling and other incidental ex- penses, .....	15,500 00

Salaries and wages:		
Medical director, .....	6,000 00	
Warden, .....	3,500 00	
Assistant physicians (two at \$2,000), ....	4,000 00	
Assistant physicians (two at \$1,700), ....	3,400 00	
Assistant physician, ..	1,500 00	
Assistant physicians, (two at \$1,300), ....	2,600 00	
Assistant physicians, (two at \$1,100), ....	2,200 00	
Assistant physician, ..	1,500 00	
Pathologist, .....	1,800 00	
Secretary, .....	500 00	
Treasurer, .....	500 00	
Wages of employees, .	250,000 00	
Repairs and replace- ments, .....		\$50,500 00
Sewage disposal sys- tem, .....	\$10,000 00	
Reservoir dam, .....	15,000 00	
To remedy defects in water main valves, elbows, et cetera, high service line,...	10,000 00	
Rewiring new dormi- tory building and fixtures, .....	13,500 00	
Railroad equipment,..	2,000 00	
Miscellaneous, .....		\$14,500 00
Insurance, .....	\$6,000 00	
Furnishing two bunga- lows for married physicians, .....	2,000 00	
Operating room, women's depart- ment, .....	2,500 00	
Appraisal of property,	200 00	
Conduit and piping to		

assistant physicians' cottages, .....	500 00	
Two automobiles, for medical and warden's department,...	800 00	
Industrial shop equipment, .....	2,500 00	
New buildings, .....		\$3,200 00
Materials for construction of root cellar by inmate labor, .....	\$1,200 00	
Constructing connecting corridor, .....	2,000 00	

82.

Trenton  
asylum.

## STATE HOSPITAL AT TRENTON.

For salaries and wages, and for the expenses of maintenance of the State Hospital at Trenton and the inmates of said institution, based on an estimated number of 2,000 patients and 346 employees:

County patients at the rate of \$2.75 per week per capita; for criminal and insane convicts chargeable solely to the State, at the rate of \$5.50 per week per capita, and at the rate of \$3.25 per week per capita for such county patients and for State indigent patients at the rate of \$4.75 per week per capita, for maintenance, including food, clothing, medical care, religious service, moral instruction, amusement, recreation and all other expenses in connection with the care and support of

such patients as are herein described, ..... \$374,800 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41, of the Laws of 1908, have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures not to exceed the following amounts:

Food, .....	\$187,600 00
Clothing, .....	24,000 00
Fuel, light and power..	60,000 00
Household supplies, including furniture,.	46,000 00
Farm, stable and grounds, including farm machinery, tools and imple- ments, .....	40,000 00
Medical and surgical supplies, including research work, lab- oratory supplies, pathological depart- ment supplies, den- tal supplies, surgi- cal instruments, and all other supplies in connection with the medical care and treatment of inmates,	10,000 00
Sundry supplies, in- cluding industrial department sup- plies, photographic supplies, phono- graph records, paints, oils, glass, hardware, lumber,	

cement, sand, stone, steam fitting and plumbing supplies, books, magazines and other periodicals, tobacco, postage, blanks, stationery, printing, general office supplies and other similar sundries, .....	28,400 00	
Incidentals, including telephone, telegraph, freight, express, religious services, amusement, recreation, returning runaways, traveling expenses, and other incidental expenses,...	10,800 00	
Salaries and wages:		
Medical director, ....	4,500 00	
Warden, .....	3,500 00	
Assistant physician,...	3,000 00	
Assistant physicians (two at \$1,500),....	3,000 00	
Assistant physician,...	1,800 00	
Assistant physician,...	1,200 00	
Assistant physician,...	600 00	
Pathologist, .....	1,500 00	
Field worker, .....	600 00	
Laboratory assistant, .	720 00	
Secretary, .....	500 00	
Treasurer, .....	500 00	
Assistant physicians,...	3,580 00	
Wages of employees,...	150,000 00	
Miscellaneous, .....		\$4,000 00
Insurance, .....	\$4,000 00	
New buildings, .....		\$375,000 00

Walls and fireproof  
stairs, ..... \$25,000 00  
Additional accommoda-  
tion for 500 insane,. 350,000 00

83.

## STATE HOUSE COMMISSION.

State House.

For the State House Commission, for  
the care and safe-keeping of the  
State Capitol, the property  
therein and adjacent public  
grounds and buildings, insur-  
ance upon State Capitol and con-  
tents, and for expenses to be in-  
curred in carrying out the pro-  
visions of chapter 339 of the  
Laws of 1894:

Custodian, for salary,.....	\$3,500 00
Assistant custodian, for salary....	1,500 00
State Purchasing Agent, for salary.	5,000 00
Expert printer, for salary,.....	900 00
Compensation of assistants, helpers, and other employees,.....	55,000 00
General repairs, .....	10,000 00
Coal, light, telephone, telegraph, freight express, blanks, station- ery, furnishings, supplies, tools, etc., .....	30,000 00
Purchase of furniture, .....	3,000 00
Improvement of lands in rear of State House, lying between the Delaware river, and the Water Power raceway, .....	15,000 00
State Purchasing Department, ex- penses, .....	25,000 00
Printing and binding public docu- ments, .....	50,000 00

Printing and circulating of the laws, .....	7,500 00
	<u>\$206,400 00</u>

Feeble-minded.

84.

## STATE INSTITUTION FOR FEEBLE-MINDED.

For salaries and wages, and for the expenses of maintenance for the State Institution for Feeble-Minded, at Vineland, and the inmates within the custody of said institution, based on an estimated number of 800 inmates and 80 employees:

For inmates, at the rate of \$4.40 per week per capita, for food, clothing, medical care, religious service, moral and physical instruction, educational expenses, amusement, recreation and for all other expenses necessary to the proper care and custody of said inmates, \$183,000 00

Such allowances as are above set forth, when due, together with such receipts of the institution, as by the operation of chapter 41 of the Laws of 1908 have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$50,500 00
Clothing, .....	18,500 00
Fuel and power, .....	20,000 00
Household supplies,...	10,500 00
Farm, stable and grounds, including farm machinery,	



tools, implements, etc., .....	22,000 00
Medical and surgical supplies, including drugs, medicine, surgical instru- ments, research work, etc., .....	6,500 00
School supplies, .....	800 00
Industrial shop sup- plies, .....	1,000 00
Sundry supplies, in- cluding paints, oils, glass, sand, cement, lumber, stone, hard- ware, steam fitting and plumbing, sup- plies, printing, sta- tionery, blanks, post- age, books, maga- zines, periodicals, office supplies and similar expendi- tures, .....	19,650 00
Incidentals, including telephone, telegraph, freight, express, amusements, recrea- tion, religious ser- vices, traveling ex- penses, and similar expenditures, .....	2,600 00
Salaries and wages:	
Superintendent, .....	3,750 00
Treasurer, .....	500 00
Executive secretary, ..	1,000 00
Head clerk, .....	1,800 00
School principal, .....	1,200 00
Head farmer, .....	1,200 00
Head carpenter, .....	1,200 00

Head engineer, .....	1,200 00	
Medical department assistants, .....	3,800 00	
Clerks, stenographers, musical director, gymnastic in- structor, industrial teachers, school teachers, matrons, dietition cooks, at- tendants, mechan- ics, farmers, and all other employees,....	24,300 00	
Repairs and replace- ments, .....		\$7,000 00
Enlarging patients' bathroom, .....	\$4,000 00	
Irrigation of farm,...	1,000 00	
Coal loader, .....	1,000 00	
Drainage from dining hall, hospital, east building and shack,.	1,000 00	
Miscellaneous, .....		\$1,000 00
Insurance, .....	\$1,000 00	
New buildings,.....		\$72,000 00
Children's unit, .....	\$60,000 00	
Dairy barn, and equip- ment, .....	10,000 00	
Piggery, and equip- ment, .....	2,000 00	

85.

**Library.****STATE LIBRARY.**

For salaries and for the expenses of  
maintenance and operation of the  
State Library:

Librarian, for salary, .....	\$3,000 00
Compensation of assistants, .....	3,900 00

Repair, preservation and purchase of useful books, periodicals, newspapers and other publica- tions, .....	3,500 00
Blanks, stationery, postage and in- cidentals, .....	1,000 00
Legislative reference department, ..	400 00
Librarian, for expenses to National convention, .....	100 00
	<hr/>
	\$11,900 00
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## 86.

## STATE NORMAL SCHOOL, GLASSBORO.

Glassboro  
normal  
school.

There is hereby appropriated the undisbursed balance on the thirtieth day of June, 1918, of the appropriation made under item 119, of chapter 277, Laws of 1917, for the purchase of site and erection of building or buildings thereon, for the establishment of a new State normal school, pursuant to chapter 76, Laws of 1913.

## 87.

## STATE NORMAL SCHOOL, MONTCLAIR.

Montclair  
normal  
school.

For salaries and wages, and for the expenses of maintenance and operation of the State Normal School at Montclair, and the boarding halls for students conducted in conjunction therewith, based on an estimated number of 725 students and 39 employees and instructors:

For the expenses of maintenance of the boarding halls, there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58 of the Laws of 1910, and, provided an act now pending abridging the current fiscal year so that it shall end June 30, 1918, becomes a law, all receipts from the said boarding halls for the current fiscal year that may not have been disbursed on or before June 30, 1918, shall be held in trust in the State treasury, subject to the provisions of chapter 58 of the Laws of 1910:

Maintenance, .....		\$15,950 00
Fuel and power, .....	\$4,000 00	
School supplies, including apparatus, laboratory supplies, library and textbooks and students' supplies, .....	7,700 00	
Sundry supplies, including postage, printing, blanks, stationery, janitor's supplies, office supplies, and similar expenditures, .....	3,250 00	
Incidentals, including telegraph, telephone, freight, express, amusements, lectures, traveling expenses, and similar expenditures,....	1,000 00	
Salaries and wages,.....		\$65,150 00

Principal and in-		
structors, salaries,..	\$51,500 00	
Employees, .....	13,650 00	
Practice teaching,.....	15,000 00	
Repairs and replace-		
ments, .....		\$9,000 00
Insurance, .....		838 00
Payments under this account to		
be made pursuant to chapter 65,		
Laws of 1909.		

88.

## STATE NORMAL SCHOOL, NEWARK.

Newark  
normal  
school.

For salaries and wages and for the expenses of maintenance and operation of the State Normal School, at Newark, based on an estimated number of 1,000 students and 70 instructors and employees:

Maintenance, .....		\$17,850 00
Fuel and power,.....	\$2,950 00	
School supplies, in-		
cluding apparatus,		
laboratory supplies,		
library and text		
books, manual train-		
ing department		
supplies, and gen-		
eral class-room		
working materials		
for students, .....	10,500 00	
Sundry supplies, in-		
cluding postage,		
printing, blanks, sta-		
tionery, janitor's		
supplies, office sup-		

plies and similar expenditures, .....	2,500 00	
Incidentals, including telegraph, telephone, freight, express, entertainments, lectures, traveling expenses, biological and science department expenses, and similar expenditures	1,900 00	
Salaries and wages, ..		\$88,000 00
Principal, secretary, physician, and instructors, .....	\$78,600 00	
Employees, .....	9,400 00	
Practice teaching, ....		15,000 00
Repairs and replacements, .....		6,300 00
Furniture, .....		2,000 00
Payments under this account to be made pursuant to chapter 65, Laws 1909.		

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\$129,150 00

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89.

Trenton  
normal  
school.

## STATE NORMAL SCHOOL, TRENTON.

For salaries and wages, and for the expenses of maintenance and operation of the State Normal School at Trenton, and the boarding halls for students conducted in conjunction therewith, based on an estimated number of 1,000 students and 67 instructors and employees: \*

For the expenses of maintenance of the boarding halls there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58 of the Laws of 1910 and, provided an act now pending abridging the current fiscal year so that it shall end June 30, 1918, becomes a law, all receipts from the said boarding halls for the current fiscal year that may not have been disbursed on or before June 30, 1918, shall be held in trust in the State treasury subject to the provisions of chapter 58 of the Laws of 1910.

Maintenance; .....		\$19,000 00
Fuel and power, .....	\$6,000 00	
School supplies, including apparatus, laboratory supplies, library and textbooks, and students' supplies, .....	9,500 00	
Sundry supplies, including postage, printing, blanks, stationery, janitor's supplies, office supplies, water and similar expenditures, ..	2,000 00	
Incidentals, including telegraph, telephone, freight, express, amusements, lectures, post-office box, fire-alarm service, traveling expenses, domestic		

science, and similar expenditures, .....	1,500 00	
Salaries and wages, .....		\$94,500 00
Administration salaries, .....	\$10,900 00	
Instructors' salaries, ..	73,600 00	
Employees, .....	10,000 00	
Practice teaching, ....		\$10,000 00
Repairs and replacements, .....		16,500 00
Insurance, .....		2,000 00
Payments under this account to be made pursuant to chapter 65, Laws of 1909.		

## 90.

State  
prison.

## STATE PRISON.

For salaries and wages, and for the expenses of maintenance of the New Jersey State Prison, Trenton, and the convicts within the custody of said institution, based on an estimated number of 850 convicts and 96 employees:

For convicts, at the rate of \$6.90 per week, per capita, including food, clothing, medical care, religious service, moral instruction, educational expenses, amusement, recreation and all custodial expenses, ..... \$304,980 00

Such allowances as are above set forth, when due, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$94,000 00
Clothing, .....	12,000 00



Fuel and power, .....	32,500 00
Household supplies,...	6,000 00
Farm, stable and grounds, including farm machinery, tools and implements, .....	8,000 00
Medical and surgical supplies, including surgical instruments, dental supplies, drugs and medicines and all other supplies necessary for the medical care and treatment of inmates, .....	4,250 00
Industrial shop supplies, .....	14,000 00
School supplies, .....	1,000 00
Sundry supplies, including paints, oils, glass, hardware, lumber, cement, sand, stone, steam-fitting and plumbing supplies, books, magazines, and other periodicals, postage, blanks, stationery, tobacco, electrocution plant expenses, general office supplies, and other similar expenditures, .....	10,930 00
Incidentals, including traveling expenses, bureau of identification, amusements,	

	recreation, telephone, telegraph, freight, express, and other similar expenditures, .....	4,500 00	
	Salaries and wages:		
	Principal keeper, ....	3,500 00	
	Matron, .....	1,380 00	
Disallowed.	Board of inspectors (six members),.....	3,000 00	
	Resident physician,...	2,000 00	
	Physician, .....	1,800 00	
	Moral instructors (two, at \$1,200),...	2,400 00	
	Moral instructors (four, at \$500),.....	2,000 00	
	Fiscal agent, .....	2,640 00	
	Secretary to principal keeper, .....	1,920 00	
	Centre keeper, .....	2,040 00	
	Night centre keeper, ..	1,500 00	
	Parole agent, .....	1,800 00	
	Superintendent of repairs, .....	1,800 00	
	Storekeeper, .....	1,500 00	
	Commissary, .....	1,500 00	
	Marshal, .....	1,680 00	
	Clerks (two, at \$2,040), .....	4,080 00	
	Assistant matrons, deputy keepers, guards, clerks and all other employees.	81,260 00	
	Miscellaneous, .....		\$11,743 71
	Payment to discharged convicts, .....	\$3,000 00	
	Fire insurance, .....	2,500 00	
	Appraisement, .....	200 00	
	Automobile insurance, ..	200 00	
	Railroad pass suit, ...	200 00	

Bread-mixing equip- ment, .....	1,500 00
Refrigerating plant, ..	4,000 00
Payment of claims heretofore incurred by Richard P. Hughes for mainte- nance of principal keeper, during the fiscal year of 1916, as per statement filed with the Comptroller, .....	143 71
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	\$316,723 71
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## 91.

## STATE REFORMATORY FOR WOMEN.

Women's  
reformatory.

For salaries, and for the expenses of maintenance for the State Reformatory for Women at Clinton, and the inmates within the custody of such institution, based on an estimated number of 100 inmates and 20 employees:

For inmates, at the rate of \$8.85 per week, per capita, for food, clothing, medical care, religious services, moral instruction, educational expenses, amusement, recreation and for all custodial expenses, ..... \$46,020 00

Such allowances as are above set forth, when due, together with such receipts of

the institution as by the operation of chapter 41 of the Laws of 1908 have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures, not to exceed the following amounts:

Food, .....	\$7,000 00
Clothing, .....	3,000 00
Fuel, light and power, ..	5,000 00
Household supplies, ..	2,500 00
Farm, stable and grounds, including farm machinery, tools and implements, etc., .....	6,000 00
Medical and surgical supplies, .....	500 00
School supplies, .....	800 00
Sundry supplies, including paints, oils, lumber, glass, sand, stone and cement, hardware, steam fitting supplies, plumbing supplies, printing, stationery, blanks, postage, office supplies and similar expenditures, .....	6,000 00
Incidentals, including telephone, telegraph, freight, express, amusements, recreation, religious services, traveling ex-	

penses and similar expenditures, .....	1,400 00	
Salaries and wages:		
Superintendent, .....	1,800 00	
Assistant Superintendent, .....	1,200 00	
Farm manager, dietitian, bookkeeper, parole officer, instructors, nurse, matron and all other employees, .....	10,800 00	
Miscellaneous, .....		\$1,500 00
Insurance, .....	\$1,500 00	
New buildings, .....		\$22,200 00
Disciplinary wing for white inmates, .....	\$7,200 00	
Disciplinary wing for colored inmates, ....	15,000 00	

92.

## STATE SCHOOL TAX.

School tax.

For the purpose of reducing the State school tax, to be assessed for the year 1918, ..... \$100,000 00

93.

## STENOGRAPHIC REPORTERS.

Refund to counties.

For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to chapter 81 of the Laws of 1901, ..... \$18,000 00

## 94.

Summer  
school in  
agriculture.

## SUMMER COURSES IN AGRICULTURE.

For the expenses of instructors and employees, and for printing, postage, and other incidental expenses for summer schools, for the purpose of carrying out the provisions of chapter 310, Laws of 1913, payments to be made as provided by chapter 65, Laws of 1909, ..... \$12,000 00

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## 95.

Supreme  
court.

## SUPREME COURT.

For salaries and for the expenses of maintenance and operation of the Supreme Court:

Chief Justice, for salary, .....	\$13,000 00
Associate justices, for salaries, ....	96,000 00
Judges of the Circuit Court, for salaries, .....	72,000 00
Compensation for sergeant-at-arms and criers, .....	1,300 00
Expenses incurred by order of the Supreme Court, pursuant to chapter 149, Laws of 1900, .....	3,500 00
Blanks, stationery and incidentals, .	350 00
Expenses of bar examinations and compensation of clerk in disbarments, .....	3,000 00
To Dougal Herr, for services rendered and expenses incurred in connection with disbarment proceedings, .....	355 00
	<hr/>
	\$189,505 00
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## 96.

## TEACHERS' INSTITUTES.

Teachers'  
institutes.

Expenses of teachers' institutes, .....	\$2,000 00
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## 97.

## TEACHERS' LIBRARIES.

Teachers'  
libraries.

Establishment and maintenance of libraries for use of teachers, ....	\$300 00
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## 98.

## TEACHERS' RETIREMENT FUND.

Teachers'  
retirement  
fund.

For salaries and wages, and for expenses incurred in connection with the administration of the Teachers' Retirement Fund, pursuant to chapter 139, Laws of 1907:

Assistant secretary, for salary, ....	\$2,750 00
Chief clerk, for salary, .....	1,200 00
Stenographers and clerks, for salary, .....	3,100 00
Office rent, postage, telephone, telegraph, printing, stationery, equipment, supplies, fees and incidentals, .....	4,000 00
Traveling expenses, .....	400 00
State Treasurer, for expenses incurred in connection with the fund:	
Clerk, for salary, .....	2,800 00
Stationery and incidentals, .....	700 00

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\$14,950 00

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## 99.

State  
treasurer.

## TREASURER'S DEPARTMENT.

For salaries and for expenses of  
maintenance and operation of the  
Treasurer's Department:

Treasurer, for salary, .....	\$6,000 00
Compensation for assistants, .....	18,300 00
Commissioner of Municipal Ac- counts, for salary, .....	3,600 00
Compensation for assistants of Commissioner of Municipal Ac- counts, .....	4,850 00
Compensation of Auditors, Depart- ment of Municipal Accounts, ....	5,000 00
Blanks and stationery, Treasurer's Department, .....	1,000 00
Postage, telephone, telegraph, ex- pressage and incidentals, Treas- urer's Department, .....	1,300 00
Premium on surety bonds for Treas- urer and Deputy Treasurer, ....	450 00
Blanks, stationery, postage and in- cidental, Commissioner of Mu- nicipal Accounts, .....	1,600 00
Traveling expenses, Commissioner of Municipal Accounts and Auditors, .....	3,800 00
Office furniture, equipment and supplies, Commissioner of Mu- nicipal Accounts, .....	850 00
	<hr/>
	\$46,750 00
	<hr/> <hr/>



## 100.

## TRENTON BATTLE MONUMENT.

Trenton  
monument.

For the Trenton Battle Monument Association, for the purpose of keeping the Trenton Battle Monument and grounds in good condition and repair, ..... \$500 00

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## 101.

## VOCATIONAL SCHOOLS.

Vocational  
schools.

For the purpose of carrying into effect the provisions of chapter 76, Laws of 1916, which provides for the appropriation of State funds for the purpose of carrying out the provisions of chapter 294 of the Laws of 1913, which authorized State aid for vocational schools, ..... \$40,000 00

For the purpose of carrying into effect the provisions of chapter 119, Laws of 1917, which provides that the State shall appropriate a sum not less than the maximum amount received from the Federal government under an act of Congress, which provides for Federal co-operation in the promotion of such education as agriculture and the trades and industries, and for the proper preparation of teachers of vocational subjects. 20,320 00

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\$60,320 00

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Epileptic  
village.

## VILLAGE FOR EPILEPTICS.

For salaries and wages, and for the expenses of maintenance of the New Jersey State Village for Epileptics, at Skillman, and the inmates of the institution, based on an estimated number of 900 patients and 195 employees:

For patients at the rate of \$3.50 per week per capita, including food, clothing, medical care, religious service, moral instruction, educational expenses, amusement, recreation, and all other expenses in connection with the care and support of such patients,.... \$164,000 00

Such allowances as are above set forth, when due, together with such receipts of the institution as by the operation of chapter 41 of the Laws of 1908, have heretofore been available for disbursement, are hereby appropriated for necessary maintenance expenditures not to exceed the following amounts:

Food, .....	\$70,580 00
Clothing, .....	8,700 00
Fuel and power, .....	27,700 00
Household supplies,...	6,000 00
Farm, stable and grounds, including farm machinery, tools and implements, .....	28,500 00
School supplies, .....	1,000 00

Medical and surgical supplies, including research work, eugenic field work, surgical instruments, drugs, medicines, and all other supplies necessary for the medical care and treatment of patients, .....	2,500 00
Sundry supplies, including industrial shop supplies, paints, oils, glass, hardware, lumber, cement, sand, stone, steam-fitting and plumbing supplies, books, magazines and other periodicals, tobacco, postage, blanks, stationery, printing, general office supplies, and other similar expenditures,...	10,000 00
Incidentals, including telephone, telegraph, freight, express, religious services, funeral expenses, entertainments, returning runaways, traveling expenses and all other similar expenditures, .....	5,900 00
Salaries and wages:	
Superintendent, .....	4,500 00
Steward, .....	2,500 00

First assistant physician, .....	2,500 00	
Assistant physician,...	1,500 00	
Assistant physicians (two at \$1,200),....	2,400 00	
Assistant physicians (three at \$1,000),...	3,000 00	
Principal teacher,.....	1,200 00	
Chief clerk, .....	1,500 00	
Record clerk, .....	1,320 00	
Wages of other employees, .....	87,600 00	
Miscellaneous, .....		\$3,092 00
Insurance, .....	\$3,092 00	

## 103.

Morristown  
headquarters.

## WASHINGTON ASSOCIATION OF NEW JERSEY.

For the trustees of the Washington Association of New Jersey, pursuant to chapter 309, Laws of 1874, .....	\$2,500 00
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## 104.

Washington  
Rock park.

## WASHINGTON ROCK PARK COMMISSION.

For insurance, improvement and maintenance of Washington Rock Park, including incidentals,.....	\$2,000 00
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## 105.

Revise  
election laws.

## COMMISSION TO REVISE, SIMPLIFY, ARRANGE AND CONSOLIDATE THE PRIMARY AND ELECTION LAWS.

To Frederick R. Brace, for services as counsel to the commission incident to carrying into effect the provisions of Joint Resolution No. 4, approved March sixteenth, one thousand nine hundred and sixteen, .....	\$500 00
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## 106.

## STATE BOARD OF CANVASSERS.

State board of  
canvassers.

For the expenses of the State Board  
of Canvassers in investigating  
and estimating the vote cast for  
United States Senator, Members  
of Congress, etc., ..... \$500 00

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## 107.

## STATE BOARD OF FISHERIES.

Fisheries.

For the purpose of carrying out the  
provisions of a bill pending en-  
titled "An act to create a State  
Board of Fisheries, defining its  
powers and duties, regulating the  
disposal of food fish, and regulat-  
ing the taking of fish within three  
nautical miles of the coast line of  
this State and in Sandy Hook bay  
or Raritan bay," provided said  
bill becomes a law, ..... \$10,000 00

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## 108.

## NEW JERSEY STATE COUNCIL OF DEFENSE.

Council of  
defense.

For salaries and for the expenses of  
operation of the New Jersey State  
Council of Defense:

Clerks, for salaries, .....	\$4,000 00
Office expenses, .....	2,000 00
Printing, campaign expenses, and other activities, .....	4,000 00
	<hr/>
	\$10,000 00
	<hr/>

## 109.

## PUBLIC RECORD OFFICE.

**Disallowed.** For the salary of the Director, clerical service, traveling and other necessary and incidental expenses, including office equipment, provided said sum is authorized by legislative enactment, ..... \$5,000 00

**School aid:** 2. The following sums are hereby appropriated out of the income of the school fund for the purposes specified for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and nineteen:

## 1.

**Schools.**

## FREE PUBLIC SCHOOLS.

For the support of free public schools, ..... \$250 000 00

## 2.

**Bond purchases.**

## PREMIUMS AND ACCRUED INTEREST.

There shall be paid from the income of the school such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of public schools.

## 3.

**Legal expenses.**

## SCHOOL FUND EXPENSES.

For necessary legal and other expenses incurred by or under the direction of the trustees for the

support of public schools in the  
investment and protection of the  
school fund, and in the collection  
of the income thereof, ..... \$3,500 00

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## 4.

There shall be transferred from the in-  
come of the school fund to the  
principal of the school fund, the  
sum of ..... \$100,000 00

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Sum trans-  
ferred.

3. Before any building or buildings shall be  
commenced or work undertaken, for the cost of  
which money is appropriated by this act, the plans,  
specifications and contracts necessary for the en-  
tire completion thereof shall, and each of them  
shall, be submitted and approved pursuant to  
chapter five, laws of nineteen hundred and  
eighteen, and such contracts shall not be approved  
or entered into if the total expenditure under all  
the contracts necessary to the entire completion  
of such building, buildings or work according to  
such plans and specifications shall exceed the  
amount appropriated by this act for such build-  
ing, buildings or work; and in any and every case  
where it shall appear that the appropriation is  
insufficient to complete such building, buildings or  
work, the appropriation hereby made therefor shall  
not be applied toward the construction of such  
building or buildings, or prosecution of such work,  
but shall lapse, and no payment shall be made  
therefrom; *provided, however*, that the provisions  
of this section, prohibiting the expenditure of the  
whole or any part of an appropriation, which in  
itself is insufficient to complete any building,  
buildings or work, and providing for the lapsing  
of such appropriations, shall not apply to nor re-  
strict the expenditure of any moneys herein ap-

Approval of  
plans and  
contracts by  
governor.

If appropria-  
tion not  
sufficient to  
lapse.

Proviso.

propriated for the construction, completion of construction, equipment or furnishing of any armory or armories which have been heretofore authorized and which are partially constructed, completed or furnished, but such appropriation shall be available for the uses and purposes herein expressed to the full extent thereof.

Moneys used  
as specified.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, and taxes for the use of taxing districts in this State, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, academic certificate fund, vocational schools, pensions of teachers and school officers authorized by law, moneys received from tuition at the summer schools, and loans to "State School Fund," which last-named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous year; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to chapter one hundred and eighty-seven, Laws of nineteen hundred and thirteen; moneys received by the Department of Health pursuant to chapter thirteen, Laws of nineteen hundred fifteen, chapter two hundred thirty-two, Laws of nineteen hundred seventeen, and chapter thirty-nine, Laws of nineteen hundred eighteen, and receipts pursuant to the provisions of a bill pending relating to central control of institutions should said bill become a law.

Transfer of  
moneys to  
other items.

5. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by



any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

Authority  
given.

Proviso.

6. The Comptroller of the Treasury is hereby authorized, empowered, directed, and it shall be his duty to make such correction of the title or text, or both, of an appropriation, necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling, reciting in appropriate detail the facts thereof and the reasons therefor, attested by the signature of said Comptroller and filed in the Department of the Comptroller of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

Corrections  
made to com-  
ply with  
intention.

How made.

7. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of the State, to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriation may have been made as in his judgment may best conserve the interest of the State.

Disbursements  
so as to con-  
serve interests  
of State.

Act effective. 8. This act shall take effect on the first day of July, one thousand nine hundred and eighteen.

## APPROVED.

With exception of item line 36—page 64, item 90, Board of Inspectors (six members) ..	\$3,000 00	
Item 109—Page 73, Public Record Office.....	5,000 00	
	<hr/>	\$8,000 00
	WALTER E. EDGE,	

March 6, 1918.

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## **JOINT RESOLUTIONS**

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(1189)



## Joint Resolutions

### JOINT RESOLUTION No. 1.

Joint Resolution authorizing and constituting the Judiciary Committee of the Senate and the Judiciary Committee of the House of Assembly of the one hundred and forty-second Legislature of New Jersey, a joint committee to make a survey of questions of public interest and to investigate violations of law and the conduct of any public official, public body, department, board or commission.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The Judiciary Committee of the Senate and the Judiciary Committee of the House of Assembly of the one hundred and forty-second Legislature are hereby authorized and constituted a joint committee for the purpose of making a survey of any questions of public interest and to investigate violations of law, the conduct of any public official, public body, board, department or commission. The joint committee so constituted shall report to the next session of the Legislature the results of its survey and investigation, and with such recommendations as it may deem advisable. The committee shall select a chairman and secretary, and shall have power to employ necessary legal, clerical and other assistants.

Joint legislative committee on public interests.

Report.

Organization.

2. Said committee shall sit at such times and places as the majority of them shall decide, and

Sessions, witnesses, books.

shall have power to compel the attendance of witnesses and the production of books and papers by notice or subpoena.

3. This joint resolution shall take effect immediately.

Approved February 22, 1918.

### JOINT RESOLUTION No. 2.

Joint Resolution for the appointment of a commission for the investigation of methods employed and the laws which govern the finances of municipalities, counties and school districts.

*BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:*

Commission  
on municipal  
financing.

Objects.

Report.

Witnesses  
and records.

1. That the Speaker of the House of Assembly shall appoint seven members of the Assembly to be known as "The Commission for the Survey of Municipal Financing." The commission shall survey the subject of tax revenues and expenditures of the several municipalities, school districts and counties, and such other matters pertaining to the finances and accounting of same as may contribute to a better understanding of the subject. Such commission shall render its report to the present or any future session of the Legislature. Said report to be supported by such bills as may be deemed necessary for a more orderly and economical system of financing, and a more scientific distribution of the tax burden.

2. The commission shall have the power to subpoena and examine witnesses, and to examine any records or documents pertaining to the finances or

taxing system of any municipality, school district or county, and for such purposes to issue subpoenas and administer oaths. Such commission to meet during the present session of the Legislature, and after adjournment thereof, in such place or places, and at such time or times as it may appoint.

Meetings.

3. The members of said commission shall serve without pay and for the purpose of conducting investigations and surveys in pursuance to this act, may hire clerks, secretaries, attorneys and such other assistants as it may deem necessary, and to defray expenses shall use moneys or any portion thereof as may be appropriated in any annual or supplemental appropriation bill.

Assistants.

4. This resolution shall take effect immediately.  
Approved February 23, 1918.

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### JOINT RESOLUTION No. 3.

Joint Resolution for the appointment of a commission to investigate the subject of municipal, county and State pensions, and the Teachers' Retirement Fund and the Teachers' Thirty-five Year Half Pay Pension Fund.

*BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:*

1. That a commission of five members be appointed, two by the President of the Senate and three by the Speaker of the House, to be known as "The Pension and Retirement Fund Commission," to make a survey of the subject of pensions and retirement funds for the employees of the various municipal, county and State governments

Committee on teachers' retirement fund.

Objects.

- Report.** and the school teachers and school employees of the State, and to report its findings to the present or a future session of the Legislature, together with such recommendations as it may deem best regarding pensions and retirement funds.
- Witnesses, records, etc.** 2. Said commission shall have power to examine witnesses, to call for any books, records, memoranda or other material, and for such purposes is hereby given authority to issue subpoenas for the presence of any person or persons or the production of such books, records, memoranda or other material.
- Sessions.** 3. The commission shall sit during the session of the present Legislature, and after adjournment thereof at such time and place as a majority may decide and shall serve without pay, but shall have authority to engage such assistants as may be deemed wise for the prosecution of their investigation, and to defray the expenses shall use such moneys or any portion thereof as may be appropriated in any supplemental or annual appropriation bill.
- Assistants.** 4. This joint resolution shall take effect immediately.
- Approved February 23, 1918.
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## JOINT RESOLUTION No. 4.

Joint Resolution to authorize the Board of Commerce and Navigation to enter into agreement with the Dundee Water Power and Land Company, subject to the approval of the Legislature, with regard to the improvement of the Passaic river and the surrender by said company of some of its charter rights.



WHEREAS, On the recommendation of the Board of Commerce and Navigation of this State, Senate Bill No. 244 was introduced at the present session, to repeal the charter of the Dundee Water Power and Land Company, a corporation of this State, organized and existing under and by virtue of an act of the Legislature entitled, "An act to incorporate the Dundee Manufacturing Company," passed March fifteenth, eighteen hundred and thirty-two, and the several acts supplementary thereto, because of the failure of said company to improve the navigation of the river Passaic, between the mouth of the Weasle brook and a convenient point within the corporate limits of the city of Paterson; and Preamble.

WHEREAS, There appeared at the public hearing on said bill representatives of said company and of the persons and corporations engaged in manufacturing, who hold leases for water rights from said company; and Preamble.

WHEREAS, Said Dundee Water Power and Land Company at said public hearing, through its representatives, expressed its willingness to cooperate in making said river navigable and to contribute such sum as shall be equitable and just towards the cost thereof, and to surrender certain rights claimed to have been granted to it under its charter and the supplements thereto, as aforesaid, in such manner and at such times as may be just and equitable; and Preamble.

WHEREAS, Said bill was withdrawn in order that opportunity may be given the said company to enter into agreement as aforesaid: Preamble.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Agreement as  
to making  
Passaic river  
navigable.

1. The Board of Commerce and Navigation is hereby authorized and empowered to enter into agreement with said Dundee Water Power and Land Company in behalf of the State of New Jersey, subject to the approval of the one hundred and forty-third Legislature of this State, sitting in the year nineteen hundred and nineteen, as to the sum or sums of money said Dundee Water Power and Land Company should contribute towards the cost of making said river navigable, and as to what rights, if any, granted to said company by the State of New Jersey, should be surrendered by it. Said Board of Commerce and Navigation is hereby authorized to incorporate in said agreement such other provisions as may be equitable and just in order to expedite and assist in making said Passaic river navigable.

Lessees to  
be heard.

2. Said Board of Commerce and Navigation shall give to all of the persons and corporations engaged in manufacturing, or otherwise engaged, holding leases for water power from said Dundee Water Power and Land Company, an opportunity to be heard before the conclusion of the agreement aforesaid.

3. This resolution shall take effect immediately.

Approved March 4, 1918.

## JOINT RESOLUTION No. 5.

A Joint Resolution creating a joint legislative committee to investigate the practical operation of and to codify and supplement existing laws governing the county and township roads in this State with respect to the standardization of methods of construction, administration and maintenance thereof.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. That a commission of two Senators, three members of the House of Assembly and one member of the State Highway Commission, shall be appointed by the Governor within ten days after the approval of this resolution to fully investigate the methods of construction, administration and maintenance of county and township roads in this State, and upon a basis of such investigation to codify and supplement existing laws governing county and township roads, and to report to the next Legislature by bill or otherwise a codification of the existing laws and such new supplementary provisions as will result in standardizing the methods of construction, administration and maintenance of such roads.

Commission  
on roads.

Objects.

Codify road  
laws.

2. Said commission shall sit at such times and places as the majority of them shall decide, and shall have power to compel the attendance of witnesses by subpoena. Every person subpoenaed as a witness who shall not appear, or appearing shall refuse to serve or give evidence at any such sitting of the committee, shall forfeit and pay for every such default or refusal, unless some reasonable cause be assigned, a sum not exceeding one hundred

Sessions.

Penalty for  
refusing  
subpoena.

dollars, nor less than twenty-five dollars, as the chairman of the committee shall think proper to impose, to be recovered, with costs, payable to the State Treasurer.

**Assistants.**

The committee shall have the power to require the service of the engineering and clerical assistants of the State Highway Department.

**Appropriation.**

3. The members of the commission shall serve without salary, but for the purpose of necessary expenses, subpoena fees, mileage and traveling expenses, clerical and other expenses, the sum of one thousand dollars, when appropriated in the regular appropriation bill, shall be available for the payment of the same on the warrant of the Comptroller by the State Treasurer, and such portion thereof shall be set aside as a fund for petty cash or incidental expenses as may be directed by the State Auditor.

4. This joint resolution shall take effect immediately.

Approved March 5, 1918.

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# PROCLAMATIONS

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(1199)



## Proclamations by the Governor

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### PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Never has New Jersey failed in response to patriotic impulse. In 1812 and '98, as in '76 and '61, New Jersey was found on the firing line valiantly battling for the supremacy of right over might, of ideals over greed, of order over lawlessness, of freedom over tyranny.

Today that self-same issue is squarely drawn. In meeting it the State must be guided by noble traditions. If we would measure up to the supreme test of practical patriotism which this emergency presents we need but emulate the unflinching valor at Trenton and Princeton, Monmouth and Red Bank, the steeled courage and resourcefulness at Springfield, Elizabeth and in the valley of the Hackensack, and the grim fortitude and sacrifice in Morristown's winter. Nor need we aim for a proportionately higher standard of patriotism than Jersey patriots fixed in the Sixties when they furnished over 88,000 troops and nearly \$3,000,000 to maintain them.

In autocracy's latest and boldest challenge of democracy and democracy's ideals, New Jersey recognizes the wisdom of the United States Government in determining to match military efficiency with military efficiency. It recognizes as sound the governmental policy of raising our military

forces by the method of selective service. This method puts the right man in the right place as a necessary requisite successfully to resist the merciless domination of militarism with which all free people of the world are threatened. To the end, therefore, that the right men of New Jersey may get in the right places and get there quickly:

I, WALTER E. EDGE, Governor of the State of New Jersey, in the name and for the people of our State, do hereby proclaim that the day hereafter to be fixed by the President of the United States for the registration and enrolment of troops be known, in this State, as

#### NEW JERSEY DAY

and that it be observed throughout the State and in every subdivision thereof as a holiday in order that all the State may honor her loyal sons who cheerfully dedicate their lives to the serious task of making the world "safe for democracy" and the principles of peace.

They will be volunteers in the purest and best sense of the word—those who voluntarily appear at designated places of registration. They will be seeking the service, rather than letting the service seek them. Their action will speak louder than words, "My Country, I am ready." For the call involves an appeal to the best patriotism. What service could be more honorable than that which, because of its careful selective principle, guarantees that a man is directing his energies in channels where they are of most benefit to his country—where he is picked by his countrymen for fitness and efficiency? Surely no stigma or odium of the ordinary draft attaches to this businesslike, imperative process. No emotion will be stronger among the beneficiaries of secure democracy in the years to come than the familiar clutching at the throat as they recall the heroism of NEW JERSEY DAY.



And I urge this aspect of the situation upon the people of the State, at the same time that I ask for their hearty, whole-souled cooperation in the common cause of having New Jersey execute a complete enlistment at top speed—in a single day if possible. There is to be no conscription save for those who do not volunteer to register. Only the slackers who remain away and oblige the law to discipline conduct and enforce a semblance of patriotism will be drafted. All others volunteer and the question of whether or not they come in the exempt class is properly left for subsequent determination.

May "NEW JERSEY DAY" prove epochal of super-patriotism. May the people as a whole resolve that the noble sacrifices of our national heroes who died that the Flag might live shall not have been in vain! May patriotism born of ancestral heroism find fullest expression in public meetings and demonstrations, echoing from thousands of rostrums the call to the colors and honoring the budding flower of the New American Army! May little children add their voices in praise of the men who thus volunteer to make their future happiness and contentment and freedom from enslavement secure. May business and everyday activities pause just for the moment while New Jersey's manhood demonstrates its full fitness for the heaviest responsibilities of American citizenship and its capacity for defending political liberty.

To the end that these objects may be attained and New Jersey prepared to give the Federal Government united support, I most earnestly appeal to every citizen, every organization, every political subdivision, every institution, to begin now in aiding the State to carry out speedily and effectively the letter and spirit of this proclamation. God grant that the minute men of 1917 may be mobilized in an instant and be full worthy of the heart-

rending sacrifices and emotion-gripping heroism of their fathers.

[GREAT      Given under my hand and under the  
SEAL]      Great Seal of the State of New Jersey  
this eighth day of May, A. D. one thousand  
and nine hundred and seventeen, and in  
the Independence of the United States  
the one hundred and forty-first.

WALTER E. EDGE,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The President of the United States has by proclamation directed that the registration of men under the selective service law take place in every section of the country on Tuesday, June fifth, nineteen hundred and seventeen;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, in reference and supplementary to a proclamation issued by me on May eighth, one thousand nine hundred and seventeen, designating the anticipated registration day as NEW JERSEY DAY, do hereby proclaim that

TUESDAY, JUNE 5, 1917,  
NEW JERSEY DAY  
(REGISTRATION DAY),

be observed throughout our State as a LEGAL HOLIDAY and a time for public demonstration and other

expressions of enthusiasm befitting a day when the millions of a mighty nation will volunteer their services—the particular kind of service they are best qualified to give—in the great common cause of seeing to it that democracy does not perish.

It is the intent of this proclamation that there be closed on this holiday all of the public schools, banks, courts and such public offices as are not required to take official part in the registration. It is respectfully suggested that the heads of business and industrial concerns observe the holiday or some part of it in their plants wherever the same is practical and consistent with the welfare of the Nation, although it is not the intent of this proclamation to impose any restraint whatsoever on those essential activities where even a temporary cessation of the wheels of industry at this vital period might seriously impair important undertakings associated with the prosecution of war. Prudence dictates that the specific observance of the holiday in the industries be left largely to individual judgment but the justification for pausing in ordinary, everyday business long enough to honor men who are voluntarily dedicating their lives to the nation which has consecrated liberty is plain and cannot be too strongly emphasized.

New Jersey Day will not be a conscription day. IT WILL BE A DAY OF PATRIOTIC, UNSELFISH VOLUNTEERING FOR ANY KIND OF SERVICE OF ALL MEN IN THE STATE WHO HAVE ATTAINED THEIR TWENTY-FIRST BIRTHDAY AND HAVE NOT YET ATTAINED THEIR THIRTY-FIRST BIRTHDAY. That is the one object and the whole significance of the day. The actual selecting of these men for the particular kind of service they are best qualified to give, whether it be in the trenches at the front, in the furrows of the field, in the industries essential to war or at home caring for dependents, is an after consideration. In order that the task of registration be systematized, severe punishment has been provided by law for any

who fail to so register or who in any way obstruct a successful registration, but the point is that punitive measures will be needless and the registration regarded as a great voluntary rallying to the Colors, as it should be, if it is attended by holiday zeal and every resident, every interest lend his or its support to the work of making registering popular and convenient.

For the general information of the citizens of our State I call attention to the following essential facts:

First, every man, whether native born, naturalized citizen or foreigner, who on June fifth next, has attained his twenty-first birthday and has not attained his thirty-first birthday must register. This means EVERY man within those ages, whether married or single or believing himself exempt from service for any cause. ALL QUESTIONS OF EXEMPTION WILL BE DETERMINED LATER.

Second, every such man MUST APPEAR PERSONALLY at his accustomed polling place, so used at election time, or at such relocated poll as may be advertised or otherwise called to his attention, between the hours of 7 A. M. and 9 P. M., on Tuesday, June 5, 1917. There, on that day, he will be shown how to enroll.

Third, for purposes of information and direction, all such men residing in Atlantic City, Bayonne, Camden, East Orange, Elizabeth, Hoboken, Jersey City, Newark, Orange, Passaic, Paterson, Perth Amboy, Trenton, and West Hoboken should apply to the City Clerk of their respective city; all such residing elsewhere in the State should apply to the County Clerk, of their respective county.

Fourth, if because of absence from home a man cannot personally report at such polling place on the day fixed he should apply immediately to the city clerk or county clerk, as his place of residence may dictate, under Rule 3, for a blank which will enable him to register by mail; but this regis-

tration blank must reach the city clerk or county clerk, as the case may be under Rule 3, on or before June 5.

Sheriffs and County Clerks, Mayors and City Clerks, members of local boards under this registration, and all other citizens to whom instructions have been issued or may hereafter be issued from time to time under authority of the Governor are herewith notified that they will be held strictly responsible and accountable for the prompt and accurate carrying out of all such instructions.

To the end that New Jersey may faithfully and honorably discharge her obligations to the United States and to the cause of "making the world safe for democracy," I most earnestly plead for the whole-souled assistance and cooperation of all residents of New Jersey.

Given, at Trenton, under my hand and the Great Seal of the State of New Jersey, this twenty-first day of May, A. D. one thousand nine hundred and seventeen, and in the Independence of the United States, the one hundred and forty-first.

WALTER E. EDGE,

*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, I did heretofore, by my proclamation issued May twenty-first, one thousand nine hun-

dred and seventeen, designate Tuesday, June fifth, one thousand nine hundred and seventeen (Registration Day), as New Jersey Day, to be observed as a Legal Holiday and a time for public demonstration and expressions of enthusiasm; and

WHEREAS, Some doubt exists as to whether banking in its relation to commercial paper is affected by such a proclamation unless the exact language of the statute is followed; and

WHEREAS, It is eminently proper that a day so important to the nation and to the future of mankind should be observed with due solemnity and with suitable recognition of the Almighty Source of all Good;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do appoint Thursday, June fifth, one thousand nine hundred and seventeen, as a day of religious observance and prayer, recommending that business cease, so far as is practicable and consistent with the welfare of the nation and the prosecution of the war, as analyzed in my previous Proclamation, and that our people, either in their places of worship or in the privacy of their homes, do make their acknowledgment to Almighty God, beseeching Him for abundant harvests, for the triumph of liberty and democracy and the establishment of a lasting peace.

Given under my hand and the Great Seal of the State of New Jersey, this  
[GREAT twenty-ninth day of May, A. D. one thousand nine hundred and seventeen, and in  
SEAL] the Indendence of the United States, the one hundred and forty-first.

WALTER E. EDGE,

*Governor.*

By the Governor:

THOMAS F. MARTIN,

*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

At this stage of the war every citizen must be impressed with the fact that universal service is expected and necessary in the struggle for democracy. To the end that New Jersey's voluntary response may be placed to the best advantage both from the standpoint of the Nation and the individual;

I, WALTER E. EDGE, Governor of the State of New Jersey, do issue this, my proclamation, respectfully urging citizens, willing to serve their country in an hour when success depends absolutely upon service, to act in the most practical way that they can and enlist without delay in those branches of military service which are not yet fully recruited to war strength.

New Jersey needs 1,200 recruits in the Regular Army of the United States in order that its quota shall be fully supplied.

New Jersey needs 4,292 men in order to bring its present National Guard organizations to war strength—3,805 infantry, 16 cavalry, 164 field artillery, 5 signal troops, 106 engineers' corps and 196 in the Medical Department.

New Jersey is called upon to organize new units of the National Guard, to be Federalized when such units are officered and organization completed. These new units are 4 companies of Coast Artillery requiring 431 men: 1 battalion Field Artillery, 620 men; 1 brigade Headquarter's Detachment, 15 men; 1 division Headquarter's Troop, 96 men, a total of 1,167.

All men between 21 and 31 years of age in New Jersey have registered and are subject to con-

scription in the National Army. It is reasonable to assume that when men are drafted for this National Army it will be difficult to secure transferals from one branch or division to another in order to meet the natural wishes of the individual to serve with local forces. Enlistment at this time in the National Guard affords this opportunity. Registration under the conscription bill in nowise removes the privilege of enlistment prior to actual draft. I especially call this to the attention of registered men because I recognize that it is a source of pride and pleasure to be identified with a local organization. I also call this to the attention of men not registered because the privilege of enlistment extends to men between the ages of 18 and 45, both inclusive.

The sooner New Jersey recruits her quota to the full strength in all branches of service the higher the mark for our commonwealth in the test of patriotism. We should reach the goal in two or three weeks. Applications for enlistments may be made to any local National Guard organization or local recruiting station. The choice of service is immaterial. The National Guard is not in competition with the Regular Army. Our sole competition is with the enemy policy of ruthlessness and defiance of human rights and privileges which threaten the principles upon which our country and its free institutions were founded.

Given under my hand and the Great Seal of the State of New Jersey, this  
[GREAT twentieth day of June, A. D. one thousand  
SEAL] nine hundred and seventeen, and in the Independence of the United States, the one hundred and forty-first..

WALTER E. EDGE,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*



## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

LABOR DAY, under the law of our State, falls on the first Monday in September. Thus officially recognized, it is a LEGAL HOLIDAY so generally known that under normal conditions an executive proclamation is unnecessary.

But conditions are not normal. This critical year finds LABOR DAY fraught with extraordinary significance. It emphasizes to a superlative degree the dignified, sanctified place which labor occupies in the affairs of mankind, the vast debt which world progress owes to labor, the extent to which the human race depends upon labor for the conservation of its highest ideals and best traditions.

WE ARE ENGAGED IN A WAR FOR THE SUPPRESSION OF TYRANNY AND THE TRIUMPH OF FREE GOVERNMENT. WHOLE-SOULED COOPERATION OF LABOR IS ESSENTIAL FOR ITS SUCCESSFUL PROSECUTION, THROUGH THE UNSELFISH DEVOTION AND PATRIOTIC SELF-SACRIFICE OF LABOR, AT THE MILL OR FARM, AT HOME, ON THE FIELD OR SHIP AFAR, GOVERNMENT BY THE PEOPLE SHALL ENDURE; WITHOUT THIS DEVOTION AND SACRIFICE, GOVERNMENT BY THE PEOPLE MUST PERISH.

Labor alone—labor tireless in effort; unswerving in loyalty, ceaseless in determination—can swing the door that opens to success for the United States and her allies in the giant struggle to save the world from imperial encroachment and military enslavement.

Now, THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, in accordance with law, deeming that great good may come from

calling attention specifically to the responsibilities, and opportunity of labor, do hereby proclaim:

MONDAY, SEPTEMBER 3D, 1917, LABOR DAY.

It is respectfully urged that communities throughout our State devote all time possible to such an observance of this significant holiday as may tend to impress upon their people the vital importance of a growing and continuing conciliatory understanding between capital and labor, based upon the imperative needs of the hour and the absolute dependence of each upon the other if either is to survive autoocracy's thrust for world dominion and the subordination of right to might, of justice to the mailed fist. In one sense the world conflagration has leveled the barrier between capital and labor, for the whole people have dedicated their lives, through military, industrial, agricultural, economic and humane service, to the supreme labor of defending now and preserving for all time the sacred principles and precious institutions of democracy.

Given, at Trenton, under my hand and the Great Seal of the State of New Jersey, this thirtieth day of August, A. D. one thousand nine hundred and seventeen and in the Independence of the United States the one hundred and forty-second.

WALTER F. EDGE,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

The very great value of the institution Sunday School, under all conditions, is recognized generally. It is quite unnecessary to refer to its potency as a factor in moulding along pure lines the impressions of the plastic child mind, in securing a firm foundation for the essential discipline of human life, in affording an opportunity for youth to form an intimate and lasting acquaintance with the wholesome truths and beautiful diction of the greatest literary masterpiece.

But these are extraordinary times; unparalleled conditions.

Nations governed by the Golden Rule, ours among them, are teamed together in a mighty struggle for the triumph of democratic justice. At no time in the history of these nations running for the most part into centuries, has there been such imperative need to trust implicitly in Providence and to conduct their affairs, foreign and domestic, toward enemy and toward ally, free from passion, vengeance and barbarism, and in full concert with the Word of God.

Confronting the world today, also, are perplexing economic problems accentuated by war, which might never have been problems at all had humanity applied to everyday business affairs, political conduct, personal standards of living, the principles of holy writ.

In a word, the wholesome teachings of Sunday School never deserved a higher place in the heart and affections of a disturbed and anxious world than they do today.

In the earnest hope that New Jersey may do its part toward emphasizing this fact, I, WALTER E. EDGE, Governor of the State of New Jersey, do issue this, my proclamation, designating OCTOBER SEVENTH next, as

SUNDAY SCHOOL DAY.

I respectfully urge that a special effort be made on this day by all Jerseymen to attend some Sunday School, personally, to interest all children of their intimate acquaintance in Sunday School work and, where convenient, to make some material contribution to the cause.

War has called and will continue to call Sunday School workers to the colors. War unquestionably diverts the attention of the boy especially from everything but war. Obviously, positive steps must be taken quickly to continue public interest in the Sunday school and to maintain its effectiveness and high state of efficiency.

[GREAT  
SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eleventh day of September, A. D. one thousand nine hundred and seventeen, and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, There is added reason for making every possible effort to prevent fire destruction by reason of the state of war, when the toll exacted by fire would be more appalling than ever because of the increased value of property and foodstuffs necessary to the prosecution of war, not to mention the financial loss which can least of all be afforded at a time when the financial resources of the country are being taxed to an extraordinary degree; and

WHEREAS, A concerted effort has been made heretofore in New Jersey and many States to reduce the great amount of suffering occasioned annually by the death and injury of persons caused by preventable fires;

NOW, THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, believing that the citizens of this State should join in such a movement, do hereby proclaim and request that Tuesday, the ninth day of October, 1917, be known and observed as

## FIRE PREVENTION DAY

throughout our State.

I suggest and request that each citizen lend his aid toward preventing fires and conflagrations, by removing any danger found to exist upon his own property; that rubbish, trash and unnecessary accumulation of inflammable and combustible material be destroyed; that heating and lighting appliances be carefully inspected and repaired where found necessary; that factories, public buildings

New Jersey State Library

and institutions be carefully inspected for fire risks; that special attention of the governing bodies of our municipalities be given to hydrants, water pressure, fire-fighting apparatus and appliances, and that wise and precautionary measures be taken generally to lessen fires.

I further suggest and request that campers, hunters and others who use, for pleasure or profit, the forests of our State, whether contained in the State Reserve or in private property, carefully refrain from making fires where underbrush, dry leaves and decayed vegetation abound, and from leaving smouldering embers of fires or carelessly throwing away lighted cigars, cigarettes and matches in such places, inasmuch as these practices have in recent years resulted in forest fires causing thousands of dollars of almost irreparable loss.

Given under my hand and the Great Seal of the State of New Jersey, this  
[GREAT twenty-fourth day of September, A. D.  
SEAL] one thousand nine hundred and seventeen,  
and in the Independence of the United  
States the one hundred and forty-second.

WALTER E. EDGE,

*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Opportunity for valuable service to the country  
in the equivalent of military capacity knocks at

the door of every man, woman and child who can invest in Liberty Loan bonds.

To heed the call means voluntary enlistment in the American Army of Financial and Moral Support for the armed defenders of democracy. It also means matriculation in the school of thrift for those who have not cultivated the saving habit; a strengthening of investments for those who have.

To subscribe is the first duty of all. What a stirring example for people at home cheerfully to forego pleasure and luxury in the effort to absorb Liberty Bonds when our young men at army cantonments who have dedicated their lives to the cause are in addition—as if their cup of self-sacrifice and patriotism were not already overflowing—contributing a part of their modest pay to this investment.

The President of the United States has issued a proclamation designating October 24, 1917, as Liberty Day, and making the afternoon of that day a holiday for all Federal employees throughout the country whose services can be spared in making the Second Liberty Loan a success before subscriptions close on October 27th. But the assistance of State officers and employees and of all citizens, in fact, is imperative in this sacred undertaking, where Federal and State lines are eliminated and the country is one in patriotism.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim in New Jersey, and for all interests in the State, public and private, that Wednesday, October 24, 1917, be known as

#### LIBERTY DAY.

It is respectfully urged that so far as practicable all public offices, business houses, stores and public places be closed on the afternoon of this day in New Jersey, so that our people may have fullest

opportunity to participate in patriotic demonstrations which it is urged shall be held in cities, towns and country districts to the end that the full significance of war financing may be impressed upon all, and the Liberty Loan campaign be given all possible stimulation in the State.

New Jersey calls for volunteers on the dollar firing line. May the support of her patriots at home match the heroism of her sons in uniform when the Liberty Loan army goes "over the top" on October twenty-seventh.

[GREAT  
SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighteenth day of October, A. D. one thousand nine hundred and seventeen, and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,

*Governor.*

By the Governor:

THOMAS F. MARTIN,

*Secretary of State.*

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#### PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The United States Food Administration desires to enlist the active support of the people of each State in general food conservation work and as one means to that end has instituted a nation-wide pledge card campaign designed to interest every household;

AND WHEREAS, It is vitally necessary in this crucial hour, when war conditions make extraor-



dinary demands upon food production and distribution facilities, that each and every person handling food, no matter in how insignificant a capacity, enter actively and vigorously into the task of feeding our soldiers, ourselves and our allies.

Now, THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, gladly complying with the request of Hon. James F. Fielder, Federal Food Administrator for New Jersey, do hereby issue this, my proclamation, designating the week of October 31-November 7 as

FOOD CONSERVATION WEEK.

It is very strongly urged that every person in this State handling food cooperate in the work in which the Food Administration is engaged and by eliminating waste, conserving supply and paying close attention to the effect of natural laws, inaugurate a permanent betterment in the wholesaler's stall, in the retailer's store and in the householder's kitchen calculated to further the great common cause to which all of us are bound by the sacred ties of loyalty and patriotism.

[GREAT  
SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-ninth day of October, A. D. one thousand nine hundred and seventeen, and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Lowering war clouds dull the earth. They cast their sombre shadow on industry, commerce, politics, education, the church, the home and every human activity and institution of the civilized world. All things are in abnormal or subnormal topsy-turvy through the righteous efforts of an outraged civilization to rebuke and efface the piratical power whose sinister sceptre shows an autocratic defiance of "peace on earth, good will toward men." Yet there is a rift for the ray of gratitude. At no time, under no circumstances does cause for thankfulness and appreciation on the part of blessed and fortunate mankind cease to exist.

That our great State as a part of our greater country is in a position to participate efficiently and effectively in the battles of democracy, shoulder to shoulder with nations which until now have bravely borne the brunt of the struggle, is first above all causes for thanksgiving. Our willing man-power, our patriotic inspiration, our abundant crops, our financial resources, our expanding industries readily adaptable to emergency conditions—all of these and more, constituting essential ingredients of a durable peace, it is our priceless privilege to supply. Then again, there is the good that comes of evil; the indirect compensatory results of preparation for war such as the curbing of personal extravagance, the cultivation of self-sacrifice, the revival of national loyalty, the rekindling of old-fashioned patriotism and the practicable solution, through careful conservation and intensive training, of certain domestic economic problems which were rapidly approaching an

alarming crisis, are perfectly clear to all thinking men. Never was there greater cause for a happy and prosperous people, fully enjoying the dividends of democracy and fully equipped to safeguard its principles, to pause for a moment in grateful reflection upon the benevolence and kindness of a wise and just Providence.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, in conformity with the Proclamation of the President of the United States, do hereby designate

THURSDAY, NOVEMBER TWENTY-NINTH,

THANKSGIVING DAY

and respectfully suggest that it be observed in the customary thoughtful manner and with even more than usual prayerful devotion and divine supplication in view of the extraordinary conditions.

Given under my hand and the Great Seal of the State of New Jersey, this  
[GREAT twelfth day of November, A. D. one  
SEAL] thousand nine hundred and seventeen, and in the Independence of the United States, the one hundred and forty-second.

WALTER E. EDGE,

*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Money is one of the principal factors in winning the war, and yet it is manifestly impossible for all our people, especially young folk, because of their limited means, to purchase Liberty Bonds. As a substitute for Liberty Bonds, or rather as a means of finally acquiring Liberty Bonds by modest steps, the government has provided thrift stamps and certificates. These may be secured in denominations anywhere from a comparatively small fraction of a dollar to a few dollars, and of course, their purchase and collection not merely provide an opportunity for taking a patriotic part in the government's war but also act as a stimulus to thrift.

Of course, the investment in thrift stamps and certificates is not confined to any particular class of people. All are invited to back their confidence in the government with their savings. But it appears to me that one effective way in which to popularize the patriotic thrift campaign in New Jersey is through the public schools and other educational institutions. Many children will literally waste money during the coming Christmas season. Non-essentials will be purchased simply because of the habit of indulgence and through lack of appreciation of the crisis through which the country is passing. Here is an opportunity, through the practice of self-denial, for thousands of school children in New Jersey to learn a valuable lesson in thrift and at the same time "do their bit" and actively engage themselves in Uncle's Sam's end of the tug of war.

Fully realizing the tremendous possibilities in the thrift campaign of the Federal Government,

I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby designate

FRIDAY, DECEMBER 21ST, 1917, SCHOOL THRIFT DAY.

It is respectfully suggested, in order to create the necessary atmosphere of enthusiasm, that on this day there be held in every public school of the State and in any private school where the management may so ordain, a canvass for the purpose of determining how many pupils of the New Jersey schools are to voluntarily enlist in the thrift army of the nation. This, of course, should take place in an assemblage of all the pupils in any given school on the day set apart as "School Thrift Day," and in order that the country may know the strength of New Jersey's school unit in the national thrift army it should be arranged by those charged with the administration of the public school system in New Jersey to have the returns of this canvass submitted promptly to the Commissioner of Education at Trenton in order that the result may be properly announced.

It is confidently believed that the vast majority, if not all of the school children of New Jersey, will be only too glad of this opportunity to wear the badge of economy and thrift. This is not a badge of silver or gold, or a badge in any ordinary sense; it consists rather of a mended shoe, a darned stocking, a pair of patched trousers, a made-over dress, an old hat or coat, a lack of candy or gum, a saving of paper and other supplies which the Board of Education furnishes, a determination not to waste food, to economize in the use of sugar, to practice self-denial which will prompt thrift generally, to assist sorely-tried parents to bridge over the widening stream of living cost.

This will enlist even the children in a sensible and practical way on the side of democracy's forces in the war.

Given, at Trenton, under my hand and the Great Seal of the State of New Jersey,  
[GREAT this tenth day of December, A. D. one  
SEAL] thousand nine hundred and seventeen and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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#### PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Through the public press the people of New Jersey are generally familiar with the provisions of the recent order of the Federal Fuel Administration. Official New Jersey has been asked to co-operate by the Federal Fuel Administrator for this State.

No order issued since the beginning of the war has called forth such a volume of criticism. Public opinion seems to be hopelessly at variance with regard to the necessity for drastic steps, which the order contemplates. But this is no time for surmise or quibble. It is important to obey and not challenge. The fuel order was issued by the Federal Fuel Administration with the approval of the President of the United States and the Cabinet officials charged with the responsibility of conducting the war. The President has made it quite plain that the order was maturely considered before

being promulgated and that it will not be modified in any essential. Under the circumstances it is the plain duty of State administrations to cooperate fully in the enforcement of the order from the Commander-in-Chief.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim that the order of the Fuel Administration is in full force and effect in the State of New Jersey and that its observance will be insisted upon by State authorities. To this end State officials in all the counties of New Jersey are hereby directed to maintain vigilance in their respective territories and promptly report to the Federal Fuel Administrator for New Jersey, Richard C. Jenkinson, Newark, New Jersey, or to any other authority charged with the enforcement of Federal mandates any violation of the order which may come to their notice. County and municipal officers throughout the State are urged to cooperate to the fullest extent.

It is respectfully urged that citizens generally throughout the State comply cheerfully and willingly with the order, regardless of what their individual opinion may be with respect to its necessity. It is a challenge to patriotism which must not be ignored. Compliance will be the easier when it is remembered that no sacrifice at home is comparable with the sacrifice exacted of our fellow citizens in the trenches.

Given under my hand and the Great Seal of the State of New Jersey, this [GREAT SEAL] eighteenth day of January, A. D. one thousand nine hundred and eighteen, and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,

By the Governor:

*Governor.*

THOMAS F. MARTIN,

*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The Comptroller did, on the seventh day of January, nineteen hundred and eighteen, under the provisions of an act entitled, "An act to amend an act entitled 'A further supplement to an act entitled, 'An act to provide for the imposition of State taxes upon certain corporations and for the collection thereof,'" approved April eighteenth, one thousand eight hundred and eighty-four,' which supplement was approved June third, one thousand nine hundred and five," which amendment was approved March eleventh, one thousand nine hundred and fourteen, report to the Governor a list of all corporations coming under said act; and

WHEREAS, The following named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year 1915, under the laws of the State of New Jersey, and made payable into the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void; unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this proclamation that the charters of the following



named corporations so reported, and in default,  
to wit:

## UNPAID TAXES FOR THE YEAR 1915.

Absecon Realty Co.  
Accurate Garment Fitter Co.  
Acken Homestead.  
Acme Ivory Button Co.  
Acme Twist Drill Co.  
A. C. Squire's Rubber Co.  
Adams Clay Mining Co.  
Addy-Venable Co.  
Agents Agency Co., Inc.  
Ai-Bee-Amusement Co.  
Ajax Construction Co.  
A. J. Sellers Co.  
Albert J. Higson Manufacturing Co.  
Albert T. Grant Co.  
Albion Poultry Co., Inc.  
Albumol Mfg. Co.  
Alex Hamill Iron Works.  
Alfred H. Rowe & Co.  
Alfred W. Smith Co.  
Allcene Realty Co.  
Alpers Chemical Co.  
Alpha Lamp Co.  
Alphano Co.  
Altai Sales Co.  
Alvin R. Morrison, Inc.  
Amboy Waist & Dress Co.  
American Accessories Co.  
American Amusement Co.  
American Buff Corporation.  
American Capital Co.  
American Coupon Service, Inc.  
American Dry Ornamental Co.  
American Embroidery Manufacturing Corpora-  
tion.

American Home & Realty Co.  
American Launch Co.  
American Manufacturing Co.  
American Metal Edge Box Co.  
American Metal Lath Fireproof Construction &  
Manufacturing Co.  
American Mortgage Co.  
American Motor Transit Co.  
American Paper Co.  
American Reduction Works.  
American Register Co., Inc.  
American Road Appliance Corporation.  
American Roller Bearing Co.  
American Roofing Co.  
American Rubber Manufacturing Co. of New Jer-  
sey.  
American Securities Investment Co.  
American Song Illustrating Co.  
American Telaudit Co.  
American Turquoise Co.  
American Westrumite Co.  
Amherst Realty Co.  
A. Morton Oppenheim & Co.  
Amusement Concessions Co.  
Anchor Castors Corporation.  
Anderson Gas Turbine Co.  
Andover Gardens Co.  
Ansbach Amusement Co.  
Anthony Dwyer, Inc.  
Antigua Realty Co.  
Arba Realty Co.  
Archer-McCarthy Co.  
Arcola Realty Co.  
Arctic Ice Company, No. 2.  
Ardmaer Trucking Co.  
Arlington Motor Car Co.  
Artherholt Co.  
Asbury-Belmar Country Club.  
Asbury Park Publishing Co.  
Ashby's Express, Inc.

Ashland Emery & Corundum Co.  
Astor Theatre Co.  
Atlantic Cash Feed Co.  
Atlantic Churning Co.  
Atlantic Coast Electric & Protective Co.  
Atlantic Electric Co.  
Atlantic Gravel & Sand Co.  
Atlantic Punctureless Tire Co.  
Atlantic Sea Food Co.  
Atlantic Seashore Improvement Co.  
Atlantic Sporting Goods Co.  
Atlantic Vineyard & Wine Co.  
Atlantic City Grain Co.  
Atlantic City Horse Show Association.  
Atlas Cereal Manufacturing Co.  
Atlas Metal Manufacturing Co.  
Atterbury Tract Realty Co.  
Aubry Floral Co.  
Auelo Sales Co.  
Audubon-Haddon Heights Garage Co.  
Auer Incandescent Light Co.  
Auer Specialty Co.  
Automatic Machine Co.  
Automobile Tire Cooling Co.  
Auto Service Co.  
Auto Tire & Supply Co.  
Avoca Silk Co.  
A. Wohleib Co.  
Aztec Turquoise Mining Co.  
Baker Automatic Filter Co.  
Barbara Corporation.  
Barnard Tent Co.  
Barnett Equipment Co. of America.  
Baron and Tunison, Inc.  
Bass-Megaro Building Co.  
Bataille Pump & Machine Co.  
Beach Glen Land Co.  
Beam Turner Co.  
Beaver Dam Cranberry Co.  
Beaver Land Co.

Beaver Mortgage Co.  
Beckley-Morgan Perforating Co.  
Bedford Pittman Co.  
Bed Stead Supply Co.  
Bell Bottling & Supply Co., Inc.  
Bellevue Garage, Inc.  
Bell-Haven Co.  
Belmont Stone Co.  
Belmont Theatre Co.  
Belvidere Delaware Electric Light & Power Co.  
Benisch Realty Co.  
Benjamin Pulverizer Co.  
Bergdoll Taxicab Co.  
Berger Co.  
Berghoff Co. of New Jersey.  
Berkeley Construction Co.  
Berkley Silk Co.  
Beulah Farms.  
Beverly-Rancocas Brick and Tile Co.  
Biondi Realty Co.  
Bishop & Search Mining Co.  
Ritterly Manufacturing Co.  
Bizjack Bros.  
Black Diamond Range Co.  
Blackmore Photo and Art Supply Co.  
Blake Brothers Animal Training School, Inc.  
Board of Trade Industrial Exposition.  
Bodner Cafe & Auditorium Co.  
Book Match Sales Co.  
Booraem-Nichols Motor Car Co.  
Bornstein Construction Co.  
Boudinot Investment Co.  
Boving Mosaic Tile & Mantel Co.  
Boyer Manufacturing Co.  
Braddock Cranberry Co.  
Branch Brook Novel Homes Co.  
Brandt Paper and Printing Co.  
Brenner Loan and Investment Association.  
Brevard Company.  
Brewers' and Bottlers' Supply Co.

Bridge Manufacturing Co.  
Brighton Amusement Co.  
Broad-Montgomery Theatre Co.  
Broadway Picture Producing Co.  
Broadway Real Estate Exchange.  
Brodsky-Sovak Realty Co.  
Bromberg and Agisim, Inc.  
Brown's Mills Improvement Co.  
Bruce Chemical Co.  
Bryn Mawr Theatre Co.  
Buckeye Laundry Storage and Carpet Cleaning  
Co.  
Bullus-Miller Co., Inc.  
Burnet Realty Co.  
Butler, Freed, Riley Co.  
Cadwell Patents Co., Inc.  
Cafe Boulevard.  
Camden Knit Goods Co.  
Campbell Manufacturing Co.  
Candelaria Mining Co.  
Cape May County Gas Co.  
Cape May Grain and Coal Co.  
Cape May Hotel Co.  
Cape May Land and Improvement Co.  
Capital City Dairy Co.  
Card Index Directories Co.  
Carolan Badge and Decorating Co.  
Carteret Mining Co.  
Case Manufacturing Co.  
Cash Coin Co.  
Central Advertising Co.  
Central Bakery.  
Central Investment Co.  
Central Mercantile Co.  
Central New Jersey Construction Co.  
Central Pharmacy, Inc.  
Central and Seacoast Securities Co.  
Century History Co.  
Challenge Starch Co.

Chaloner Safety Stop Device and Automatic  
Switch Co.  
Champion Manufacturing Co.  
Charles C. Wientge Co.  
Charles E. Ball Co.  
Charles E. Maier.  
Charles Crotsky, Inc.  
Charles Pfizer, Jr. Company, Limited.  
Chelsea Manufacturing Co.  
Chestnut Heights Land Co.  
Chestnut Ridge Farms, Inc.  
Choc-Lo Products Co.  
Citizens Construction Co.  
City Amusement Co.  
City Island Dredging Co.  
City Realty Co., (No. 2).  
Civic Improvement Co.  
Clairmore Realty Co.  
Clark & Co., Inc.  
Clarke Investment Co.  
Cleveland Trade Bulletin Co.  
C. L. Fitzgerald Motor Co.  
Cliad Co.  
Clifton Grove Land Co.  
Climax Investment Co.  
Climax Leather Co.  
Clinton Biscuit and Supply Co. of Newark, New  
Jersey.  
Closter Garage.  
Coast Construction Co.  
Colinwood Farms.  
Collingswood Home and Real Estate Co.  
Colombian Exploration and Mining Co.  
Colonial Lumber Co.  
Colonial Sweets Shop, Inc.  
Colt & Co.  
Commercial Finance Co.  
Community Co.  
Comora Embroidery Works.  
Concordia Silk Hosiery Co.

Concrete Pole Co.  
Condon Walker Co.  
Cone-Mintzer Co.  
Confession Co. of America.  
Consolidated Amusement Co.  
Consolidated Gas Purification and Chemical Co.  
Consolidated Knitting and Spinning Mills Co.  
Consolidated Milk Exchange.  
Consolidated Western Range Horse Co.  
Continental Car and Equipment Co.  
Continental Hotel & Passenger Transfer Co.  
Conti Realty Co.  
Copper Rock Mining Co.  
Coppinger Motor Car Co.  
Corning Poultry Food Co.  
Corporation Tax Co.  
Cosmopolitan Laundry, Inc.  
C. P. Ketterer Co.  
Cranford Land Improvement Co.  
Cranford School for Girls.  
Crescent Land & Improvement Co.  
Crimson Clover Dairy Co.  
Crucible Steel Casting Co.  
C. S. Goldberger, Inc.  
Cuba Planters Co.  
Cullen Contracting Co.  
Cumberland Specialty & Manufacturing Co.  
C. W. Wolfe Co.  
Davis Foundry Co.  
Deal Beach Land Company.  
D. E. Boyer Co.  
Decker Zahn Co.  
Deerin-O'Brien Co.  
Defiance Tool & Utensil Co.  
DeFlesco Brown & Gray Stone Co.  
D. Eisner & Co.  
Delaware River Development Co.  
Delta Breeding Farms.  
De Luxe Amusement Co.  
Dennison & Buck Co.  
Dentacura Co.

Dental Products Co.  
Dermin Manufacturing Co.  
DeShetley Corporation.  
D. H. Sharp Co., Inc.  
Diamond Paper Box Co.  
DiCarlo's Restaurant.  
Dix Auto Co.  
Dixie Tire and Rubber Co.  
Dr. Dinshah P. Ghadiali Inventions Corporation.  
Dr. Rosenwasser Sanatorium Co.  
Dr. Susman, Dentist.  
Domestic Stone Co.  
Dooner and Smith Co.  
Doutney's Humane Feed-Bag Co., Inc.  
Draught Bottle Co. of America.  
Drum Dry Dock Co.  
Dumois Nipe Co.  
Dundee and Garfield Real Estate Co.  
Dunn Corporation.  
DuNord Manufacturing Co.  
Duresco Silicate Paint Co.  
Duryea Motor Sales Co.  
E. A. Burton Dairy Co.  
Eagle Brass Bed Co.  
Eagle Co. of Perth Amboy.  
Eagle Tea Co. of America.  
East Linden Development Co.  
East Orange Arlington Avenue Realty Co.  
East Orange Building Co.  
East Orange Coal and Supply Co.  
East Orange Laundry Co.  
East St. Louis and Suburban Co.  
East Side Park Building and Development Co.  
Eastern Export Co.  
Eastern Investment Co.  
Eastern Lighting Co.  
Eastern Mines Co.  
Eastern Motion Picture Co.  
Easton Silk Co.  
Easy Cork Extractor Co.



Easy Housekeeping Co.  
E. A. Whitehouse Manufacturing Co.  
Edgewater Motor Boat Co.  
Editor Company.  
Edward B. Morris Co.  
Egg Harbor Brick Manufacturing Co.  
Eiker Carburetter Co.  
E. J. Dorsey and Sons Investment Co.  
E. J. Ross Manufacturing Co.  
Electric Power Co.  
Electrical Equipment Co.  
Electo File Sharpening Co.  
Elizabeth Heights Realty Co.  
Elizabeth Homes Realty Co.  
Elkton Moving Picture Co.  
Ellis-Spitzer Realty Co.  
Elmwood Construction Co.  
Elwood Johnson Construction Co.  
E. M. Cleveland Realty and Development Co.  
Empire Caging Co.  
Empire Drug Co.  
Empire Jewelry Manufacturing Co.  
Empire Sash and Door Co.  
Empire Steam Laundry Co.  
Empress Theatre Co.  
Endress Co.  
Englewood Motion Picture Co.  
Ensor Manufacturing Co.  
Enterprise Land Co. (No. 3).  
E. P. O. Horse-Overshoe Co.  
Erickson and Snedeker.  
Essex Cornice and Skylight Works.  
Essex County Public Market Co.  
Essex Grand Concert Co.  
Essex Realty and Lumber Co.  
Essex Rendering Co.  
Fairmount Feature Film Co.  
Fairmount Park Transportation Co.  
Fairy Color Co.  
Fallon Importing Co.

Farmer Smith, Inc.  
F. C. Ritchie Harness Co.  
Federal Asphalt Co.  
Federal Hudson Co.  
Federal Wire Cloth Co.  
Ferguson Manufacturing Co.  
Fergus T. Kelaher Co.  
Ferris Chemical Co.  
Fertilizer and Land Co.  
Fibrex Comb Co.  
Fink Realty Co.  
First Ward Amusement Co.  
Fischel Bros. Co.  
Fisheries Corporation.  
Fisk & Dunham Rubber Co.  
F. J. Clark Co.  
Flor-Helen Realty Co.  
Fountain Woods Farm, Inc.  
Frank A. Boettner Co.  
Franklin Auto Co.  
Fred E. Rosebrock Co.  
Fred M. Bredin Co.  
French-American Chemical Co.  
Frenot Manufacturing Co.  
Frey Brothers, Inc.  
Fritz Kaempff Co.  
Fruhling Suction Dredge Co.  
Fuller Construction Co.  
Funk Blower Co.  
Funk and Grupe Co.  
Gamma Realty Co.  
Garafano Construction Co.  
Garrison Rumsey and Co., Inc.  
Gas Appliance Sales Co. of America.  
Gasoline Protectometer Co.  
G. B. Moore Co.  
G. Edward Myers Co.  
Gelato Construction Co.  
Gem Construction Co.  
Gem Match Co.

General Agency, Inc.  
General Brokerage Co.  
General Metal Products Co.  
General Mineral Co.  
General Producing Co.  
General Supply and Equipment Co.  
General Westrumite Co.  
Geo. Beechwood and Co., Inc.  
George F. Bradstreet Co.  
George Hardy Payne Studios.  
Geo. N. Thurber Co.  
George W. Harkins Realty Co.  
German American Brewing Co.  
German American Embroidery Works.  
Gibraltar Tire and Tube Co.  
Gibson Co.  
Gillen Co., Incorporated.  
Ginder Construction Co.  
Girls' Garment Co.  
Glaser Co.  
Glaser Tobacco Co.  
Globe Cloak and Suit Manufacturing Co.  
Globe Merchandise Co.  
Globe Navigation Co.  
Globe Paste Manufacturing Co.  
Globe Real Estate Co.  
Globe Stores, Inc.  
Globe Wire Co.  
Goaway Umbrella Co.  
Goldy Amusement Co.  
Goodwear Hosiery Mills.  
Goodyear Shoe Repairing Co.  
Gordon Distilling and Distributing Co.  
Goshen Manufacturing Co.  
Gourley Construction Co.  
Gray Chemical Co.  
Great River Plantation.  
Greater Amboy Amusement Co.  
Greely Hotel and Restaurant Co.  
Grey Rock Artesian Water Co.

Groenendyk Plumbing Co.  
Grove Investment Co.  
Gualcala Mines Co.  
Guarantee Realty and Mortgage Co.  
Guarantors' Securities Company.  
Guards of Columbus Realty Co.  
Gulkis Co.  
Gumaerd Lead and Zinc Co.  
Gustave A. Grub Co.  
Haas Brothers Co.  
Haas Brothers Supply Co.  
Hainski-Rademacher Co.  
Haledon Throwing Co.  
Hall and Taylor Co.  
Hamilton Realty and Guaranty Co.  
Hannan and Janson, Inc.  
Hanover Iron and Steel Co.  
Harris Theatre Co. of Washington, D. C.  
Harrison Realty and Improvement Co.  
Harvard Avenue Land Co.  
Harvard Land and Improvement Co.  
Hasbrouck Heights and Lodi Building Co.  
Hatch Drome Co. of Pittsburg.  
H. C. Lockwood Co.  
H. C. Reese Co.  
Healey Test Boring and Sewer Improvement Co.  
Heath Novelty Co.  
Heat-Less Abrasive Wheel Co., Inc.  
Heliotint Art Association.  
Henry A. Cohendedt Co.  
Henry-Capes Brass Foundry Co.  
Henry Flaacke's Sons, Inc.  
Henry Meyerhoff, Inc.  
Henry Schappi Co.  
Herring Wakefield Co.  
H. G. Hering, Jr., & Co.  
H. G. Molinari Co.  
Hicks Amusement Co.  
Highland Park Co.  
High Ledge Mines Co.

Hill Arcade Realty Co.  
Hillside Land Co.  
H. J. Freeman, Inc.  
H. Mueller Plumbing and Heating Co.  
Hoboken and North Hudson Auto Bus Transportation Co.  
Hofbrau Haus Co.  
Holland-American Nursery Co.  
Holloway--Kates Co.  
Hollywood Realty Co.  
Home Building Bureau.  
Home Improvement Co.  
Home Telephone Company of Trenton, N. J.  
Homestead Brickyards, Inc.  
Hopewell Chocolate Co.  
Hospec Silk Co.  
Hotel Clarendon.  
Hotel Rutherford Co., Inc.  
House and Home Co.  
H. R. Young Company.  
Hudson Building Co.  
Hudson County Automobile Co.  
Hudson Foundry Co.  
Hudson Iron Co.  
Hudson Machinery Co.  
Hudson Navigation Co.  
Hudson View Estates Co.  
Hughes & Whitby.  
H. U. H. Tire Co.  
Hunter Rubber Co.  
Hunterdon Transportation Co.  
Hunt's Standard Storage Warehouse Co.  
H. W. Thompson Decorating Co.  
Idanha Orchard Co.  
Ideal Express and Transportation Co.  
Imperial Amusement Co.  
Imperial Garage Co., Inc.  
Imperial Machine Co.  
Independence Lumber and Brick Co.  
Indu Kosmetic Co.

Ingersoll Co.  
Inglaterra Mining Co.  
Ingling Manufacturing Co.  
Inlet Pavilion Hotel Co.  
Interlocked Metallic Hose Company.  
International Bureau.  
International Commercial Co. (No. 1).  
International Compound Cork Co.  
International Hog Cholera Serum Co.  
International Macaroni Co.  
International Security Manufacturing and Supply Co.  
International Silk Dyeing Co.  
International Tobacco Co.  
Interstate Amusement Co.  
Inter-State Clay Products Co.  
Interurban Gas Improvement Co.  
Investors Realty and Construction Co.  
Iroquois Hotel Co.  
Irving Park Realty Co.  
Irving Realty Co.  
Irvington Amusement Co.  
Italia Investment Co.  
James A. Grant Ice Co.  
James Maybury Engineering and Contracting Co.  
Janch-Allen Co.  
Janes Silk Mills.  
J. B. Martin Co.  
J. D. Wood Co.  
Jersey City Dairy Co.  
Jersey City Metal Cornice and Skylight Co.  
Jersey City Meter Co.  
Jersey Publishing Co.  
J. H. Black Co.  
J. Judd Mason & Co.  
J. & M. Realty Corporation.  
John English.  
John Everwine Construction Co.  
John Grants Sons.  
John G. Smith Shoe Co.

John H. Schroeder Realty Co.  
John J. Finey Co.  
John Leupold, Inc.  
John W. Berhman & Wife, Inc.  
Johnson Plumbing and Heating Co.  
Johnson-Ross Auto Co.  
Joseph H. Sands Contracting Co.  
J. Quat Co.  
J. Schuchman Co., Inc.  
Jules Voges Freres Co.  
Juniata Paving Co.  
J. W. Williamson Manufacturing Co.  
Kaplan Bros., Inc.  
Karasik-Meinet Building Co.  
Karl Bracher, Jr. Manufacturing Co.  
Kasson Mica Co.  
Kato Manufacturing Co.  
Kearny Exchange.  
Kearny Heights Land Co.  
Keasler, McGuire Real Estate Co.  
Kelly and Burke Co.  
Kenilworth Water Co.  
Kenney Specialty Co.  
Kentucky Avenue Land Co.  
Kerosene Appliance Co.  
Keyport Marine Railway.  
Keystone Coconut Co.  
Keystone Coffee Co.  
Keystone Realty Co.  
Keystone Whisk and Broom Co.  
King Shoe Manufacturing Co.  
King Silk Co.  
King Waist Co.  
Kingsley Schools of Business.  
Klausner Brothers Dry Goods Co.  
K. and M. Manufacturing Co.  
Knaster Co.  
Knauer Co.  
Knickerbocker Lithographing Co.  
Knox, VanSterk & Co., Incorporated.

Koscherak Box and Lumber Co.  
Koscherak Box and Supply Co.  
Krause Greater Shows.  
Lady Clair Dress Form Co.  
LaEva Coneto Mining and Milling Co.  
Laiblin Co.  
Lainhart Building Corporation.  
Lakeside Land Co. of Swedesboro, N. J.  
Lakeview Land Co.  
Lakeview Realty Development Co.  
Lakewood Co.  
Lambertville Baking and Manufacturing Co.  
Lancaster Co.  
Land and Homestead Co.  
La Orosca Mining Co.  
Laterman & Smith, Inc.  
Latta and Terry Construction Co.  
Laurel Springs Land Co.  
LaVergne Pump Co.  
LaVoce Della Colonia Eil Popolo Italo American  
Publication and Printing Co.  
Leather, Patent Cloth and Buckram Co.  
Lee Ottolengui Amusement Co.  
Lehigh Bolt and Nut Co.  
Leicester Rubber Co.  
Leo Berlow, Inc.  
Levenson Lumber Co.  
Lexington Amusement Co.  
L. H. Beals and Son Co.  
Liberty Hat Manufacturing Co.  
Liberty Investment Association.  
Liberty Oil and Supply Co.  
Liberty Publishing Co.  
Liberty Realty Co. of Englewood, N. J.  
Ligmatite and Heartometer Co.  
Lilliputian Service Co.  
Lincoln Amusement Co.  
Lincoln Park Garage Co.  
Linden Building and Construction Co.  
Linden Union Realty Co., Inc.



Little Farms Co.  
Little Silver Sanitarium Co.  
Littman, Eminent Floral Artist.  
Live Poultry Auction Co.  
L. M. Anderson Co.  
L. N. Dentz & Co.  
Lobel Co.  
Long Branch Co.  
Lorch Amusement Co.  
Lowy & Co.  
L. Reiman & Co.  
L. Singer Cigar Co.  
Lynwood Lodge.  
Lyric Amusement Co.  
Maccar Co. of New Jersey.  
Madison Rolling Chair Co.  
Maher-Koopman Waste Material Co.  
Mahlon Bryan & Co.  
Maier Co.  
Majestic Amusement Co.  
Manahawkin Development Co.  
Manhattan Cigar Co.  
Manhattan Marble Co.  
Mansell Roller Window Screen Co.  
Manufacturers' Auto Sales and Repairing Co.  
Manufacturers Printing Co.  
Manufacturers Supply Co.  
Manufacturers' Trading Co. of New Jersey.  
Maplehurst Estates.  
Marion Realty Co.  
Marsas Construction Realty Co.  
Marshall Machinery and Supply Co.  
Master Painters and Decorators Co. of New Jersey.  
Mauretcog Co.  
M. A. Weibel, Inc.  
Maxim Hotel Co.  
Maxim Silent Firearms Co.  
Max's Delicatessen Co.  
McAllister-Grundy Co.

McCullough Real Estate Co.  
McWhirter Chemical Co.  
Meadow Mountain Coal and Coke Co.  
Mechanics Construction Co.  
Mercer Gas and Electric Fixture Co.  
Merchants Motor Car Co.  
Merchants Trading Stamp Co.  
Merchants Union Ice Co.  
Merchants Union Stamp Co. of Elizabeth, N. J.  
Mercy Manufacturing Co.  
Merrill School.  
Merritt Hydraulics Co.  
Merton W. Greims, Inc.  
Metal Craft Guild.  
Metropolitan Real Estate Guarantee Title and Investment Co.  
Mexican Diamond Co.  
Middlesex Automobile Co.  
Middlesex Manufacturing Co.  
Middlesex Pants Co.  
Miles Corson Co.  
Miller Concrete Tie Manufacturing Co.  
Milnart Rubber Co.  
Minneapolis, Rochester and Dubuque Traction Co.  
Miss Coots Sanitarium.  
Mitchell-Thorne Co., Inc.  
M. Karsa & Co., Inc.  
Model Amusement Co.  
Modern Homes Realty Co.  
Modern Realty and Construction Co.  
Modern Rubber Manufacturing Co.  
Molenaar Automatic Register Co.  
Monarch Clothing Co.  
Monmouth County Agricultural Fair Association.  
Monroe Dairy Supply Co.  
Monroe V. Poole Co.  
Montana Water Co.  
Montclair Mushroom Co.  
Montgomery Stone Co.  
Moore Automatic Fire Escape Co.

Moore Cigar Co.  
"Moris Wilensky."  
Morristown Auto Co.  
Motion Picture Theatre Operating Co.  
Motion Signs Co.  
Motokart Co.  
MotoKart Company, Inc.  
Motor Car Exchange of New Jersey.  
Motor Car Repair Co.  
Motor Car Specialty Co.  
Motor Tire Reconstruction Co.  
Mountainside Realty Co.  
Mt. Prospect Land Co.  
Mrs. Robert B. Reilly Co.  
Municipal Co-operative Poultry Farm Co.  
Mutual Associates.  
Mutual Association of Westwood, New Jersey.  
Mutual Realty Corporation.  
Mutual Relations Co.  
Mutual Transportation and Storage Co.  
Nagle Re Blade Knife Co.  
Nan Sikkelee Building Co.  
Napoli Traders Co.  
Nassau Pharmacy.  
National Art Marble Co.  
National Body Co., Inc.  
National Cloak and Suit Co. -  
National Coin Detector Co.  
National Co-operative Assn.  
National Foundry Co.  
National Lock Washer Co.  
National Mdse. Corporation.  
National Policeman's Home Journal.  
National Powder Co.  
National Printing Co.  
National Sewage Disposal Co.  
National Shear and Tool Co.  
National Wine and Products Co.  
Navarre Operating Co.  
Nelson Lockwood Fish Co.

Netherwood Contracting Co.  
Netherwood Realty Co.  
Newark Amusement Co.  
Newark Bottle Co.  
Newark Brush & Scraper Co.  
Newark Clothes Line Holder Co.  
Newark Cork Works.  
Newark Egg and Tanners' Supply Co.  
Newark Engineering Manufacturing Co.  
Newark Flexo Tile and Stucco Co.  
Newark Flour Co., Inc.  
Newark Gas and Electric Fixture Co.  
Newark Industrial Exposition Association.  
Newark and Nutley Realty Co.  
Newark Park Corporation.  
Newark Smelting and Refining Works.  
New Berkeley Hotel Co.  
Newbery-Alverson Co.  
New Century Coal Manufacturing Co.  
New England Lighting Co.  
New Jersey Auto Exchange, Inc.  
New Jersey Bargain Stores.  
New Jersey Cellular Covering Co.  
New Jersey Combustion Co.  
New Jersey Cooperage Co.  
New Jersey Engineering and Construction Co.  
New Jersey Foundry Co.  
New Jersey Glass Co.  
New Jersey Lakes Realty Co.  
New Jersey Land and Construction Co.  
New Jersey Lime Co.  
"The New Jersey Link" Ship Canal Association.  
New Jersey Motorbus Co.  
New Jersey Motor Utilities Co.  
New Jersey Mounted Police Patrol System.  
New Jersey Oil, Gas, Mineral, Ore and Rare  
Earth Co.  
New Jersey Parquet Floor Co.  
New Jersey Piano Co.  
New Jersey Post Card Co.

New Jersey Press.  
New Jersey Sales Co.  
New Jersey Vending Machine Co.  
New Milford Realty Co.  
New Wrapping Machine Co.  
New York Butter & Egg Market.  
New York Granite Co.  
New York & Phila. Coal & Coke Co.  
New York Pump Co.  
New York Towing Co.  
Nickel Chrome Chilled Car Wheel Co.  
Nickerson-Hopper Lumber Co.  
Nitro Electric Corporation.  
N. J. Byrnes Private Hospital.  
No-Fixture Curtain Rod Co.  
Nolan Printing Co.  
Nonparell Realty Co.  
Non-Resident Courses in Art Instruction, Incorporated.  
Norman Construction Co.  
North American Securities Co.  
North Hudson Contracting Co.  
North Hudson Lodge No 765, Loyal Order of Moose Realty Co., Inc.  
North Hudson News Co.  
North Hudson Title Co.  
North Jersey Dyeing and Cleaning Works, Inc.  
North Newark Ice & Refrigerating Co.  
North Seaside Park Realty Co.  
North Wildwood Real Estate Co.  
Northern Amusement Co.  
Northern Realty Co.  
Novelty Hat Rack Advertising Company, Inc.  
Nungesser-Parker Baking Co.  
Nye Tract Development Co.  
Oakdale Farms Co.  
Oak Investment and Security Co.  
Oakland Terrace Land and Improvement Co.  
Oaklyn Realty Co.  
Oakro Co.

Oakwood Building Co.  
Ocean City Amusement Co.  
Ocean City Gardens Co.  
Ocean City Hotel & Development Co.  
Ocean County Publishing Co.  
Odeon Amusement Co.  
Ogden-Bailey Co.  
O. G. Williams Manufacturing Co.  
Orange Automobile Garage, Inc.  
O'Rourke Sheet Metal Co.  
Orpheum Realty Co.  
Ortus Realty Co.  
Our own Products Co., Inc.  
Oxford Silk Throwing Co.  
Pahaquarry Copper Co.  
Pain Fireworks Manufacturing, Importing & Exporting Co.  
Palace Amusement Co.  
Palace Stables Co.  
Palermo Sand and Stone Co.  
Palisade Improvement Co.  
Palisade Printing Co.  
Palmer School.  
Palmyra Ice and Coal Co.  
Park Investment Co.  
Park Theatre Co.  
Parkway Realty Co.  
Partrick, Carter and Wilkins Co.  
Passaic County Bottling Co.  
Passaic Jewelry Co.  
Passaic Wax Paper Mfg. Co.  
Paterson Automobile Trade Assn.  
Paterson Box Manufacturing Co.  
Paterson Building Co.  
Paterson Cop Winding Co.  
Paterson Ladder Co.  
Paterson Provident Loan Assn.  
Paterson Steam Vulcanizing Co.  
Payne Brothers, Inc.  
Pearl Button and Novelty Engraving Co.

Pell-Mello Horn Co.  
Penbryn Brick Co.  
Penn Charter Amusement Co.  
Pennsylvania Funding Co.  
Pennsylvania Obispo Plantation Co.  
Pennsylvania Realty Securities Co.  
Pennsylvania Vitrified Brick Co.  
Peoples Building Co.  
Peoples Land Co. of Bloomfield.  
Peoples Market Co.  
Perry Manufacturing Co.  
Perth Amboy Pottery Works.  
Perth Amboy Supply Co.  
Philadelphia and China Trading Co.  
Philip Friedman Co.  
Phoenix Land Co.  
Phoenix Novelty Co.  
Phoenix Publishing Co.  
Photo Coupon Co.  
Photoplay Importing and Sales Co., Inc.  
Pierson Harris Co.  
Pine Land Development Co.  
Pine Ridge, Incorporated.  
Pioneer Amusement Co.  
Pittsburg Sanitary Manufacturing Co.  
Plainfield Ice and Cold Storage Co.  
Plainfield Paper and Supply Co.  
Plaza Realty Co.  
Point Breeze Park Amusement Co.  
Polish Building and Real Estate Co.  
Polish National Home of Passaic.  
Pomeroy Ink Co.  
Pomeroy Shoe Co.  
Port Reading Co.  
Post Publishing Co.  
Practical Dairyman, Inc.  
Pratt Roof Protection Co.  
Press Printers & Publishers, Inc.  
Pressed Asbestos Products Co.  
Princeton Motion Picture Co.

Prochicle Process Co.  
Progressive Feature Film Co.  
Proprietors Realty Co. of New Jersey.  
Prospect Investment Co.  
Prosperity Hall Co.  
Providence Central Construction Co.  
Public Works Operating Co.  
Pulley Eyelet Co.  
Pullman Taxicab Co.  
Purabla Oil Co.  
Quackenbush Corporation.  
Queen City Auto Co.  
Quigley and Gay, Inc.  
Radiant Silk Co.  
Rahway Lumber Co.  
Railway World.  
R. A. McDonough, Inc.  
R. Bianchi Construction Co.  
Real Estate Sales Co.  
Realty Development and Construction Co.  
Realty Holding Co.  
Realty Sales Co.  
Reconstructed Stone Co.  
Red Bank Garage Co.  
Reeder Construction Co.  
Reeder-Speir Co.  
Refrigerating Ice Machine Co.  
Reilly's Express & Trucking Co.  
Reliable Brokerage Co.  
Reliable Life Securities Co.  
Remington Motor Co.  
Renziehausen Co.  
Reproducing Company of New Jersey.  
Republic Development Co.  
Resorts and Realty Co.  
Retail Butchers' Protective Association of Paterson, N. J.  
R. & H. Building Co.  
Rice Gas Engine Co.  
Riche.



Richman Apartment Co.  
Richter Manufacturing Co.  
Rickey Machine Co.  
Ridge Development Co.  
Ridgewood Concrete and Fireproofing Building Co.  
Risleys Real Estate Co.  
Riverton Lyceum Assn.  
Robert C. Taylor Co.  
Robinson Amusement Co.  
Robinson Paint and Hardware Co., Inc.  
Rochambeau Newspaper Syndicate.  
Roesch Packing Company, Inc.  
Rollo Haircloth Co.  
Roman Specialty Co.  
Roseld Cottage Co.  
Rosentover Land Co.  
Rose Press, Inc.  
Roxbury Realty Co.  
Royal Hat Manufacturing Co.  
Russian-American Chemical Co.  
Rutherford Garage.  
Rutherford Herald Printing Co.  
Rye Beach Toboggan Co.  
Saddle River Valley Construction Co.  
Saddle River Worsted Mills Co.  
S. A. Ferry Co.  
Safety Auto Tire and Tread Co.  
Sagel Candy Co.  
St. James Society.  
St. Louis Box Board Co.  
Salem Manufacturing Co.  
Salem Rapid Transit Co.  
Sam S. Shubert Booking Agency.  
Samuel Kline Co.  
Sanas Ventilator Co.  
Sangiaco Co.  
Sani-Glass Manufacturing Co.  
Savoy Amusement Company of Newark, N. J.  
S. B. Sofield Co.  
Scherer-Kennedy, Inc.  
Schlesingers.

School Progress League.  
Schnatt Chocolate Manufg. Co.  
Schultz Manufacturing Co.  
Schuyler Land Co.  
Schwarz Co.  
Scotts Drug Stores.  
Searchlight Publishing Co.  
Seashore Amusement Co.  
Secaucus Real Estate and Bonding Co.  
Security Loan and Investment Co.  
Segal & Co.  
Self-Raising Seat Appliance Co.  
Senn-Coney Co.  
Service Motor Car Co.  
Service Motor Truck Co.  
Seven Oaks Co.  
Seventh Avenue Garage.  
Shenandoah Realty Co.  
Shesler Co.  
Shirley Bifocal Lenz Co.  
Shrewsbury Realty Co.  
Shrewsbury River Bungalow Colony.  
Sidonia Realty Co.  
Simms Photo and Art Studio.  
Simplex Corset Corporation.  
Simpson-Corbin Co.  
Skillman Realty Co.  
Slatington Bangor Slate Syndicate.  
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Slipno Co.  
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Smith-Case Co.  
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South Jersey Canning Co.  
South Jersey Glass Works.  
South Jersey News Co.

South Orange Distilled Water Ice Co.  
South Side Operating Co.  
Spencer Bung Co.  
Spencers' Business College.  
Spies Women Shop.  
Springdale Realty Co.  
S. Rau Embroidery Co.  
S. and S. Starter Co.  
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Standard Automobile & Tire Co.  
Standard Beef Co.  
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Standard Firebrick Co.  
Standard Poultry Products Co.  
Standard Publicity Service.  
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Star Shoe Store Co.  
Star Stamping Works, Inc.  
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Sterling Shoe Shop.  
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Stiles-Freas-Smith Co.  
Stone Harbor Country Club.

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Suburban Co., (No. 1).  
Suits Manufacturing Co.  
Sun Heater Co.  
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Tehuantepec Rubber Culture Co.  
Tenafly Hall Co.  
Thirteenth Street Realty Co.  
Thomas A. Patton Piano Co.  
Thomas Motive Power Co.  
Thorner-DeTaranto Co.  
Thornton, Atmore and Co.  
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T. McCann's Son Co.  
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Townsend Co.  
Trenton Fire Brick Manufacturing Co.  
Trenton Furniture Manufacturing Co.  
Trenton Lithographing Co.  
Trenton Power Co.  
Trenton Water Power Co.  
Trimble Realty Corporation.  
Trinity Realty Co.  
Tripoli Land Association.  
Truth (Prowda) Co.  
Tubular Steel Manufacturing Co.  
Tuckahoe Sand and Brick Co.  
Tucker Machine Works.  
Turbine Equipment Co.  
Twentieth Century Land and Improvement Co.  
Twentieth Century Manufacturing Co.

Union Grocery Co.  
Union Hill Furniture Co.  
Union Hill Silk Finishing Co.  
Union Realty Co. of West New York, N. J.  
Union Sash and Door Co.  
Union Steel Tool Co.  
United Amusement Co.  
United Bond and Realty Co.  
United Laundry Co. of Jersey City.  
United Mattress and Manufacturing Co.  
United Mortgage Securities Co.  
United Paper Box Co.  
United Real Estate Dealers' Association of  
America.  
United Silver Co.  
United Theatres Co.  
U. S. Amusement Co.  
United States Mitis Co.  
United States Oxygen Corporation.  
United States Perfect Mail Box Co., Inc.  
United States Reduction and Refining Co.  
Universal Auto Bus Service Co.  
Universal Distillation Co.  
Universal Flexible Conduit Co.  
Universal Fuel Co.  
Universal Fuse and Electric Manufacturing Co.  
Universal Lumber Co.  
Upper Montclair Heating and Plumbing Co.  
Upper Montclair Land Co.  
Utilities Manufacturing Co.  
Vacuna Company.  
Van Deman & Wainright.  
Vandenburgh Bros., Incorporated.  
Vanderbilt and Schill.  
Vapoform Sales Co.  
Vehicle Storm Apron Co.  
Venice Park Co.  
Ventnor Lots Co.  
Vernon Grange Co.  
Vervia Worsted Mills, Inc.  
Victorlade Co., Inc.

Victorlade Fruit Co.  
Victor Roofing Sales Co.  
Victoria Cream Co.  
Victory Producing Co.  
Viking Mining Association, Limited.  
V. J. Hedden and Sons Co.  
Vossmeier-Knorr Co.  
Vulcan Barge Co.  
W. A. Bunting Co., Inc.  
Waddell Manufacturing Co.  
W. A. Lannigan Co.  
Walker-Little Co.  
Walsh and DiGiorgio, Inc.  
Walter Williamson Automobile Co.  
Ward Silk Jersey Co.  
Warren Brick and Sand Co.  
Washington Credit House.  
Washington Forge Silk Co.  
Washington Park Amusement and Transportation Co.  
Washington Theatre Co.  
Watchung Farms Co.  
Waterproof and Enamel Co.  
Waverly Roofing Co.  
W. C. Weber Co., Inc.  
Wechawken Roofing Co.  
Wellman Ventilating Lock Co.  
Wells Printing Co.  
Welsh Farms Dairy, Inc.  
Werner-Service Manufacturing Co.  
West Bergen Building and Realty Co.  
West End Coal Co.  
West End Hotel Co.  
West Perth Realty Co.  
West Tale Co.  
West Wildwood Building and Improvement Co.  
Western Essex Publishing Co.  
Whale Beach Realty Co.  
Wheeler and Dreher Co.  
White Cap Water Co.  
White Embroidery Manufacturing Co.

Whitehall Co.  
 White Limestone Co.  
 White and Reid, Inc.  
 White Shoe Co.  
 Whiting Carolina Co.  
 Whitney Realty Co.  
 Whritenour Co.  
 Wickatunk Co.  
 Wildwood Beach Realty Co.  
 Wilentz Co.  
 William K. Martenis, Inc.  
 William Roemer Co.  
 Williamson Garage Co.  
 Willmac Realty Co.  
 Willswood Farms Dairy Co.  
 Wilson, Edmondson Co.  
 Wisconsin Dairy Cattle Farm, Inc.  
 Wonderland Amusement Co.  
 Woodward Lumber and Supply Co.  
 Young's New Pier Automobile Co.  
 Zimmer Chemical Co., Inc.

are void and all powers conferred by law upon such corporations, and each of them are hereby declared inoperative and void.

[GREAT SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-eighth day of January, A. D. one thousand nine hundred and eighteen, and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,  
*Governor.*

By the Governor:  
 THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Service is the keynote of the present struggle in which the country is engaged. It is recognized that all citizens must serve; that the services of the artisan and of the householder and of the farmer are just as valuable and just as essential to success as the services of the militia at the front.

One of the first needs in winning the war is ships, and one of the first needs in building ships is to secure earnest, skilled labor.

Realizing this fact, the United States Shipping Board, the Department of Labor, and the various State Councils of Defense have undertaken to mobilize two hundred and fifty thousand artisans and skilled mechanics for services in the shipyards, and to enroll them as the United States Shipyard Volunteers of the Public Service Reserve. In order that this enrollment may be executed promptly it is necessary that the movement be supported patriotically and unselfishly throughout the country.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, respectfully call upon the mechanics of New Jersey to enroll in this great service at the call of the Shipping Board.

In this connection the cooperation of manufacturers and other employers of skilled mechanics and labor is urged. It is the intention of the Shipping Board to draw men into service in the shipyards in such fashion as to disturb as little as possible manufacturing conditions. The success of the shipbuilding program, upon which hangs the fate of our army in France, and our allies in the



common cause, will be menaced unless this great industrial army can be mobilized readily, to take its place in the workshop of war in case of necessity. Fulllest cooperation in the spirit of the proclamation is urged.

[GREAT  
SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventh day of February, A. D. one thousand nine hundred and eighteen, and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

In accordance with the provisions of Chapter 55, Laws of 1918.

I, WALTER E. EDGE, Governor of New Jersey, hereby issue this, my proclamation, putting into full force and effect and calling upon all law officers of the State to enforce the legislative enactment declaring it to be the duty of every able-bodied male resident of this State, between the ages of eighteen and fifty years, to be habitually and regularly engaged in some lawful, useful and recognized business, profession, occupation, trade or employment on and after the date of this proclamation until the termination of the war in which the United States is now engaged.

In its wisdom the Legislature has ordained that following this issuance of this Proclamation it shall be the duty of the Commissioner of Labor to prepare and publish such rules and regulations governing the assignment of persons to work as will insure equality of treatment and take into account age, physical condition and any other circumstances of the individual. This is imperatively necessary because of the plain fact that the success or failure of New Jersey's anti-loafing legislation will depend upon its application.

The selective service principle should prevail precisely as in the making of our military forces. In this task we are drafting for the industrial army. There are kinds of work too severe in a physical sense for the "society idler," who may, however, be competent to handle tasks which would be impossible for slackers of the hobo type. Sound judgment must be employed in our experiment to rid the human hive of its drones, and I call upon the Labor Department of the State to employ all of its available resources, including the Federal-State-Municipal Employment Bureaus, in providing machinery to obtain the kind of work suitable for specific cases.

To put in motion the machinery thus to be provided by the State Department of Labor will require the cooperative touch of law-enforcing officers all over the State. I therefore call the attention of sheriffs, mayors, and heads of police departments in all municipalities to the necessity of maintaining sharp vigilance and a keen eye for those workless individuals whose lack of ambition and fondness for idleness constitutes not merely a financial burden to every community, but also a genuine menace to the welfare of the nation's manhood under arms and their safety on the battlefield.

Executives of municipalities of ten thousand population and over are urged to have their police

departments compile a list of all habitual idlers in the community, to the end that they may be individually warned of the penalty of One Hundred Dollars or three months in jail, or both, prescribed for deliberate non-employment, and that the names of those professing willingness to work may be promptly certified to the State Labor Department, as available for employment.

Our farms and industries need more man-power than is available to meet extraordinary demands for production. By making Chapter 55 of the Laws of 1918 something more than a temporary sensation we shall be helping to supply this demand and at the same time curbing vagrancy, uselessness, mendicancy, immorality and crime.

[GREAT  
SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighth day of March, A. D. one thousand nine hundred and eighteen, and in the Independence of the United States the one hundred and forty-second.

WALTER E. EDGE,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

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## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Young America is to be the architect of future America. The political, the business, the social destiny of our country after the war is to be shaped to conform to those ideals which today are

taking root in the plastic mind of the boy. Will America build wisely in the period of reconstruction? Will she possess one hundred per cent. recuperative powers? Will she apply to great tasks the energy borne of clean manhood and clear thinking?

The responsibility must rest upon the shoulders of the man of tomorrow, who is the boy of today. To teach him the principles of good citizenship, to encourage his manliness, his righteousness and his loyalty and to discourage bad habits which develop only when the better side of a character is neglected—to take this interest in the boy is the duty of every parent, every teacher, every grown-up who loves the country and reveres her lofty traditions. Last year, in order to direct public attention toward this responsibility, a day in March was especially devoted to the boys' movement, and it was productive of such satisfactory results as to provoke the suggestion that it be made an annual event.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim Sunday, March 24th, as

#### BOYS' DAY IN NEW JERSEY

and respectfully suggest that all those individuals and institutions taking such an active interest last year renew their efforts to the end that the beneficial and patriotic cause may receive new impetus. All possible publicity should be given to the Boy Scouts of America and their activities. Churches, Sunday Schools and all similar institutions are urged to include in their services for the day something calculated to stimulate interest in the boy.

Everybody holds a commission to put young America in fighting trim for life's battles. Today American manhood cheerfully sacrifices life to pre-

serve democracy's best ideals. May we not see to it that democracy's future custodians and beneficiaries are of such type as to insure that this sacrifice shall not be in vain?

Given under my hand and the Great Seal of the State of New Jersey, this [GREAT  
SEAL] sixteenth day of March, A. D. one thousand nine hundred and eighteen, and in the Independence of the United States, the one hundred and forty-second.

WALTER E. EDGE,

*Governor.*

By the Governor:

THOMAS F. MARTIN,

*Secretary of State.*



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## **DECREES OF DISSOLUTION**

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(1265)





## Decrees of Dissolution

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IN CHANCERY OF NEW JERSEY.

In pursuance of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State:

<i>Name.</i>	<i>Filed.</i>
Standard Piano Company.....	April 25, 1917.
Pennington Canning Company.....	May 17, 1917.
McLeod Von Lengerke Company...	Sept. 8, 1917.
Jigger Shop.....	Oct. 17, 1917.
Light Car Distributing Company..	Dec. 15, 1917.



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**Change of Corporate Title of  
Municipalities**

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(1269)



## **Change of Corporate Title of Municipalities**

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In pursuance to the provisions of Chapter 200 of the Laws of 1911, the following changes of corporate title of municipalities have been filed in the office of the Secretary of State:

"The Township of Union" changed to "The Township of Lyndhurst," May 15, 1917.

"The Mayor and Council of the Borough of Roselle" changed to "Borough of Roselle," June 26, 1917.

"Mayor and Council of the Borough of Penns Grove" changed to "Borough of Penns Grove," August 9, 1917.

"The Mayor and Council of the Borough of Pompton Lakes" changed to "The Borough of Pompton Lakes," September 13, 1917.

"The Inhabitants of the City of Burlington" changed to "City of Burlington," September 14, 1917.

"The Mayor and Common Council of the City of Rahway" changed to "The City of Rahway," October 26, 1917.

"The Mayor and Common Council of the City of Newark" changed to "The City of Newark," December 3, 1917.



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**Statements of Results of  
Municipal Elections**

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(1273)





## **Statements of Results of Municipal Elections**

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The following municipalities have filed in the office of the Secretary of State statements of the results of elections held as provided in Chapter 22, Laws of 1915 (P. L. 1915, p. 51).

Chapter 186, Laws of 1895, approved March 20, 1895 (P. L. 1895, p. 358), entitled

“An act providing for the formation, establishment and government of towns,” approved March 20, 1895, and the supplements thereto and amendments thereof.

The foregoing act was adopted by the Borough of Secaucus, June 5, 1917, and was filed June 7, 1917.

Chapter 221, Laws of 1911, approved April 25, 1911 (P. L. 1911, p. 462), entitled.

“An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissioners in this State.”

The foregoing act was adopted by the City of Newark, October 9, 1917, and was filed October 22, 1917.



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## **Weights and Measures**

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(1277)



## Weights and Measures

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### EXEMPTIONS—NET WEIGHT CONTAINER LAW.

The following shall be the exemptions on small packages, from the provisions of the law requiring the quantity of the contents to be marked on the outside of the package, fixed by the State Superintendent of Weights and Measures in accordance with the tolerances and exemptions fixed by the Secretary of the Treasury, the Secretary of Agriculture and the Secretary of Commerce and Labor of the United States of America, viz.:

- (1) A package containing two (2) avoirdupois ounces of food, or less, is "small" and shall be exempt from marking in terms of weight.
- (2) A package containing one (1) fluid ounce of food, or less, is "small" and shall be exempt from marking in terms of measure.
- (3) A package wherein the units of food are six (6), or less, is deemed "small" and shall be exempt from marking in terms of numerical count.

The foregoing is prescribed in accordance with the provisions of Chapter 47, Laws of 1918, approved February 14, 1918, supplementing Chapter 181, P. L. 1916.

(1279)



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(1281)





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